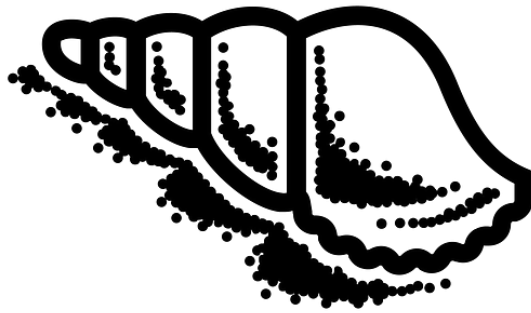




**Mornington
Peninsula Shire**

AGENDA

COUNCIL MEETING

TUESDAY, 11 AUGUST 2026

6:30 PM

**MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD**

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

Prue Digby Rebecca McKenzie	Municipal Monitor Municipal Monitor
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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

Appointed Chairperson – Mayor, Cr Stephen Batty

1.1 Acknowledgement of Country

To be read by Cr Stephens

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 7 July 2026, be confirmed.

2.4 Councillor Briefing Sessions

Councillor Briefing Sessions – 23 June 2026 and 21 July 2026

Councillor Workshop Sessions – 30 June 2026

RECOMMENDATION

That Council receives and notes the records of the 23 June 2026 and 21 July 2026 Councillor Briefing Session and the 30 June 2026 Councillor Workshop.

2.5 Petitions and Joint Letters

Tyrone Beach

A petition containing 1,022 signatures has been received requesting that Council consider commencing a formal review and community consultation process to recognise the coastal area between White Cliffs and Blairgowrie, extending inland to Melbourne Road, under the name Tyrone Beach.

The petition does not seek changes to planning controls, postcodes, Council services, zoning or development outcomes.

Immediate Comment

Shire officers will consider the petition in consultation with Geographic Names Victoria (GNV) to determine the appropriate next steps, if any, in accordance with the Place Naming Policy and the Naming Rules for Places in Victoria.

A proposal of this nature represents a significant body of work and, if progressed, would require extensive consultation with the impacted community, local businesses, relevant government agencies including Department of Energy, Environment and Climate Action (DEECA), foreshore committees, GNV, emergency services, utility providers and other affected stakeholders. Place naming and boundary amendment processes are complex, resource-intensive and can take several years to complete, as they require consideration of community views, administrative impacts, mapping and addressing implications, and updates across a range of government and service provider systems.

The petition contains 1,022 signatures, of which it is estimated that approximately 198 are residents of the locality directly affected by the proposal. As part of the assessment, Shire officers will consider the level and distribution of community support demonstrated by the petition, together with any other relevant information provided by the petitioner, the requirements of the Place Naming Policy and the Naming Rules for Places in Victoria, and any advice received from GNV. The assessment will inform whether there is a basis to progress the proposal through the formal place naming process, including any consultation that may be required.

Action Officer: Manager – Governance and Risk

RECOMMENDATION

That Council receives and notes the Petition requesting that Council consider commencing a formal review and community consultation process to

2.5 (Cont.)

recognise the coastal area between White Cliffs and Blairgowrie, extending inland to Melbourne Road, under the name Tyrone Beach.

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.

4.1 (Cont.)

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

Association/Committee	Representative/s	Substitute Representative/s	Shire Contact
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
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

PLANNING & LIVEABILITY

4.1 Planning Scheme Amendment C314morn - Update to Landslide Planning Controls - Stage 2

Issued By	Manager – Strategic Planning, Transport & Environment
Authorised By	Director – Planning & Liveability
Document ID	A14028577
Briefing Note Number	BN2204 – 26 May 2026 and BN2213 – 23 June 2026
Attachment(s)	1. C314morn – EMO7 current mapping 2. C314morn – Explanatory Report 3. C314morn – EMO7 Updated Mapping – July 2026 4. C314morn – EMO7 ordinance (tracked-changes) 5. C314morn – EMO7 ordinance 6. C314morn – Incorporated Document 7. C314morn – Schedule to Clause 72.04 Incorporated Documents (tracked-changes) 8. C314morn – Schedule to Clause 72.04 Incorporated Documents

EXECUTIVE SUMMARY

This report outlines proposed Planning Scheme Amendment C314morn (C314morn) which seeks to update interim Erosion Management Overlay – Schedule 7 (EMO7) to improve the mapping and planning requirements for land susceptible to landslides on the Peninsula.

EMO7 was originally approved by the Minister for Planning in January 2026 via C312morn, following urgent recommendations from the Board of Inquiry into the McCrae landslide.

The EMO7 was applied to all land on the Peninsula not already covered by an Erosion Management Overlay (EMO) and identified as highly susceptible to landslides in the Landslide Susceptibility Assessment, Stage 2, Mornington Peninsula Shire, Victoria (Cardno Lane Piper, 2012) (Cardno 2012 report). This study remains the best available source of information about landslide susceptibility on the Peninsula.

4.1 (Cont.)

The purpose of EMO7 is to help ensure new development is safe from landslides by addressing risks through the planning permit process.

The proposed changes to EMO7 under the Amendment are based on expert geotechnical engineering advice, including a thorough review of the Cardno 2012 report, a modern mapping methodology using recent Light Detection and Ranging (LiDAR) data of the Shire's topography, and site inspections.

The Amendment will substantially reduce the number of properties currently affected by EMO7 by around 80% (from about 33,000 to under 6,000 properties), with those properties to be removed having contained relatively small or isolated EMO7 mapping on otherwise flat or gently sloping land. A relatively small number of properties (about 360) will be added to the overlay to varying degrees because most of these properties are adjacent to a slope, and the refined mapping introduces a buffer zone at either the head or toe of the slope where new development could increase landslide risk.

Properties remaining within the overlay will have updated mapping either due to the inclusion of the slope buffer zone or because the mapping has been refined to remove the influence of man-made earthworks (such as retaining walls and excavations) or otherwise small, localised slopes, and align better with the natural topography of the land.

To assist landowners remaining within or added to EMO7, the Amendment removes red tape for minor buildings and works that pose minimal landslide risk and sets out a tiered assessment pathway for planning permit applications, allowing simpler applications to be processed faster.

It is recommended that Council request the Minister for Planning to fast-track approval of C314morn to ensure the necessary improvements to EMO7 are actioned as quickly as possible.

EMO7 will continue to apply on a temporary basis, until a comprehensive new Shire-wide landslide susceptibility study is completed to help inform permanent landslide planning controls. The tender process to appoint a geotechnical expert to undertake this work is underway, with work anticipated to commence in mid – late August. This will take at least 2-4 years to complete, including a full planning scheme amendment and public exhibition process.

4.1 (Cont.)**RECOMMENDATION****That Council:**

- 1. Endorses proposed Planning Scheme Amendment C314morn, generally in accordance with Attachments 2–8 of this report, which seeks to update the mapping and ordinance of Schedule 7 to the Erosion Management Overlay and introduce a new Incorporated Document into the Planning Scheme, titled '*Geotechnical Information Requirements for the Erosion Management Overlay, Schedule 7 (Stantec and Mornington Peninsula Shire, July 2026)*'.**
- 2. Authorises the Director of Planning and Liveability to make changes to Attachments 2–8 of this report, if required.**
- 3. Requests that the Minister for Planning uses her powers to prepare and approve Planning Scheme Amendment C314morn, generally in accordance with Attachments 2–8 of this report, under sections 8(1)(b), 20(4) and 35(1) of the *Planning and Environment Act 1987*.**
- 4. Notifies all affected landowners of its decision.**

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.

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, C and I which are:

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

4.1 (Cont.)**RELEVANT COUNCIL DECISIONS AND POLICIES**

- 14 October 2025 – Council endorsed a 3-stage approach to updating its landslide planning controls, following the release of the report of the Board of Inquiry (BOI) into the McCrae Landslide.
- 17 November 2025 – Council adopted Planning Scheme Amendment C312morn (C312morn): Stage 1 of its update to landslide planning controls, which sought to apply new Schedule 7 to Erosion Management Overlay (EMO7) on an interim basis to all land identified as highly susceptible to landslide that was not already covered by an EMO, based on the report Landslide Susceptibility Assessment, Stage 2, Mornington Peninsula Shire, Victoria (Cardno Lane Piper, 2012) as recommended by the BOI and requested by the State Government.
- 16 December 2025 – Council resolved to acknowledge community angst about C312morn and the EMO7, waive planning permit application and enquiry fees where EMO7 is the sole permit trigger and further geotechnical analysis and/or permit conditions are not required to address any underlying landslide risk, accelerate work to review the data underpinning EMO7, and continue to communicate with the community about concerns.

DISCUSSION**Purpose**

The purpose of this report is to outline proposed C314morn which seeks to update and improve the mapping and ordinance of the interim planning control Schedule 7 to the Erosion Management Overlay (EMO7) and recommend that a request is made to the Minister for Planning to prepare and approve C314morn.

Background***Overview of Council's 3 Stage Approach to Updating its Landslide Planning Controls***

In October 2025, Council endorsed a 3-stage approach to updating its landslide planning controls, following the (BOI) into the McCrae Landslide's September 2025 recommendations. The 3 stages are summarised as follows:

- Stage 1 – Planning Scheme C312morn. This stage concluded when the Minister for Planning approved C312morn in January 2026. It urgently introduced a new schedule EMO7 on an interim basis to all land identified as highly susceptible to landslide in Landslide Susceptibility Assessment, Stage 2, Mornington Peninsula Shire, Victoria (Cardno Lane Piper, 2012) (Cardno 2012)

4.1 (Cont.)

report) that did not already have an Erosion Management Overlay (EMO) in place.

- Stage 2 – C314morn. As outlined in this report, this current stage makes necessary refinements to the mapping and ordinance of EMO7 based on the advice of geotechnical experts.
- Stage 3 – Involves commissioning a new and comprehensive Shire-wide landslide susceptibility study to form the basis of new, permanent landslide planning provisions to replace the interim EMO7 as implemented by Stages 1 and 2. It will also review and rationalise other existing permanent EMOs that have been in place for many decades. Stage 3 is expected to be completed within the next 2-4 years. The tender process to appoint a geotechnical expert to undertake this work is underway, with work anticipated to commence in mid – late August.

Overview of the Operation of the EMO7

The EMO7 is a planning tool that is used to ensure that proposed development is safe from landslide risk. It is applied to areas that have been identified by geotechnical engineers as being susceptible to landslide. When development is proposed within the EMO7, the Planning Permit Applicant will generally be required to submit geotechnical information together with the application showing that the development is safe from landslide risk.

Not all development under the EMO7 will trigger the need for a planning permit, as the EMO7 contains various permit exemptions for minor buildings and works. Similarly, the level of geotechnical information required to be submitted with an application can be lessened or waived in accordance with the complexity of the proposed development. C314morn improves the operation of permit exemptions and staging of geotechnical information, as described in the later sections of this report.

Implementation of Stage 1 (C312morn)***Current Mapping of EMO7***

In accordance with the BOI's recommendations, C312morn urgently applied the EMO7 to all areas identified as highly susceptible to landslide in the Cardno 2012 report, on an interim basis.

The Cardno 2012 mapping methodology adopted a fine-grain approach for determining areas of 'high' landslide susceptibility. It specifically intended to identify sharp changes in elevation over short distances as susceptible to landslide or slope failure. While technically precise, this resulted in many thousands of individual EMO7 polygons being applied across the Peninsula,

4.1 (Cont.)

including to small domestic man-made structures such as retaining walls and excavations. In total, about 6% of Shire land and about 33,000 properties have been affected by the EMO7 to varying degrees, including about 27,000 residential properties.

The current mapping of EMO7 is shown in Attachment 1.

While the current mapping covers areas of genuinely high landslide susceptibility, particularly along coastal areas, steep slopes and around waterways, many landowners have raised valid concerns about the practicality of the current EMO7 mapping whereby small polygons are applied on gently-sloping or generally flat land on account of man-made earthworks or otherwise small, localised slopes.

C314morn refines the approach to the mapping by ensuring that the EMO7 is applied to areas based on natural slope angle, and by filtering out small or isolated polygons that are impractical for translation into a planning overlay, as detailed in the later sections of this report.

Current Schedule Ordinance

The current EMO7 ordinance was developed by Shire officers using established EMO drafting precedents, and applied lessons learnt from administering the Shire's existing and longstanding EMO ordinances. As an interim control for the Stage 1, Shire officers adopted a concise and operationally flexible approach to drafting the ordinance.

In the time since its approval, the EMO7 ordinance has proved to be functional. While C314morn will improve the ordinance as detailed later in this report, the refinements to the ordinance are less consequential than the refinements to the EMO7 mapping.

Outline of Planning Scheme Amendment C314mornStrategic Basis and Need for the Amendment

C314morn makes necessary refinements to EMO7 which are required to enable the efficient administration of planning permit applications under the overlay, until permanent landslide planning controls are developed and implemented via Stage 3 (in about 2–4 years). Primarily, C314morn refines and reduces the extent of the EMO7 mapping.

C314morn also confirms the geotechnical basis for the EMO7, following the review and peer-review of its ordinance and mapping by professional geotechnical engineers. Further strategic justification for C314morn is set out in the Explanatory Report (Attachment 2).

4.1 (Cont.)

Fundamentally, the underlying strategic basis and need for C314morn is unchanged from C312morn, which is summarised as follows:

1. As set out in Clause 13.04-2S (erosion and landslip) of the Victoria Planning Provisions, it is statewide planning policy to protect areas prone to erosion and landslip through the identification of areas subject to erosion or instability in planning schemes. The EMO is the appropriate planning tool for this task.

The EMO covers various areas across the Shire, including hinterland areas from Arthurs Seat southwards to Cape Schank and Flinders (EMO1 and EMO2), land around Ballar Creek in Mount Eliza (EMO3), land around Tanti Creek in Mornington and the Flinders township (EMO4 and EMO5) and along the Western Port coastline from Somerville to Cape Schank (EMO6). However, prior to C312morn, there were areas of the Peninsula that had been identified in the Cardno 2012 report as susceptible to landslides but were not covered by an EMO.

The BOI made specific recommendations to urgently implement the EMO to land that is susceptible to landslides and not already covered by an EMO, and to take advice from geotechnical engineering experts as to the appropriate scope of the EMO. Upon release of the BOI report recommendations, the Minister for Planning wrote to Council requesting urgent action on this recommendation otherwise the Minister would use her powers to intervene. Council therefore urgently prepared and lodged C312morn utilising the best available landslide susceptibility data it had at the time, being the data from the Cardno 2012 report.

The data now underpinning C314morn has been comprehensively reviewed and peer-reviewed by geotechnical engineers, as has the proposed revised ordinance, in accordance with the BOI recommendations.

2. Recent State Government planning reforms (i.e. new 'deemed-to-comply' residential development codes) have removed the ability for Council to consider environmental risks (including landslide risk) when deciding on planning permit applications unless the appropriate specialist planning control (such as the EMO) is in place. Recent Victorian Civil and Administrative Tribunal (VCAT) decisions have also reinforced the inability of responsible authorities to consider such risks for other forms of land use or development where the appropriate planning control does not exist.

4.1 (Cont.)Proposed EMO7 Mapping Refinements

The overarching objective for the refinement of EMO7's mapping is to ensure the control is applied based on the natural topography and slope of the land, removing the influence of man-made structures. This also strengthens the proportionality of the extent of the mapping to the underlying landslide susceptibility.

Engineering firm Stantec was engaged to carry out the EMO7 mapping review and commenced the process of refining the mapping in early 2026. Stantec firstly reviewed the Cardno 2012 landslide susceptibility study, landslide susceptibility mapping, and mapping methodology. It concluded that while the base-framework for the Cardno 2012 study was technically precise, the mapping output was overly granular, which limited the effectiveness of the mapping for planning purposes.

Given that the geological basis of Cardno 2012 was found to be technically sound, Stantec developed a two-phase process for transforming the Cardno 2012 mapping and data into a refined set of EMO7 maps that meet the objective for Stage 2.

The first phase in this process was developing and applying a new set of mathematical rules to the Cardno 2012 data and mapping using Graphical Information System (GIS) software. Stantec tested and applied a range of Inverse Distance Weighting (IDW) interpolation techniques to the original data and mapping. This had the effect of 'smoothing-out' EMO7 polygons, making the application of the mapping more practical and legible for planning purposes.

Many small, isolated polygons of EMO7 were removed via this 'smoothing' process, including those that had been applied to man-made structures.

The IDW technique also allows the mapping to capture buffer distances at the head and toe of natural slopes. This is a practice that Stantec highlighted has emerged since the Cardno 2012 report. Because the current interim EMO7 mapping is overly granular and lacks these buffer distances, the overlay currently stops short at the top of some large natural slopes. This creates instances where the control does not apply to land where development could significantly impact the stability of the slope below.

Figure 1 below demonstrates this issue in McCrae. The current EMO7 mapping (brown) ceases to apply immediately after the slope flattens out, whereas the refined EMO7 mapping (purple) extends into the zone at the top of the slope to capture this risk.

4.1 (Cont.)

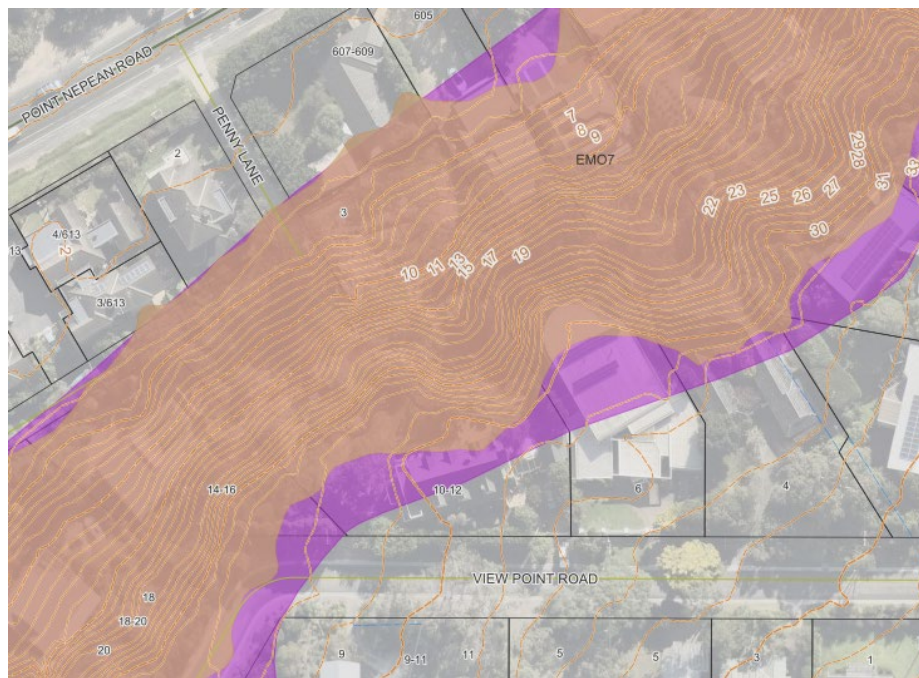


Figure 1 – Buffer distances in the refined EMO7 mapping - McCrae

As a result of including these necessary buffer distances, the refined EMO7 mapping will expand further onto some properties, increasing the overlay's footprint on those properties as compared to the current EMO7 mapping.

The second phase of the mapping refinement process compared the output of the IDW smoothing methodology with a set of topographic maps showing natural slope angles generated from recent LiDAR imagery.

This comparison process allowed Stantec's geotechnical engineers to carefully, manually review the remaining EMO7 polygons. It was found that in some rare instances, the IDW process had not entirely removed the influence of man-made structures on moderate slopes.

This manual review phase therefore allowed Stantec's geotechnical engineers to identify and strip out any remaining distortions caused by man-made earthworks and ensure that the final boundaries of the refined EMO7 mapping are strictly driven by the natural topography, and that where the EMO7 has been extended into buffer zones, that this is geotechnically justified.

Engineering firm WSP also conducted a peer-review of the refined EMO7 mapping methodology and mapping output. WSP focussed their mapping review on areas with complex topography, such as moderately steep slopes in urban and semi-urban areas with a high proportion of man-made earthworks. This included ground-truthing the results of the refined mapping output across areas of the Peninsula with different geologies and characteristics such as:

- McCrae (including near Somers Avenue and the escarpment)

4.1 (Cont.)

- Red Hill (including William Road and surrounds)
- Rye (including Croanna Street and surrounds)
- Blairgowrie (including Koonya Avenue and surrounds)
- Mount Eliza (including Watts Parade and surrounds)
- Mount Martha (including Ellerina Road and surrounds)
- Portsea (including clifftops to the east and surrounds).

WSP then tested an alternate GIS EMO mapping for the above select areas and compared with the outputs of Stantec's refined mapping methodology. This review proved the Stantec' refined mapping methodology to be sound and provided guidance for the second phase of Stantec's manual EMO7 mapping review, indicating particular focus should be had in manually reviewing EMO7 polygons on moderately steep slopes that contained a high proportion of man-made structures and earthworks. A Shire-wide overview of the refined EMO7 mapping for C314morn is included at Attachment 3.

As a result of the mapping refinement process, about 27,000 (or 80%) of properties are proposed to be completely removed from the EMO7. Many of these properties will have contained relatively small or isolated polygons of EMO7 on otherwise flat or gently sloping land.

The EMO7 is proposed to be retained on less than 6,000 properties. Because the revised mapping methodology and manual review process updated the entire dataset across the Peninsula, the exact footprint of the overlay will change to some degree on each of these remaining properties compared to the current interim controls. For about 57% of these properties, the extent of the EMO7 will increase to some degree to properly capture the necessary buffer zones. The remaining 43% will see the footprint of the overlay reduced.

Figures 2 and 3 below demonstrate the effect of the refined mapping methodology firstly on moderately steep slopes in Mount Martha, and secondly in generally flat land in Tyabb. In figure 2, the proposed EMO7 mapping extent is increased along the buffer zones of Sheoak Creek and along coastal cliffs. Elsewhere, small, isolated, and patchy areas of EMO7 are proposed to be removed.

4.1 (Cont.)



Figure 2 – Current EMO7 (brown) and proposed EMO7 (purple) – Mount Martha

In Figure 3, which shows the generally flat and rural area near Oliver's Creek Bushland Reserve, Tyabb, polygons of EMO7 currently applied to dams and other man-made structures are proposed to be removed. The EMO7 is proposed to only expand slightly into the buffer zones adjacent to the steeper parts of Oliver's Creek.

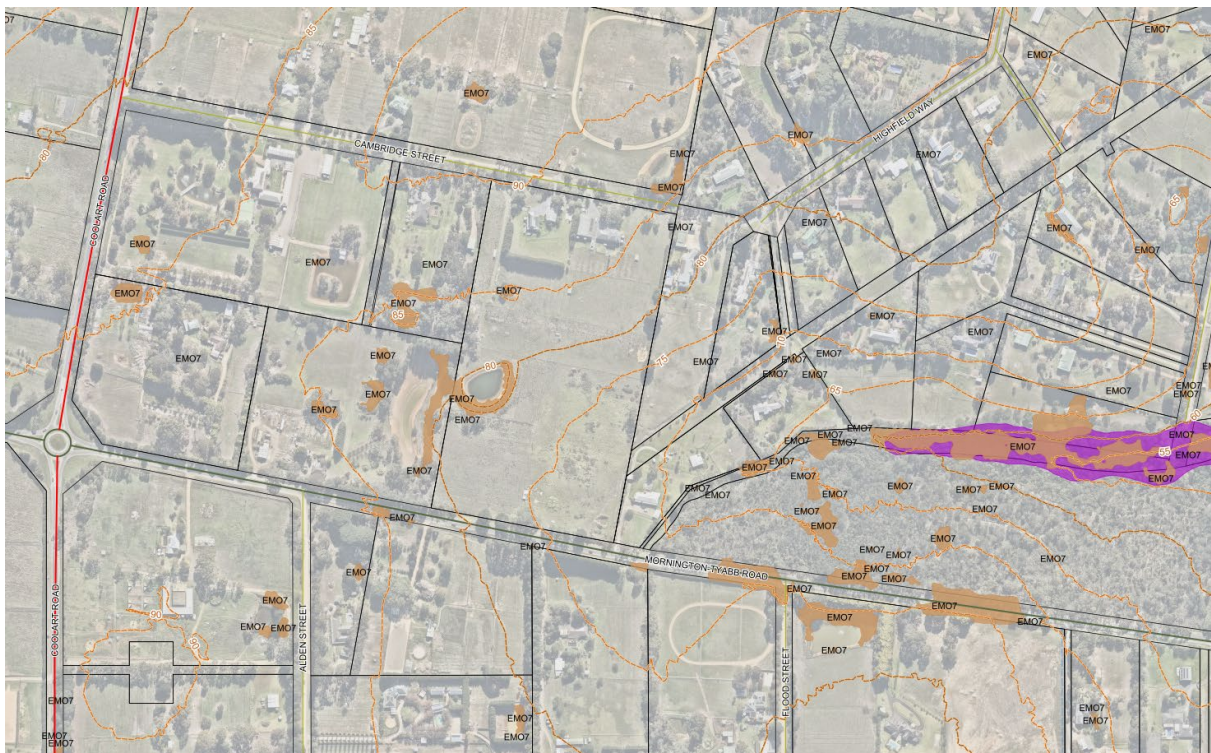


Figure 3 – Current EMO7 (brown) and proposed EMO7 (purple) – Tyabb

4.1 (Cont.)

C314morn also proposes to apply the EMO7 to about 360 new properties to varying degrees. In most cases, this is because these properties are located adjacent to a slope, and the refined mapping introduces a buffer zone at either the head or toe of the incline. The current, overly granular version of the overlay did not capture these edge areas.

Of these 360 properties, most (i.e. about 87%) are residential. About 190 of the properties are located in Flinders and were previously covered by two permanent landslide controls (EMO4 and EMO5), alongside EMO6, which manages coastal hazards including erosion. Due to a technical error during the gazettal of Amendment C271morn in January 2025, EMO4 and EMO5 were inadvertently deleted where the EMO6 was applied. While these areas were still covered by an EMO (i.e. EMO6), it was not the correct EMO to manage landslide risk (i.e. EMO4 and EMO5). C314morn resolves this issue by applying EMO7 to the specific areas where the original landslide controls were erroneously removed.

Of the nearly 6,000 properties that are proposed to be affected by the refined EMO7 mapping for C314morn, about 4,200 are residential.

Table 1 – Comparison of EMO7 Extents – Current and Proposed.

	No. properties affected by EMO7	% Shire properties affected by EMO7	Total area encumbered by EMO7	% Shire land encumbered by EMO7
Current (C312morn)	~33,000	~29%	~42 kilometres squared (km ²)	~6%
Proposed (C314morn)	~6,000	~5.2%	~ 39 km ²	~5%

As demonstrated in Table 2, which sets out the change in proposed EMO7 coverage by zoned land, the most significant change in coverage is observed for residentially zoned land, whereby about a 45% decrease in extent of EMO7 is proposed. This corresponds with the focus that has been applied to remove the effect of domestic, man-made structures from influencing the EMO7 mapping. About 40% of land affected by the updated EMO7 will be public land.

4.1 (Cont.)**Table 2 – Comparison of EMO7 Extent by Zone – Current and Proposed**

Zone	Total zoned land	C312morn EMO7 coverage	C314morn EMO7 coverage
Residential	132 km ²	7.8 km ²	4.3 km ²
Rural	424 km ²	19 km ²	19 km ²
Public	104 km ²	15 km ²	15 km ²
Commercial and industrial	6 km ²	0.1 km ²	0.01 km ²
Other	40 km ²	1.3 km ²	0.3 km ²
Total	706 km ²	42 km ²	39 km ²

Proposed Update to EMO7 Ordinance

As described above, the current EMO7 ordinance was drafted in a concise and operationally flexible manner by Shire officers. While it has proved to be functional, Shire officers together with WSP, Stantec, and planning and legal firm Jackson Lane Legal have recommended updates to the ordinance for the refined EMO7 to improve functionality, clarity, and broaden the scope of planning permit exemptions for minor buildings and works and vegetation removal that poses minimal landslide risk. (The proposed changes are shown in tracked-changes in Attachment 4 to this report, while Attachment 5 shows the final, clean version).

Some precedents of other modern EMO schedules from other municipalities (such as Yarra Ranges) have been incorporated into the revised EMO7 ordinance, however, such precedents have been adapted specifically for the Mornington Peninsula.

For example, it is proposed that a permit is no longer required for alterations or extension to an existing dwelling or buildings provided the increase in floor area and extent of earthworks are limited, or for removing or lopping limited amounts of vegetation.

It is noted that the schedule heading is proposed to be changed from 'High Landslide Susceptibility Areas' to simply 'Landslide Susceptibility' to better reflect the nature of the refined mapping and the operational logic of the control. Because the updated footprint combines the original 'highly susceptible' areas from the Cardno 2012 report with new engineering buffer zones at the head and toe of natural slopes, the control now functions as a straightforward binary tool.

4.1 (Cont.)

From a planning perspective, land within the overlay is either deemed 'susceptible' to landslide risk or it is not, making the word 'high' technically redundant.

Transitional Provisions

The refined EMO7 ordinance also proposes to introduce a permit exemption for buildings, works, and associated vegetation removal where a building permit was obtained prior to the gazettal of C314morn. This transitional provision ensures that projects with an existing building permit, but which did not previously trigger a planning permit, do not have to obtain a new planning permit under the EMO7.

Council has requested that the Minister for Planning introduce transitional provisions to EMO7 to reduce unnecessary red tape for landowners. However, the provisions are yet to be approved and can therefore now be addressed under C314morn.

Proposed New Incorporated Document

C314morn proposes to introduce a new Incorporated Document into schedule to Clause 72.04 (Incorporated Documents) of the Planning Scheme, titled 'Geotechnical Information Requirements for the Erosion Management Overlay, Schedule 7 (Stantec and Mornington Peninsula Shire, July 2026)' (Attachment 6). (Amended versions of Clause 72.04 are included in Attachment 7 and 8 to this report).

The Incorporated Document must be read in conjunction with section 4.0 of the EMO7 ordinance (Application requirements), as it establishes the type of information that must accompany a planning permit application under the EMO7.

Importantly, the Incorporated Document sets out a tiered framework where the level of geotechnical information required is proportional to the risk and scale of the proposed development.

For minor or low-risk developments, the document provides clear, objective pathways to waive or reduce application requirements, including detailed geotechnical hazard and risk assessments. This ensures regular homeowners are not burdened with the cost of complex geotechnical reports for low-impact projects.

For higher-risk or more complex developments, the document explicitly aligns assessment requirements with the Australian Geomechanics Society (AGS) guidelines, ensuring a rigorous, industry-standard approach to public safety.

Similar to the drafting of the refined EMO7 ordinance, the drafting of the Incorporated Document builds upon established EMO precedents from other municipalities, but adapts them specifically for local requirements.

4.1 (Cont.)Expiry of EMO7 and the Incorporated Document

It is proposed that that EMO7, and associated Incorporated Document, remain a temporary measure only, with an expiry date of 3 years to accommodate the likely timeframe to achieve Stage 3 of Council's staged EMO review process. That is, to ensure EMO7 remains in place until revised and permanent EMOs, based on comprehensive new modelling, can be implemented.

Interaction with other EMOs

Some areas of the Peninsula are already covered by one or more of six existing permanent EMO schedules. Because C314morn affects EMO7 which is an interim planning control, and a comprehensive review of existing permanent EMOs is to occur as part of future works, it is not appropriate for C314morn to override or delete any existing EMOs that manage landslide risk. The only exception is as previously described in this report, where EMO7 will overlap with EMO6 in areas of Flinders where both landslide risk and coastal hazards are present.

Fast-Track Approval Process

As with previous C312morn, it is recommended that Council seeks Ministerial approval of C314morn. That is, that Council requests that the Minister for Planning exercise her powers under section 20(4) of the *Planning and Environment Act 1987* (P&E Act) to fast-track approval of the amendment without the usual process of authorisation and public exhibition. This is to ensure that the refinements to the EMO7 are expeditiously put in place, as public exhibition of an amendment (and likely Planning Panel process) would significantly extend the length of the planning scheme amendment process, with most amendments taking a minimum 1-2 years to complete.

While public exhibition and Planning Panel processes are valuable tools for testing planning scheme amendments and seeking the views of and engaging the community, in this instance, Shire officers consider the benefit of fast-tracking C314morn outweighs these benefits. As previously noted, the community will be able to make formal submissions to any planning changes proposed as part of Stage 3 when permanent landslide planning controls are prepared and exhibited.

Impact on Landowners

As previously outlined, the refined EMO7 mapping dramatically reduces the overall footprint of EMO7 across the Peninsula, removing the overlay from thousands of properties. Where the EMO7 is proposed to be retained, some landowners will see an increase in EMO7 coverage on their property, whereas the others will have reduced coverage. A relatively small proportion of properties will also be newly affected by the overlay.

4.1 (Cont.)

It is therefore expected that C314morn will generally be perceived by the community as a notable improvement upon the existing application and extent of the EMO7. However, it is also recognised that, in those instances where C314morn will increase the extent of EMO7, or be newly applied over a property, there may still be some level of community frustration and anger, particularly given that C314morn will not undergo public exhibition.

Nevertheless, the impact of C314morn is balanced by highly refined, risk-based mapping and a significant reduction in unnecessary planning permit applications and associated regulatory and cost burden on landowners.

Additionally, the EMO7 will remain a temporary control only, until Council completes Stage 3 which will replace the EMO7 with permanent new controls based on a comprehensive new landslide susceptibility study and community consultation.

In the meantime, and consistent with its 16 December 2025 resolution, Council will continue to support landowners affected by EMO7 by waiving planning permit application and enquiry fees where EMO7 is the sole permit trigger and further geotechnical analysis and/or permit conditions are not required to address any underlying landslide risk.

Options for Consideration

Council must decide whether to:

- Option A: request that the Minister for Planning prepares and approves C314morn, pursuant to section 20(4) of the *Planning and Environment Act 1987* (P&E Act).
- Option B: not seek Ministerial approval of C314morn and instead defer any changes to EMO7 to Stage 3 of Council's staged approach to updating EMOs.

It is recommended that Council pursues Option A, given the refinements made to the EMO7 ordinance and mapping for C314morn will substantially improve the efficient management of landslide risk across the Mornington Peninsula and significantly reduce regulatory burden for thousands of landowners.

If endorsed by Council, the request to prepare and approve C314morn will be promptly lodged with the Minister for Planning, which will conclude Stage 2 of Council's staged update to landslide planning controls on the Peninsula.

Prompt lodgement of C314morn is important to ensure that C314morn can be approved by the Minister before the State Government election caretaker period commences in September 2026. If the amendment is not approved before this caretaker period, the existing EMO7 mapping and controls will remain in place for

4.1 (Cont.)

a longer period, potentially many more months, resulting in continued undue regulatory burden for affected landowners.

ENGAGEMENT

The community has not been specifically engaged about proposed C314morn. However, landowners affected by EMO7 as part of C312morn were invited to provide informal feedback on the EMO7 mapping to help inform future mapping refinements as part of Council's staged approach to reviewing EMOs across the Shire. This feedback was considered during preparation of C314morn.

If the recommendations of this report are adopted:

- There would be no public exhibition process or formal consideration of public submissions for C314morn to update the interim EMO7 as this amendment would be undertaken under section 20(4) of the *P&E Act* which enables the Minister to exempt herself from the notice requirements of the *P&E Act* (sections 17, 18 and 19).
- Community engagement would be undertaken as part of a future planning scheme amendment to replace the EMO7 with permanent new controls through the usual notice (i.e. public exhibition) requirements under sections 17, 18 and 19 of the *P&E Act*.

In the meantime, landowners affected by C314morn can provide informal feedback about the updated EMO7 which can be used to help Council complete the third and final stage of EMO review. Information about how to provide feedback will be included in the letters to landowners about Amendment C314morn noted below.

COMMUNICATIONS PLAN

The community will be informed about C314morn and the proposed updates to EMO7 by:

A media release explaining what C314morn does and why it is needed. A Shire webpage containing detailed information about C314morn, including copies of the amendment documents, FAQs and an interactive map showing the existing and proposed EMO7 mapping. Letters to affected property owners and frequent users of the planning system notifying them of the Amendment, including FAQs, and directing them to Council's website for further information. Letters will be sent to landowners proposed to be removed from EMO7, those who will remain within the EMO7, and those who will be newly added.

4.1 (Cont.)**LEGAL AND REGULATORY FRAMEWORK**

As per the *P&E Act*, under:

- Section 8(1)(b), the Minister for Planning may prepare an amendment to any provision of a planning scheme, including at the request of Council.
- Section 20(4), the Minister for Planning may exempt herself from any of the requirements of sections 17, 18 and 19 (pertaining to the requirements for the public exhibition of a planning scheme amendment), if the Minister for Planning considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.
- Section 35(1), the Minister for Planning may approve an amendment prepared by the Minister.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Updating and implementing planning controls for the management of landslide risk will help increase climate resilience, as climate change may exacerbate extreme weather events and in turn increase landslide risk.

FINANCIAL CONSIDERATIONS

Under regulation 7 of the Planning and Environment (Fees) Regulations, Council is required to pay a fee of \$4,538.70 to make the amendment request for C314morn to the Minister for Planning.

OFFICER DECLARATION

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

4.2 Parking Infringement Resolution

Issued By	Manager – Regulatory Services
Authorised By	Director – Planning & Liveability
Document ID	A14050484
Briefing Note Number	Not Applicable
Attachment(s)	Nil

EXECUTIVE SUMMARY

Schedule 6 of the *Road Safety (General) Regulations 2019* prescribe 11 parking offences where the infringement penalty is set at 0.2 penalty units (PU), which for the 2026/27FY equates to an infringement of \$42.

Section 87(4) of the *Road Safety Act 1986* (the Act) states that if a municipal council wishes to fix a penalty above the prescribed penalty provision of 0.2PU (up to a maximum of 0.5PU) for these 11 parking offences they must do so by way of a resolution of Council.

The purpose of this provision in *the Act* is to provide Council with discretion to apply stronger parking deterrence where it is warranted by local conditions, while ensuring that any increase in penalty is subject to formal decision-making and public accountability through a Council resolution.

RECOMMENDATION

That Council:

1. **In accordance with section 87(4)(a) of the *Road Safety Act 1986*, resolves to fix a penalty of 0.5 penalty units for parking infringements issued in contravention of the following Rules contained in the *Road Safety Road Rules 2017*:**
 - A. **Road Rule 168(1) (stopping contrary to a No Parking sign)**
 - B. **Road Rule 201 (stopping on a road with a bicycle parking sign)**
 - C. **Road Rule 202 (stopping on a road with a motor bike parking sign)**
 - D. **Road Rule 205(1) (parking for longer than indicated)**
 - E. **Road Rule 207(2) (failing to pay the fee and obey instructions on a sign, meter, ticket or ticket-vending machine)**

4.2 (Cont.)

- F. Road Rule 209(2) (parking contrary to a requirement of a parallel parking area)**
 - G. Road Rule 210(1) (failing to comply with angle parking requirements)**
 - H. Road Rule 211(2) (parking other than completely within a parking bay)**
 - I. Road Rule 211(3) (parking a wide or long vehicle and exceeding the minimum number of parking bays),**
- 2. Resolves that the infringement penalty so fixed continue until Council resolves otherwise.**

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 and I which are:

- A. Council decisions are to be made and actions taken in accordance with the relevant law.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

- At the Council Meeting on 11 December 2000, Council resolved to fix the value of parking infringements with a statutory value of \$20 to the maximum fee of \$50.
- At the Council Meeting on 29 June 2026, Council resolved to, pursuant to section 94 of the *Local Government Act 2020*, to adopt the 2026/2027 Annual Budget.

4.2 (Cont.)**DISCUSSION**

The purpose of this report is to seek a resolution to fix the penalty for 11 parking infringements at 0.5PU in accordance with s87(4) of *the Road Safety Act 1986 (the Act)*.

A resolution has been in place since 11 October 2006 through the yearly budget adoption process to facilitate this, however Shire officers are now seeking an explicit resolution to avoid any future legal challenges on the process.

Background

The discretion afforded to Council to fix the penalty for certain parking offences has been legislated in various forms since 1988, with the most recent change on 11 October 2006 providing Council with limited discretion to determine the penalty provision.

Section 87(4) of the *Act* permits Council to fix a penalty of between 0.2 and 0.5PU for 11 specified parking offences by resolution of Council. In the absence of a valid Council resolution, the prescribed default penalty of 0.2PU applies. This framework is intended to provide Council with flexibility to respond to local parking management issues while ensuring that any increase above the default 0.2PU is subject to a formal decision of Council.

Since 2006, Council have complied with the requirements of s87(4) of the *Act* by inserting three lines in the Schedule of Fees and Charges which forms part of the resolution to adopt the yearly budget. Each line reflected a parking infringement level (1, 2 or 3) and the monetary value of each infringement (0.5PU, 0.6PU or 1.0PU). The levels correspond with the parking offences listed under Schedule 6 of the *Road Safety (General) Regulations 2019*.

In the current financial year's Schedule of Fees and Charges, the relevant parking infringement lines were altered, and after seeking external legal advice on the matter, Shire officers were informed that Council should seek an explicit resolution to fix the infringement penalty of 0.5PU for the 11 Level 1 parking offences listed under Schedule 6 of the *Road Safety (General) Regulations 2019*.

4.2 (Cont.)**Options for Consideration*****Option 1 – Resolve to fix the infringement penalty at 0.5PU (preferred)***

If Council resolves to fix the penalty for the applicable parking offences at 0.5PU, this will remain an effective deterrent and support compliance with parking restrictions. Demand for on-street parking in township centres is high, and a combination of time-limited parking and a higher penalty helps discourage offending that reduces parking turnover and accessibility. Applying the maximum penalty permitted under s87(4) of the Act is consistent with the approach adopted by many Victorian councils and supports the effective management of limited public parking resources.

Option 2 – Make no resolution

If Council choose not to make any resolution in respect of s87(4) of the Act, the infringement penalty for the relevant offences will default to 0.2PU, which for the 2026/2027 financial year equates to \$42. Whilst this approach aligns with the statutory default position, a lower penalty will reduce the deterrent effect of parking enforcement and likely diminish compliance with parking restrictions, particularly in areas experiencing high parking demand.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

Schedule 6 of the *Road Safety (General) Regulations 2019* prescribe 11 parking offences where the infringement penalty is set at 0.2PU. These offences are:

- Road Safety Road Rule 205(1): Parking for longer than indicated (offence 0701)
- Road Safety Road Rule 207(2): Parked-fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine (offence 0702);
- Road Safety Road Rule 201: Stopped on a bicycle parking area (offence 0704)
- Road Safety Road Rule 202: Stopped on a motor bike parking area (offence 0705)

4.2 (Cont.)

- Road Safety Road Rule 209(2): Parked contrary to requirement of parking area (offence 0706)
- Road Safety Road Rule 210(1): Parked-fail to comply with angle parking requirement (offence 0707)
- Road Safety Road Rule 210(1): Parked-fail to comply with 90° angle parking requirement (offence 0708)
- Road Safety Road Rule 211(2): Parked not completely within a parking bay (offence 0711)
- Road Safety Road Rule 211(3): Parked-long vehicle exceeding (offence 0712)
- Road Safety Road Rule 211(3): Parked-wide vehicle exceeding minimum number of bays (offence 0713)
- Road Safety Road Rule 168(1): Stopped contrary to a no parking sign (offence 0621).

Section 87(4) of Act states that if a municipal council wishes to fix a penalty above the prescribed penalty provision of 0.2PU (up to a maximum of 0.5PU) for these 11 parking offences they must do so by way of a resolution of Council.

This is a discretionary power of Council, therefore if Council choose to make no resolution in respect of s87(4) of the Act, the default penalty provision of 0.2PU applies.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

The following financial impacts need to be considered in relation to each option.

Option 1 – Resolve to fix the infringement penalty at 0.5PU (preferred)

The value of a PU for the 2025/2026 financial year was set at \$203.51, therefore 0.5PU was \$102 (subject to rounding).

Option 2 – Make no resolution

If Council choose not to make any resolution in respect of s87(4) of the Act, the infringement penalty for the relevant offences will default to 0.2PU, which for the 2026/2027 financial year equates to \$42. This amount would mean that the

4.2 (Cont.)

process involved to issue infringements would cost more than the value of an infringement.

OFFICER DECLARATION

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

CHIEF OF STAFF

4.3 Recruitment Services Contract

Issued By	Manager – People & Culture
Authorised By	Chief of Staff
Document ID	A14050177
Briefing Note Number	BN2227 – 21 July 2026
Attachment(s)	1. MAV Tender Evaluation Recommendation Report 2023 (confidential) 2. MAV Contract Extension Review Report 2026 (confidential)

EXECUTIVE SUMMARY

Mornington Peninsula Shire engages recruitment agency providers to support temporary staffing and permanent placement requirements across the organisation.

We seek Councils resolution to opt in under the Approach to Market RFQ00024 to the Municipal Association of Victoria (MAV) Recruitment Services Panel Contract (RS8017-2023) for the period August 2026 to 30 September 2028, with two optional one-year extensions to 30 September 2030. Council endorsement is required due to the potential contract value exceeding the Chief Executive Officer's procurement delegation.

RECOMMENDATION

That Council resolves to opt into the Municipal Association of Victoria Recruitment Services Panel Contract (RS8017-2023) for the period August 2026 to 30 September 2028, with two optional one-year extensions to 30 September 2030.

Part B

That Council resolves that Attachments 1 and 2 to this report be retained as confidential items pursuant to section 3 (1) (g) of the *Local Government Act 2020* as they contain information in relation to Council business information, that if released, would reasonably expose the commercial information.

4.3 (Cont.)**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

This procurement recommendation is consistent with the Shire's 2025–2029 Procurement Policy and with the local government collaborative procurement pathway.

DISCUSSION

Mornington Peninsula Shire currently engages agency and recruitment providers to support temporary and permanent staffing requirements across the organisation. The Recruitment Services budget sits under the People and Culture central budget 2500. The current Recruitment Services budget is \$400,000 per annum.

The team have assessed our options for this contract which include other central procurement opt in options or to undertake an internal tender process.

From our assessment, the MAV contract is well established through a competitive tender process and provides access to a panel of pre-qualified suppliers across relevant recruitment categories. This central model provides a range of specialised agencies we may require for our current and future recruitment needs.

4.3 (Cont.)

Opting in to the MAV Recruitment Services Panel will enable the Shire to access a compliant procurement pathway, reduce the administrative burden and cost of undertaking its own full tender process, and maintain flexibility to source agency and recruitment services as required within approved budgets.

In utilising the MAV Recruitment Services Panel, Shire officers will seek quotes from the panel in line with the current financial delegations as outlined in the 2025-2029 Procurement Policy. Spend against the panel will be recorded and reported to MAV bi-annually.

It is expected that spend under this contract will be up to \$1.7 million excluding GST from August 2026 to September 2030. We seek to allow for an additional \$300,000.00 excluding GST contingency amount to allow for potential changes in budget over this period to move with our future workforce requirements, totalling \$2 million excluding GST. Given the scale of this expenditure and the need to ensure compliant, efficient and value-for-money procurement, it is recommended that Council opt into the MAV recruitment services contract for recruitment services

Background

On 15 April 2021, the Chief Executive Officer and Chief Financial Officer approved the Shire to opt in to the Procurement Australia Permanent Recruitment, Training and Associated Services contract (CN2525) for a two (2) year period. This contract was further extended until 31 December 2025 and has now ceased with no further extensions available.

Options for Consideration

- **Option 1 (preferred)** – Opt into MAV Recruitment Services Panel Contract (RS8017-2023) for the period August 2026 to 30 September 2028, with two optional one-year extensions to 30 September 2030. This is the preferred option because it provides a compliant, efficient and flexible procurement pathway for recruitment services.
- **Option 2** – Opt into another group procurement contract, this option is not preferred, due to a limited range of suppliers in comparison to the MAV Panel and noting that there would not be a cost benefit as most are at comparable prices.
- **Option 3** – Undertake a standalone Mornington Peninsula Shire tender process. This option is not preferred because it would require additional administrative and cost resources and is unlikely to generate materially better value than an existing local government sector arrangement.

4.3 (Cont.)

- **Option 4** – Continue to procure recruitment services on an ad hoc basis. This option is not preferred because it increases governance and compliance risk and may lead to inconsistent pricing and supplier management.

Further details of the tender evaluation report and further contract extensions can be found in the confidential attachments.

ENGAGEMENT

The public tender process was undertaken by MAV procurement on behalf of councils in Victoria in 2023 and was informed with the main intention to:

- Deliver value for money
- Discounted pricing
- Meets the needs of Councils
- Provide regular and tailored reporting.

Internal engagement has occurred with the People and Culture, Finance and Procurement teams to assess our options. The teams assessed all options to review the best current solution for Council and ensure it aligned with our procurement policy.

COMMUNICATIONS PLAN

Notify Municipal Association of Victoria (MAV) our intent to sign up to their panels and commence with a Terms of Use.

Internal stakeholder communications will follow to announce the decision and implement procedure to utilise centralised recruitment services through the People and Culture team.

LEGAL AND REGULATORY FRAMEWORK

The procurement recommendation has been undertaken in line with the Shire's 2025-2029 Procurement Policy. Council endorsement is required due to the potential contract value of \$2million excluding GST exceeds the Chief Executive Officer's procurement delegation.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

4.3 (Cont.)**FINANCIAL CONSIDERATIONS**

Any services provided through this contract will be subject to approved budget adoption. In utilising the MAV Recruitment Services Panel, Shire officers will seek quotes from the panel in line with the current financial delegations as outlined in the 2025–2029 Procurement Policy. Spend against the panel will be recorded and reported to MAV bi-annually. This collaborative procurement pathway will provide an efficient and value for money procurement option for Council.

OFFICER DECLARATION

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

ASSETS & INFRASTRUCTURE

4.4 RFT00023 Eramosa Road East Somerville – Road Rehabilitation Tender Recommendation & Roads to Recovery Funding Allocations

Issued By	Manager Projects & Engineering Services
Authorised By	Director – Assets & Infrastructure
Document ID	A14049485
Briefing Note Number	Not applicable
Attachment(s)	1. RFT00023 Eramosa Road East Somerville –Road Rehabilitation – Tender Assessment Report (confidential)

EXECUTIVE SUMMARY

Following the submission and evaluation of tenders, this report seeks approval for engaging a contractor for RFT00023 – Eramosa Road East, Somerville – Road Rehabilitation in accordance with the Mornington Peninsula Shire's Procurement Policy and the commitment of the remaining 2026/2027 financial year Roads to Recovery funding allocation.

RECOMMENDATION

That Council:

- 1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer D for the lump sum value of \$XXXXX plus \$XXXX GST being for RFT00023 Eramosa Road East, Somerville – Road Rehabilitation.**
- 2. Approves the contingency sum identified within the confidential Attachment to this report, which is not to be disclosed to the tenderer until and if required by a contract variation.**
- 3. Delegates the execution of the contract for the awarded tender to the Chief Executive Officer pursuant to s11 of the *Local Government Act 2020*.**
- 4. Approves the allocation of \$143,025.00 from the Roads to Recovery 2024–2029 Program in the 2026–2027 Financial Year based on the above tender outcome to enable full delivery of the project between Lower Somerville Road and Westernport Highway Somerville.**

4.4 (Cont.)

5. Approves the allocation of the remaining unallocated \$615,300.00 from the Roads to Recovery 2024–2029 Program in the 2026–2027 Financial Year to the Bungower Road Rehabilitation Project.
6. Notes that, as a result of this allocation, the Roads to Recovery funding allocations for the 2027–2028 and 2028–2029 Financial Years will be confirmed in a report to Council by the end of the 2026–2027 Financial Year.

Part B

That Council resolves that Attachment 1 to this report be retained as a confidential item, pursuant to section 3 (1) (g) of the *Local Government Act 2020* as it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would reasonably expose the business, commercial or financial undertaking to disadvantage

COUNCIL & WELLBEING PLAN

This aligns with the Council and Wellbeing Plan, in particular:

Theme 3: A flourishing, healthy and connected community.

- Strategic Objective 3.5: A community that is well connected through sustainable, accessible and integrated transport options.

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 which are: A, B, C, 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.
- I. The transparency of Council decisions, actions and information is to be ensured.

4.4 (Cont.)**RELEVANT COUNCIL DECISIONS AND POLICIES**

This tender report is before Council for adoption as it exceeds the Chief Executive Officer's delegated authority of \$1 million excluding GST in accordance with Council's Procurement Policy.

The project has received funding approval through the Council budget process with the 2026/2027 FY Capital Works Program.

Council made the following decision at the 17 February 2026 meeting.

That Council:

1. *Notes the progress of projects currently funded under the 2024-2029 Roads to Recovery Program.*
2. *Approves the reallocation of \$1 million from the Roads to Recovery 2024-2029 Program in the 2026-2027 Financial Year from the Bungower Road Rehabilitation Project to the Eramosa Road East Rehabilitation Project to enable full delivery of the project between Lower Somerville Road and Dandenong-Hastings Road, Somerville.*
3. *Notes that, as a result of this reallocation, the Bungower Road Rehabilitation Project will be delivered across two Financial Years (2026-2027 and 2027-2028) with the final funding allocation for this project to be confirmed in a report to Council by the end of 2026 once the design and costings are complete and the outcomes of grant applications are known.*

COLLABORATIVE PROCUREMENT

Not applicable.

DISCUSSION**Purpose**

The purpose of this report is to recommend the acceptance of the preferred tender submission detailed in the tender assessment report for the Eramosa Road East, Somerville – Road Rehabilitation works and allocate the remaining funds for the 2026-2027 financial year from the Roads to Recovery Program.

Tenders have been received for the works and following evaluations by a panel of Shire officers, a recommendation is made for acceptance of the preferred tender submission.

4.4 (Cont.)**Background**

The section of Eramosa Road East, Somerville, between Lower Somerville Road and Dandenong-Hastings Road has been identified as being in poor condition and requiring works to rehabilitate the road surface. Through site investigation works and geotechnical testing, it was determined the poor condition pavement is due to underlying issues with the road subgrades. To rectify these issues, a full depth road rehabilitation is to be undertaken to rectify the subgrade issues, with a new road surface to be constructed. Additional safety upgrades for the road will be completed with these works.

Works will include:

- Road pavement improvements
- Drainage upgrades
- Installation of road safety barriers at high-risk areas
- Audio-tactile line marking.

Based on the tender outcomes, the project requires additional funding of \$143,025 from the existing 2026–2027 Roads to Recovery allocation, the project has been entirely funded through the Federal Roads to Recovery Program. With the outcome of this tender now clear, the remaining funds for the 2026–2027 Roads to Recovery allocation of \$615,300 can be committed to the Bungower Road Rehabilitation project which will be completed across the 2026–2027 and 2027–2028 financial years. The previous grant application through the Safer Local Roads and Infrastructure Program (SLRIP) grant was unsuccessful and the full project budget is now proposed to be funded through the Roads to Recovery Program.

Options for Consideration

Following the receipt of tender submissions, it was identified the option to deliver a road surface which included recycled asphalt content could be achieved. Based on the preferred tender submission and alignment to the road pavement recommended by the Geotechnical Engineer, the road surface will include a portion of Recycled Asphalt Pavement (RAP).

TENDER INVITATION

The tender for RFT00023 was released to the market on Saturday 21 March 2026 via the Shire's website and Tenderlink.

The tender closed at 3:00pm on Wednesday 06 May 2026.

Seven conforming submissions were received.

4.4 (Cont.)**TENDER EVALUATION**

All seven submissions progressed to evaluation and assessed against the following criteria:

Criteria	Weighting
Compliance with the RFT document	Pass/Fail.
Independent financial assessment and capability	Pass/Fail.
Willingness to undergo supplier verification	Pass/Fail.
Extent of proposed departures from the Agreement	Degree of compliance
Quality management systems	Degree of compliance
Environmental Management Systems	Degree of compliance
Risk management principles	Degree of compliance
References / past performance	Pass/Fail.
Demonstrated Resources and Methodology • Technical, managerial, physical and financial resources • Quality of the proposed organisation and management structure performing the contract • Construction Methodology • Relevant expertise and track record • Proposed Site management information and detail	Weighting not disclosed
Programme • Nominated Program • Contractors' identification of key milestones and critical path • Duration of key tasks • Available date for commencement of work • Overall duration of works	Weighting not disclosed
Local Procurement • Proximity to the Mornington Peninsula Shire	Weighting not disclosed

Evaluation was guided by an approved Evaluation Plan

4.4 (Cont.)**EVALUATION PANEL**

The Evaluation Panel consisted of

Name	Position	Role in Evaluation Process i.e. price/non-price/independent/ financial/technical etc.	Scoring or Non-Scoring Member
Jessica Lang	Coordinator – Procurement and Fleet Operations	Chair of the Evaluation Team & Probity Advisor	Non-Scoring
Emma Pericaud	Procurement Business Partner	Non-evaluation Panel Member	Non-Scoring
Luisa Makris	Project Manager – Infrastructure Projects	Price Evaluation Panel Member	Scoring
Shahniaz Arafath	Senior Traffic & Transport Engineer	Non-Price Evaluation Panel Member	Scoring
Alex Christie	Project Manager – Infrastructure Projects	Non-Price Evaluation Panel Member	Scoring
Elliott Reid	Team Leader – Civil & Open Space Projects	Technical advisor	Non-Scoring
Shivam Khetarpal	Finance Business Partner	Financial advice and price evaluation	Non-Scoring
Akhanda Wakiluzzaman	Civil Design Engineer / Project Manager	Technical advisor	Non-Scoring
Prakash Khatri	Construction Officer	Technical advisor	Non-Scoring
Christopher Lyne	Project Manager Superintendent	Technical advisor	Non-Scoring

PROBITY ATTESTATION

The Shire's Procurement department provided probity oversight and guidance through the tender evaluation process.

4.4 (Cont.)**CONTRACT VALUE**

A lump sum contract has been adopted for the contract works. A detailed project specification has been documented.

The value of the recommended contract is \$XXXXXX plus \$XXXXX GST as detailed in the confidential attachment to this report. This attachment also sets out a contract contingency amount to be included in the contract value.

TERM OF CONTRACT

It is anticipated that construction will commence in September 2026 with a construction period of approximately four months.

A 12-month defects and liability period will follow upon practical completion of the works.

DELEGATED AUTHORITY ASSESSMENT

Yes/No	Instrument of Delegation Conditions
Yes	The full amount is within budget
No	That the recommended Tenderer is the lowest cost tender
Yes	That the recommended Tender is NOT the lowest cost tender and is >\$200,000.01 , therefore Council determination required.

It has been determined in accordance with current Instruments of Delegation that Council will be the final decision-making authority.

OFFICER DECLARATION

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

4.5 Proposed Conservation Covenants for Four Shire-owned Bushland Reserves

Issued By	Manager – Infrastructure & Waste Services
Authorised By	Director – Assets & Infrastructure
Document ID	A14049029
Briefing Note Number	BN2215 – 23 June 2026
Attachment(s)	1. Engagement plan – proposed conservation covenants

EXECUTIVE SUMMARY

This report presents a proposal to establish conservation covenants over four Shire-owned bushland reserves of high conservation significance. Conservation covenants are voluntary, legally binding agreements that provide permanent legal protection for land with significant conservation values.

Council endorsement is sought to undertake community engagement on the proposal. The outcomes of this engagement will inform a future report to Council seeking a formal resolution to enter into the conservation covenant agreements.

RECOMMENDATION

That Council:

- 1. Receives and notes the proposal to establish conservation covenants over four Shire-owned bushland reserves.**
- 2. Approves the undertaking of community engagement for this proposal for a period of six weeks, concluding no later than 31 October 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 1.1: Protected, resilient and enhanced natural environments.

4.5 (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, C and I which are:

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

RELEVANT COUNCIL DECISIONS AND POLICIES

This proposal has been developed in alignment with:

- Council Plan 2025–2029
- Biodiversity Conservation Plan 2019
- Community Engagement Policy 2022.

Relevant Council decisions include:

- 29 January 2019 – Council resolved to establish conservation covenants over selected Shire-owned bushland reserves in Tootgarook and Bittern, protecting a total of 132 hectares.
- 13 August 2019 – Council resolved to adopt the Biodiversity Conservation Plan, including action 5.8 to progress the consideration of conservation covenants for Shire-owned bushland reserves of high conservation significance.
- 18 August 2020 – Council introduced the Trust for Nature Rate Incentive as part of the rates and charges schedule of the annual budget. The Trust for Nature Rate Incentive provides a rate discount of 65% (via a differential rate of 35%) for private landholders with land under a conservation covenant. This delivered on action 2.2 of the Biodiversity Conservation Plan.

4.5 (Cont.)**DISCUSSION****Purpose**

The purpose of this report is to:

- Present the conservation covenants proposal to Council and the community.
- Seek Council approval to undertake community engagement prior to a future decision.

Background***Conservation Covenants Proposal***

Natural Systems, in partnership with Trust for Nature, proposes for consideration by Council the establishment of conservation covenants over four high-value Shire-owned bushland reserves.

Conservation covenants are voluntary, legally binding agreements between a landholder and Trust for Nature that are entered into under the *Victorian Conservation Trust Act 1972*. Covenants are registered on title and remain in perpetuity, providing permanent legal protection for land with significant conservation values.

As legally binding agreements for Council-owned land, they require consideration by Council and can only be executed following a formal Council resolution.

Selection of Bushland Reserves

Mornington Peninsula Shire manages approximately 260 bushland reserves covering more than 2,000 hectares. These reserves are managed to protect biodiversity and support community access to, and enjoyment of, the natural environment. This work is supported by a dedicated network of environmental volunteers who make a significant contribution to protecting and enhancing biodiversity values across the Shire's bushland reserves.

Only a small number of ecologically significant bushland reserves are considered by Council for covenanting. Prior to this proposal, Council has established conservation covenants over four Shire-owned bushland reserves, protecting a total of approximately 200 hectares.

After careful consideration, the following reserves have been selected for covenanting:

- Betty Clift Conservation Reserve, Rosebud

4.5 (Cont.)

- Lorna's Triangle Bushland Reserve, Bittern
- Peninsula Sands Bushland Reserve, Rosebud
- Woods Bushland Reserve, Tuerong.

These reserves have been reviewed and assessed by Natural Systems and Trust for Nature, with draft covenant documentation prepared to inform Council's future consideration.

Options for ConsiderationOption 1 – proceed with community engagement (recommended)

- Enables community awareness and feedback prior to decision-making.
- Supports transparent and informed Council deliberation.

Option 2 – do not proceed with community engagement (not recommended)

- Limits community input.
- Is inconsistent with Council's engagement principles.

ENGAGEMENT

This proposal delivers action 5.8 of the Council-adopted Biodiversity Conservation Plan (the Plan), which was developed through extensive community consultation and demonstrated strong community support for measures that protect the natural environment. Since adoption of the Plan, Council has continued to work closely with the community to deliver key actions and foster ongoing collaboration.

Targeted community engagement is now proposed to:

- inform the community about the proposed covenants
- address questions and provide clarity
- gather feedback to inform a future Council decision.

An engagement plan has been prepared and is provided in Attachment 1 – Engagement Plan. Council approval is now sought to proceed with this engagement.

4.5 (Cont.)**COMMUNICATIONS PLAN**

The engagement plan includes the development of a coordinated communications and social media campaign to ensure broad community awareness of the proposal and opportunities to participate in the engagement process.

LEGAL AND REGULATORY FRAMEWORK

Conservation covenants are established under *the Victorian Conservation Trust Act 1972* and require approval from the Victorian Minister for the Environment prior to registration on title.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The proposed covenants support Council's climate resilience and biodiversity objectives by strengthening long-term protection of high-value natural assets. They also complement the significant conservation outcomes already achieved through the ongoing management of these reserves by the Shire and community volunteers.

FINANCIAL CONSIDERATIONS

Trust for Nature's fee for establishing these conservation covenants is \$25,000 per reserve. This fee includes Trust for Nature's assessment and review of each reserve, the preparation of the draft Deed of Covenant and draft Covenant Management Plan, and associated legal fees related to registration.

One covenant has been externally funded through a State Government grant. The remaining three covenants (\$75,000 total) are funded within existing operational budgets.

Ongoing operational costs are expected to remain largely unchanged, as these reserves already receive priority conservation management works. Covenanted reserves may also become eligible for additional external funding and partnership opportunities.

OFFICER DECLARATION

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

4.6 DEECA Landfill Contract – Residual Waste Disposal Post Closure of Cell Two Rye Landfill

Issued By	Manager – Infrastructure & Waste Services
Authorised By	Director – Assets & Infrastructure
Document ID	A14050092
Briefing Note Number	Not Applicable.
Attachment(s)	1. Contract Participation Agreement – DEECA (confidential) 2. Contract Direct Deed (confidential) 3. Council Meeting Minutes October 2025 – DEECA Contract Resolution (confidential) 4. Draft Letter of Extension – Direct Deed (confidential) 5. Draft Letter of Extension – Participation Agreement (confidential) 6. Confidential Attachment to the DEECA Landfill Contract – Ongoing Usage Post Closure of Cell Two Rye Landfill Council Report (confidential)

EXECUTIVE SUMMARY

The current cell at Rye Landfill will reach capacity late 2026. Once capacity is reached, residual waste (collected in red lidded bins) will need to be taken to an alternative disposal facility.

On 23 March 2021, Council resolved to participate in a collaborative procurement with the Metropolitan Waste and Resource Recovery Group (MWRRG), with the purpose of providing options for landfill disposal post the closure of Rye Landfill (Attachment 1 and 2). In July 2022, the Department of Energy Environment and Climate Action (DEECA) assumed administration of the agreement, following the disbanding of the MWRRG.

The initial period of this contract was until 1 April 2024, with extension options available. In October 2025, Council resolved to extend its right to opt in for the term of the contract (Attachment 3). In 2025 this contract was utilised for the transport of the disposal of residual waste during a temporary closure of Rye Landfill.

Approximately 14 Councils currently rely on this contract for residual waste disposal. Three facilities, Cleanaway's South East Metro and Lysterfield Transfer

4.6 (Cont.)

Stations, as well as Veolia's Hallam Road Landfill receive waste from member councils under this contract.

There is an emerging issue in Melbourne's south east due to existing landfills reaching capacity in the coming years. This limits Council's ability to transport residual waste directly to another landfill facility after Rye Landfill reaches its current capacity. The central transfer station in Dandenong that supports the DEECA contract offers relative convenience in terms of a disposal location.

A comparison of the contract's gate fee pricing against publicly available pricing for similar facilities, indicates that this contract offers Council with competitive or better rates for residual waste disposal. Further details of this comparison can be found in Attachment 6. Given the competitive gate fee and geographical challenges, utilisation of the DEECA landfill contract is Council's best residual waste disposal option at this time.

The State Government shifted its policy position in relation to waste disposal around 2020. The shift saw Waste to Energy (WtE) introduced as an integral part of its long-term waste management strategy, with a corresponding step back from a dependence on landfills.

However, the availability of Waste to Energy (WtE) in Victoria has seen significant delays due to a range of factors, including regulatory and construction complications. It is proposed that this contract be utilised as an interim disposal solution, while Shire officers conduct further investigations into the most suitable long term disposal options for consideration by Council in later reports. A Victorian government parliamentary enquiry into the expansion of waste to energy is currently underway, with findings expected in late 2026.

The current contract will expire 31 March 2027, with a further two-year extension available until 31 March 2029. DEECA have provided draft extension letters (Attachments 4 and 5) which are anticipated to be finalised in due course.

This report seeks Council endorsement for the total forecast expenditure for Contract 003284 post closure of cell two at Rye Landfill and for the duration of this contract, including the extension.

RECOMMENDATION**That Council:**

- 1. Endorses expenditure of up to \$29,773,892.19 plus \$2,977,389.22 GST for the continued use of Contract 003284 Provision of Landfill services, being for the disposal of residual waste for the duration of the contract.**

4.6 (Cont.)

- 2. Delegates the decision to execute the extension of contract 003284 Provision of Landfill Services to the Chief Executive Officer (CEO) pursuant to section 11 of the *Local Government Act 2020*.**

Part B

That Council resolves that Attachments 1, 2, 3, 4, 5 and 6 to this report be retained as confidential items pursuant to section 3 (1) (g) of the *Local Government Act 2020* as they contain commercially in confidence contractual information.

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 principle B which is:

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

RELEVANT COUNCIL DECISIONS AND POLICIES

On 14 September 2015 Council resolved to accelerate the pursuit of Alternative Waste Technology (AWT) and not extend Rye Landfill.

On the 25 August 2020, Council adopted the Beyond Zero Waste strategy, a roadmap to zero waste to landfill by 2030.

On 23 March 2021, Council resolved to enter a contract arrangement with Cleanaway Pty Ltd and Suez Recycling and Recovery Pty Ltd using a common gate fee to be administered by the MWRRG for the provision of landfill services when the Rye Landfill current cell reaches capacity and until an alternate waste technology facility is available.

4.6 (Cont.)

On 6 February 2024, Council accepted the recommended tender for contract CN2702 for Residual Waste Processing services. Following extensive commercial negotiations over more than two years, the contract was unable to be executed. In June 2026 the procurement was terminated.

On 14 October 2025, Council resolved to opt into the DEECA Agreement and Direct Deed for Landfill disposal for the remainder of the contract period (until 31 March 2029).

DISCUSSION**Purpose**

This report seeks Council approval for the forecast expenditure under the DEECA landfill contract.

As per the financial delegations in section 8.2 of Council's adopted procurement policy, Shire officers are seeking Council endorsement for the forecast expenditure for the remaining period of this contract and for the decision to execute the extension to be delegated to the Chief Executive Officer (CEO).

This will allow the contract to be utilised for residual waste disposal following the closure of the current cell at Rye Landfill in late 2026.

Background

In 2013 and 2014, a series of technical assessments were undertaken to evaluate options for extending landfill capacity at Rye and Tyabb, relocating waste infrastructure and developing alternative waste processing solutions.

Between 2015 and 2018, Council considered a comprehensive business case for the short to medium-term management of municipal waste, ultimately deciding to pursue an Alternative Waste Technology (AWT) solution and cease the landfilling once the current cell at Rye Landfill became full.

In 2023, Council tendered a Waste to Energy contract, following the decision to close Rye Landfill. In early 2024, the recommended tenderer was notified and issued a contract to execute. In June 2026 the procurement was terminated due to no contract being executed following more than two years of commercial negotiations.

Shire officers are currently re-examining Council's long term residual waste options. It is necessary for service continuity post the current cell at Rye Landfill reaching capacity to engage in an interim residual disposal option.

4.6 (Cont.)

In 2021 Council resolved to participate in contract arrangements administered by the MWRRG for landfilling, in anticipation of the closure of Rye Landfill. As the MWRRG was disbanded in 2021, the DEECA took over administration of the contract.

In October 2025 Council resolved to continue to opt in to the DEECA contract for the duration of contract term, until 31 March 2029. At the same meeting, Council delegated the associated contract expenditure for the 2025/2026 financial year to the (CEO), which covered a temporary closure of Rye Landfill. The landfill was temporarily closed while awaiting an approval from the Environmental Protection Authority (EPA) to increase the amount of waste that can be placed into the cell.

Options for Consideration

- Option 1 (Recommended) – Council approves the estimated expenditure of \$29,773,892.19 plus \$2,977,389.22 GST for the continued use of Contract 003284 Provision of Landfill services, being for the disposal of residual waste for the duration of the contract.
- Option 2 (Not Recommended) – Council approves the estimated expenditure of \$7,175,280 plus \$717,528 GST being for the initial term of the contract and request Shire officers undertake a competitive procurement process for residual waste services post this period. This is not recommended as this contract has competitive pricing and offers a disposal location within reasonable distance of the peninsula.

ENGAGEMENT

No community engagement has been undertaken as part of this report.

COMMUNICATIONS PLAN

Communications to customers of the Rye transfer station are underway. This is to ensure the community understand that the Rye transfer station will continue to operate after the closure of the current cell of Rye landfill.

LEGAL AND REGULATORY FRAMEWORK

- *Local Government Act 2020*
- *Environment Protection Act 2017*
- Environment Protection Regulations 2021.

4.6 (Cont.)**CLIMATE AND SUSTAINABILITY CONSIDERATIONS**

Utilising the DEECA landfill contract will result in the Mornington Peninsula's kerbside waste being transported significant distances. The waste will be taken by Council's kerbside collections contractor to a Dandenong transfer station and from there bulk hauled (under the DEECA contract) to a disposal facility. It is understood that the disposal facility for Mornington Peninsula's waste will be Melbourne Regional Landfill in Ravenhall.

Due to a lack of landfill capacity in Melbourne's south east as well as delays in waste to energy technology being service ready, this interim option is necessary to maintain waste service continuity. Overall transport emissions will increase.

FINANCIAL CONSIDERATIONS

Disposal of residual waste to landfill attracts a waste levy charge, payable to the EPA as well as transport and disposal charges. This expenditure forms a component of the waste service charge. The impacts of the increasing costs of landfill waste have been included in long term budget and waste service charge modelling.

Annual pricing adjustments and forecasts are considered as part of Council's annual budget process. The 2026/2027 expenditure has been accounted for in the budget adopted by Council at the 29 June 2026 Council meeting.

The current gate fee for the DEECA contract, includes, transport from Dandenong, the landfill levy and disposal at the receiving facility. This will be an additional cost from the current arrangement of disposing within a Council owned landfill due to the additional transportation and commercial components.

Further financial considerations can be found in Attachment 6.

OFFICER DECLARATION

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

OFFICE OF THE CEO

4.7 Letters Under Seal – 2026 Australian Honours Recipients – King's Birthday List

Issued By	Manager – Governance & Risk
Authorised By	Chief Executive Officer
Document ID	A14049136
Briefing Note Number	Not applicable
Attachment(s)	Nil

EXECUTIVE SUMMARY

This report seeks Council endorsement to affix the Common Seal of the Mornington Peninsula Shire to letters recognising local recipients of the 2026 King's Birthday Honours. The letters formally acknowledge the recipients' significant service and contributions to the community and support Council's commitment to recognising local achievement.

RECOMMENDATION

That Council affixes the Common Seal of the Mornington Peninsula Shire to the letters recognising the recipients of the 2026 King's Birthday Honours, as listed below:

- A. Mr Marcus Grinblat OAM of Tyabb has been awarded the Medal of the Order of Australia for service to the community through emergency response organisations.**
- B. Mrs Marie Elizabeth Ransom OAM of Tyabb has been awarded the Medal of the Order of Australia for service to community welfare.**
- C. Mr Neil Donald Westbury AM of Balnarring has been appointed a Member of the Order of Australia for significant service to the Indigenous communities of the Northern Territory and Victoria.**
- D. Mr Iain Edwards AM of Mornington has been appointed a Member of the Order of Australia for significant service to community health, and to people who are blind or have low vision.**

4.7 (Cont.)

- E. Professor John Richard Newton AM of Mornington has been appointed a Member of the Order of Australia for significant service to mental health care, and to the psychiatry profession.**
- F. Mr John Kevin Bayliss OAM of Rosebud has been awarded the Medal of the Order of Australia for service to turf management, and to vocational education.**
- G. Ms Susan Rodgers-Wilson OAM of Rye has been awarded the Medal of the Order of Australia for service to the community through charitable organisations.**
- H. Mr Robert Stephen Zahara OAM of Balnarring Beach has been awarded the Medal of the Order of Australia for service to rowing.**
- I. The late Mr Neil Rosenfeld OAM of Mount Martha has been awarded the Medal of the Order of Australia for service to ballroom dancing.**
- J. Mr Mark Peter Daw ESM of Rye has been awarded the Emergency Services Medal for service to the community through emergency response organisations.**

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.

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 E, F and I which are:

- E. Innovation and continuous improvement is to be pursued.
- F. Collaboration with other Councils and Governments and statutory bodies is to be sought.
- I. The transparency of Council decisions, actions and information is to be ensured.

4.7 (Cont.)**RELEVANT COUNCIL DECISIONS AND POLICIES**

- Recognition and Achievements Policy.

DISCUSSION**Purpose**

The purpose of this report is to request Council endorsement for the sealing of Letters Under Seal being issued to Mornington Peninsula Shire residents who are recipients of the 2026 King's Birthday Honours awards.

Background

Australia honours its citizens who have made outstanding achievements and contributions to our society.

Australia's King's Birthday Honours, announced in June, highlight the important service and achievements of individuals around the country. Australian citizens, community groups, businesses and professional bodies can nominate an individual for a King's Birthday Honours award. Additionally, non-citizens of Australia can be nominated for an honorary award

In recognition of their achievements, Mornington Peninsula Shire Council will issue a letter under its seal to the 2026 King's Birthday Honours recipients. The recipients will also be invited to a civic reception to be held later this year.

Options for consideration

Not applicable.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

No direct climate and sustainability considerations.

4.7 (Cont.)

FINANCIAL CONSIDERATIONS

There are no direct financial considerations.

OFFICER DECLARATION

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

4.8 Audit and Risk Committee Update

Issued By	Manager Governance and Risk
Authorised By	Chief Executive Officer
Document ID	A14034039
Briefing Note Number	BN2211 – 23 June 2026
Attachment(s)	1. Draft ARC Minutes 28 May 2026 (confidential) 2. Report on Operations November 2025 – May 2026

EXECUTIVE SUMMARY

This report provides Council with an update on the Audit and Risk Committee (ARC) activities, specifically the draft minutes from the ARC's most recent meeting on 28 May 2026 (Attachment 1), as well as the Report on Operations November 2025 – May 2026 (Attachment 2).

The ARC is an advisory committee of Council. It is important that Council is kept informed of the ARC's activities and any recommendations or advice in a timely manner.

The Report on Operations are available on the [ARC page](#) of Council's website and provide an overview of the ARC's members and attendees, as well as the range of agenda items considered by the ARC.

RECOMMENDATION

That Council:

1. **Notes the draft Audit and Risk Committee Minutes 28 May 2026 (Attachment 1)**
2. **Notes the Report on Operations November 2025 – May 2026 (Attachment 2)**

Part B

That Council resolves that Attachment 1 to this report be retained as a confidential item pursuant to section 3 (1) (h) of the *Local Government Act 2020* as it contains the records of meetings closed to the public under section 66(2)(a).

COUNCIL PLAN

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

4.8 (Cont.)

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 principle B which is:

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

RELEVANT COUNCIL DECISIONS AND POLICIES

- 17 February 2026: Council adopted the revised ARC Charter.
- 12 May 2026: Council noted the draft minutes from 26 February 2026 meeting.

DISCUSSION**Purpose**

This report provides Council with an update on the ARC's activities, namely the draft minutes of the most recent ARC meeting on 28 May 2026 and the Report on Operations November 2025 – May 2026.

Background

The draft ARC minutes provide Council with an overview of the ARC's most recent meeting and the matters considered.

Section 6 of the ARC Charter, adopted by Council on 17 February 2026, sets out the process for the preparation, review and approval of the ARC minutes. The aim is to provide Council with timely advice on the ARC's activities and completion of the ARC's business.

The draft minutes were reviewed by the Chair, ARC members and Shire officers before presentation to Council. The final minutes will be approved by the ARC at its 27 August 2026 meeting. Any significant changes to the draft minutes will be reported to Council.

The Report on Operations is a public report to Council, and the community, highlighting the ARC's activities and will also be presented at the 4 August 2026 Council meeting for noting. The Report on Operations is a requirement of the *Local*

4.8 (Cont.)

Government Act (S54 (5)) and the ARC Charter (S7.1) and covers the ARC's meetings in February and May 2026. Previous Report's on Operations are available on the [ARC page](#) of Council's website.

Options for Consideration

Not applicable.

ENGAGEMENT

The draft ARC minutes are reviewed by the Chair, ARC members and Shire officers prior to presentation to Council.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

The ARC is an advisory committee to Council. Members are appointed by Council, three independent members for staggered three-year terms and two Councillors for one year each December. The ARC is governed by the ARC Charter adopted by Council.

The ARC's establishment, responsibilities and operations are consistent with the requirements of sections 53 and 54 of the *Local Government Act 2020*.

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.

4.9 Instruments of Appointment and Authorisation

Issued By	Manager – Governance and Risk
Authorised By	Manager – Governance and Risk
Document ID	A14050061
Briefing Note Number	Not Applicable
Attachment(s)	1. Authorisation – Nisbet, Evan_Team Leader – Asset Protection and Construction Supervision (<i>Land Act 1958</i>) 2. Authorisation – Wagenaar, Rowan_Senior Asset Compliance Officer (<i>Land Act 1958</i>) 3. Authorisation – Alberse, Rebecca_Senior Property Officer (<i>Land Act 1958</i>) 4. Authorisation – Carlton, Kate_Senior Property Officer (<i>Land Act 1958</i>) 5. Authorisation – Tyson, Debbie_Manager Statutory Planning (<i>Land Act 1958</i>) 6. Authorisation – Pomeroy, Andrew_Director Planning and Liveability_30 July 2026 (<i>Land Act 1958</i>) 7. Authorisation – Nisbet, Evan_Team Leader – Asset Protection and Construction Supervision (<i>Planning and Environment Act 1987</i>) 8. Authorisation – Wagenaar, Rowan_Senior Asset Compliance Officer (<i>Planning and Environment Act 1987</i>) 9. Authorisation – Graham, Flyn_Graduate Planner (<i>Planning and Environment Act 1987</i>).pdf 10. Authorisation – Lewis, Larissa_Asset Protection Inspections Officer (<i>Planning and Environment Act 1987</i>) 11. Authorisation – Tsatsakis, Judy_Asset Protection Inspections Officer (<i>Planning and Environment Act 1987</i>) 12. Authorisation – Tyson, Debbie_Manager Statutory Planning (<i>Planning and Environment Act 1987</i>) 13. Authorisation – Pomeroy, Andrew_Director Planning and Liveability_30 July 2026 (<i>Planning and Environment Act 1987</i>)

4.9 (Cont.)**EXECUTIVE SUMMARY**

To allow for practical, efficient and effective delivery of services, a council can delegate or authorise staff and others, to undertake functions or exercise powers on its behalf. Council is granted these powers through the delegations (clause 11) of the *Local Government Act 2020* and Authorised Officers (clause 224 (1)) clauses of the *Local Government Act 1989*.

The attached Instruments of Appointment and Authorisation have been prepared to ensure the relevant Mornington Peninsula Shire (Shire) officers are properly authorised under the legislation.

It is recommended that Council appoints the relevant Shire officers as authorised persons under the *Planning and Environment Act 1987* and/or the *Land Act 1958*.

RECOMMENDATION

That Council, in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached Instruments of Appointment and Authorisation, resolves that:

- A. The members of Council staff referred to in Attachments 1-6 be appointed under the *Land Act 1958*.**
- B. The members of Council staff referred to in Attachments 7-13 be appointed under the *Planning and Environment Act 1987*.**
- C. The instruments come into force upon the resolution of Council.**

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.

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.

4.9 (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 A and I which are:

- A. Council decisions are to be made and actions taken in accordance with the relevant law.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

The appointment of Authorised Officers by Council occurs regularly to ensure new employees or employees changing roles are appointed in a timely manner. The previous report was presented to Council for endorsement on 17 February 2026.

DISCUSSION**Purpose**

To authorise the Shire officers listed for the purposes of enforcing the *Planning and Environment Act 1987* and the *Land Act 1958*. Appointments are formally made by a signed Instruments of Appointment and Authorisation (Attachments 1-13).

The Land Act 1958

Section 188A applies to Crown land that is under the control of a Committee of Management (CoM) and provides that if a person constructs a building/works on that land, a person authorised by the CoM can demand that that person produces a current permit authorising them to keep the building. If, after 21 days, that person has not produced such a permit, then the Authorised Person may cause a complaint and a summons to appear before the Magistrates Court to be served on the person who constructed the building/works.

The Shire is appointed as a CoM for a number of Crown Land reserves within the municipality. It is in this capacity that Council can authorise Shire officers for the purposes of section 188A of the *Land Act 1958*. This report recommends the following Shire officers be appointed and authorised under the *Land Act 1958*:

- Rowan Wagenaar – Senior Asset Compliance Officer
- Evan Nisbet – Team Leader Asset Protection & Construction Supervision
- Kate Carlton – Senior Property Officer

4.9 (Cont.)

- Rebecca Alberse – Senior Property Officer
- Debbie Tyson – Manager Statutory Planning
- Andrew Pomeroy – Director Planning & Liveability

Planning and Environment Act 1987

When Shire officers enter a property, make observations, or gather evidence, if the matter were to proceed to enforcement, their entry, observations and gathering of evidence is only lawful if the Shire officer is an Authorised Officer under the particular act.

In addition, there is a requirement for some administrative staff to be Authorised Officers if they have a role in the issuing or review of planning infringement notices issued pursuant to the *Planning and Environment Act 1987*.

The Instruments of Appointment and Authorisation provides for Council to appoint Shire officers by a resolution, pursuant to section 147 (4) of the *Planning and Environment Act 1987*. This report recommends that the following Shire officers be appointed and authorised under the *Planning and Environment Act 1987*:

- Rowan Wagenaar – Senior Asset Compliance Officer
- Flyn Graham – Graduate Planner
- Evan Nisbet – Team Leader Asset Protection & Construction Supervision
- Larissa Lewis – Asset Protection Inspections Officer
- Judy Tsatsakis – Asset Protection Inspections Officer
- Debbie Tyson – Manager Statutory Planning
- Andrew Pomeroy – Director Planning & Liveability

Background

Delegations involve a council giving its powers to staff, who then act on behalf of Council. When Council authorises an individual, that person has the power of the statutory position, i.e. they are not acting as delegates or on behalf of Council.

The extent of authorisation is limited by the position description and operating procedure for each team.

4.9 (Cont.)**Options for Consideration**

Not applicable.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

The appointment of authorised officers under the *Planning and Environment Act 1987* and the *Land Act 1958* enables Council to fulfil its statutory responsibilities by ensuring appropriately authorised officers can exercise the powers and perform the functions conferred by those acts.

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.

4.10 Australia Day Local Awards Selection Panel Appointments

Issued By	Manager – Governance and Risk
Authorised By	Chief Executive Officer
Document ID	A14049021
Briefing Note Number	BN2226 – 21 July 2026
Attachment(s)	1. Australia Day Local Awards Selection Panel – Terms of Reference 2. Australia Day Local Awards – Selection Panel – Applications (confidential) 3. Australia Day Local Awards Selection Panel Proposed Appointments (confidential)

EXECUTIVE SUMMARY

This report seeks Council endorsement to appoint three new Community Representatives to the Australia Day Local Awards (Awards) Selection Panel (Selection Panel) and to re-appoint two current members as well as two past members for an additional two-year period to enable a committee of up to eight Selection Panel members as required under the Terms of Reference (Attachment 1). The names and details of the proposed appointees are contained in Confidential Attachments 2 and 3.

RECOMMENDATION**That Council:**

- 1. Appoints persons 1, 2 and 3 as identified in Confidential Attachment 3, to the Australia Day Local Awards Selection Panel for a period of two years effective from this decision, ending 27 January 2028 with the option of reappointment of a further two-year term.**
- 2. Reappoints persons 4 and 5 identified in Confidential Attachment 3 for an additional two-year term effective from this decision, ending 27 January 2028.**
- 3. Reappoints person 6 and 7 identified in Confidential Attachment 3 for a final term of two years effective from this decision, ending 27 January 2028.**

4.10 (Cont.)**Part B****That Council:**

- 1. Makes publicly available in the Council Minutes, the names of the successful selection panel members listed in confidential attachment 3 to the report;**
- 2. Resolves that Attachment 2 and 3 be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* as it includes community representative application details.**

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 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.

4.10 (Cont.)**RELEVANT COUNCIL DECISIONS AND POLICIES**

At the Council Meeting held on 12 May 2026, Council resolved to:

- *Adopt the proposed Australia Day Local Awards Selection Panel Terms of Reference*
- *Endorse the Expression of Interest process.*

DISCUSSION**Purpose**

This report seeks Council's endorsement to appoint three new members to the Selection Panel and to reappoint two current members and two previous members for an additional two-year period.

Background

Each year, Mornington Peninsula Shire Council recognises the achievements and contributions of local residents through the Australia Day Local Awards ceremony. Community members nominate individuals whose outstanding efforts have made a positive contribution to the municipality. The Australia Day Local Awards Selection Panel is responsible for assessing nominations and recommending award recipients to Council

This process ensures nominations are considered consistently and in accordance with the Selection Panel's Terms of Reference.

The Expression of Interest was advertised on the Shire's website, social media pages and in local newspapers and received a total of 5 submissions. All submissions satisfied the selection criteria and provided a diverse range of experience, skills and background. Two applicants withdrew their application prior to being interviewed. The interview process was conducted by the Mayor and the Manager – Governance and Risk.

Each applicant was assessed on the information provided and the skills and experience they presented. A copy of the successful applicants' Expression of Interest is attached to this report (Confidential Attachment 2).

Reappointment of Existing Selection Panel Members

At its meeting held 12 May 2026 Council adopted the Australia Day Local Awards Selection Panel Terms of Reference (Attachment 1). The Terms of Reference states the following in relation to Selection Panel Members:

4.10 (Cont.)

- Appointment to an Advisory Committee will be for a maximum term of two years with opportunity to nominate for a further two-year term.
- Two existing Selection Panel members who were appointed by Council at its meeting held 9 September 2024 have expressed their interest in reappointment for an additional two-year term. Their names have been provided in Confidential Attachment 3.
 - It is recommended that these members be reappointed to the Selection Panel.

Reappointment of Past Selection Panel Members

Due to the limited response to the call for Expressions of Interest, and the number of nominations received, past Selection Panel members are being considered for reappointment to support a total membership of seven members on the Selection Panel.

The past Selection Panel members have actively participated in the selection process during their previous terms and have made a valuable contribution to the success of the Awards. Their continued involvement will support continuity and assist in delivering a successful selection process. The names of past Selection Panel member proposed for reappointment are provided in Confidential Attachment 3.

It is recommended that these members be reappointed to the Selection Panel for an additional two-year term.

Options for consideration

Not applicable.

ENGAGEMENT

The Expression of Interest (EOI) for Selection Panel members was made available and promoted via the Shire's website, social media channels, and local newspapers to ensure broad community reach for a period of four weeks. No further engagement is required.

COMMUNICATIONS PLAN

In conjunction with the EOI a communications plan has been developed for the nominations process. To increase community participation in the Australia Day Local Awards process, a promotion campaign will occur from July through to September. The nominations will be promoted through a coordinated approach utilising the Shire's website, social media channels, and local newspapers to maximise community awareness and participation.

4.10 (Cont.)

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.

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 Best Start, Best Life Reform

This matter is considered to be confidential under Section 3 (1) a and c of the *Local Government Act 2020* as it contains information in relation to Council business information and land use planning information.