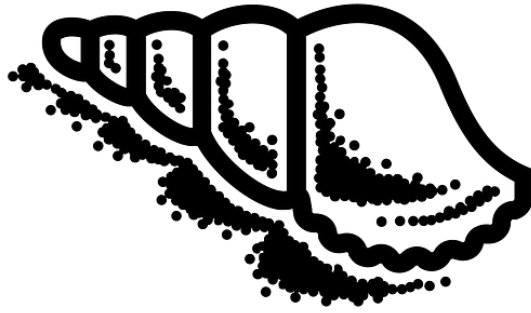




**Mornington  
Peninsula Shire**

# **MINUTES**

**COUNCIL MEETING**

**TUESDAY, 11 AUGUST 2026**

**6:30 PM**

**MUNICIPAL OFFICES  
BESGROVE STREET, ROSEBUD**

**MORNINGTON PENINSULA SHIRE COUNCIL****WARDS AND COUNCILLORS**

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

**EXECUTIVE TEAM**

|                                                                                                                                   |                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Mr Mark Stoermer</b><br><b>Ms Cheryl Casey</b><br><b>Mr Andrew Pomeroy</b><br><b>Mr Davey Smith</b><br><b>Ms Kelly Gillies</b> | <b>Chief Executive Officer</b><br><b>Director – Communities</b><br><b>Director – Planning and Liveability</b><br><b>Director – Assets and Infrastructure</b><br><b>Chief of Staff</b> |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**OBSERVERS**

|                                              |                                                      |
|----------------------------------------------|------------------------------------------------------|
| <b>Prue Digby</b><br><b>Rebecca McKenzie</b> | <b>Municipal Monitor</b><br><b>Municipal Monitor</b> |
|----------------------------------------------|------------------------------------------------------|

**RECORDING**

**Please note that this Council Meeting was livestreamed to the Mornington Peninsula Shire's YouTube channel and a recording of the meeting is 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**

Meeting opened at 6.31pm

Chairperson – Mayor, Cr Stephen Batty

## **1.1 Acknowledgement of Country**

(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**

### **Present**

Mayor, Cr Stephen Batty (Chairperson)

Cr Andrea Allen

Cr Patrick Binyon

Cr David Gill

Cr Max Patton

Deputy, Cr Paul Pingiaro

Cr Bruce Ranken

Cr Kate Roper

Cr Michael Stephens

Cr Cam Williams

Mr Mark Stoermer, Chief Executive Officer

Ms Prue Digby, Municipal Monitor

Ms Rebecca McKenzie, Municipal Monitor

### **2.1 Apologies**

Nil

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

Cr Allen declared a General Conflict of Interest on item 4.4 – RFT00023 Eramosa Road East Somerville – Road Rehabilitation Tender Recommendation & Roads to Recovery Funding Allocations as Cr Allen is known to one of the tenderers.

## **2.3 Confirmation of Minutes**

### **RECOMMENDATION**

That the Minutes of the previous Council Meeting held on 4 August 2026, be confirmed.

### **COUNCIL DECISION**

**Moved:** Cr Pingiaro

**Seconded:** Cr Williams

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## **2.4 Councillor Briefing Sessions**

### **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.

### **COUNCIL DECISION**

**Moved:** Cr Ranken

**Seconded:** Cr Pingiaro

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

**2.5 Petitions and Joint Letters****RECOMMENDATION**

That Council receives and notes the Petition 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.

**COUNCIL DECISION**

**Moved:** Cr Allen

**Seconded:** Cr Williams

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## 2.6 Public Question Time

### QUESTIONS WITH NOTICE

#### Centralised kindergarten registration

Amelia Bicknell, a resident of Merricks North asked the following 2 questions, a combined response has been provided:

*Does council acknowledge the impact the current centralised registration enrolment system for kindergarten placements has on educator wellbeing and classroom balance, particularly for children with additional needs? what evidence support councils view that educator / teacher recommendations for class placements are biased?*

*If Council's centralised kindergarten allocation system is producing unintended consequences for children, educators and services, what process exists for independent review, and how can teachers formally challenge a system that replaces professional educational judgement with automated allocation decisions?*

Council advised that the State Government's Best Start, Best Life reforms are increasing the number of hours of free kindergarten available to Victorian families, with private providers expected to meet much of the increased demand for places. As part of these reforms, the State Government has introduced a mandatory Priority of Access framework for 2027 allocations, requiring Council to prioritise vulnerable and disadvantaged families when allocating places in community kindergartens.

In line with the State Government's requirements, Council now applies the mandatory Priority of Access criteria before any locally agreed criteria. Separating allocation decisions from individual service recommendations helps ensure the Priority of Access criteria are applied consistently, transparently and equitably across all applicants.

While teachers and educators are not involved in determining individual allocations, their role remains essential in supporting children and families allocated to the kindergarten. Council values the knowledge and experience of educators and recognises their important contribution to the early childhood sector. Council administers the Central Registration and Enrolment Scheme within the State Government's framework and welcomes ongoing feedback to support continuous improvement and ensure the scheme continues to deliver fair and equitable access to children accessing community kindergartens.

**Updates to the *Planning and Environment Act***

Dale Stohr, a resident of Crib Point asked the following question:

*With the Victorian Government proposing changes to the Planning and Environment Act like removing the requirement for a planning authority to publish notice of an amendment in a local newspaper and seeking to exempt amendments from public exhibition, will Mornington Peninsula Shire be making a submission on these proposed changes?*

Council advised that Shire officers are currently reviewing the State Government's proposed Planning and Environment Interim Regulations 2026 and will make a submission before the 19 August deadline.

Council has previously endorsed submissions by the Municipal Association of Victoria (MAV) regarding reforms to the Planning & Environment Act 1987. These submissions are available on our website ([Submissions to the state government - Mornington Peninsula Shire](#)).

**Data Centres on the Mornington Peninsula**

Dale also asked the following question:

*Is Mornington Peninsula Shire aware of any enquiries, discussions, meetings, proposals or planning permit applications to develop an AI data centre on land on the Mornington Peninsula and where would a proposed data centre be located?*

Council advised that we have not received any planning permit applications for a data centre within the Mornington Peninsula Shire. Council can only formally consider a proposal once it has been submitted as a planning permit application. Any comment on potential future proposals would therefore be speculative and outside Council's statutory planning role.

Under the Mornington Peninsula Planning Scheme, a data centre may be considered in a range of zones, subject to the relevant planning controls and the granting of a planning permit. While Council has the authority to assess and, where appropriate, refuse a planning permit application for a data centre, applicants have the right to appeal Council's decision to the Victorian Civil and Administrative Tribunal (VCAT).

In addition, proponents may seek approval directly through the Victorian Government's Development Facilitation Program (DFP). Applications assessed under this pathway are determined by the State Government and may bypass the standard Council planning permit process.

**Abolition of Nuclear Weapons treaty**

Frederick Crump, a resident of Hastings asked the following question:

*On 22<sup>nd</sup> January 2022, two treaties were signed and sealed at the United Nations Assembly in New York for the abolition of nuclear weapons (TPNW) and the Treaty for the International campaign to abolish nuclear weapons (ICAN). 14 local Councils signed the two treaties, why no support from this Council?*

Council advised that the matter raised relates to Australia's foreign affairs, defence policy and international treaty obligations, which are the responsibility of the Australian Government, specifically the Minister for Foreign Affairs, Senator Penny Wong.

Mornington Peninsula Shire's role is to deliver local government services and advocate on matters within our legislative responsibilities and where we can make a direct difference for our local community.

While individual councils may choose to express views on matters beyond local government responsibilities, we remain focused on advocating for issues that directly affect the Mornington Peninsula community, including infrastructure, housing, transport, health services and other local priorities.

**QUESTIONS WITHOUT NOTICE**

The following questions were received without notice. Responses will be provided to submitters and published on the Shire website.

**Potholes**

Frederick Crump, also asked the following question:

*At Tyabb's Shire Meeting 12 months ago, on return from Japan, a verbal request to former Mayor, A Marsh concerning the dreadful potholes at the Briars historic park. Despite further requests 1 year on, to the current Councillors including a written request, still no action taken, why is this?*

**Animal Shelter**

Rosy Fisher, a resident of Mornington asked the following questions:

*Can an Advisory Committee (not staff affiliated) be formed to oversee the pound operations? The Committee would provide strategies for the improvement of pet outcomes e.g. increased adoptions, reduced kill rates, increased open hours, introduction of foster carers/volunteers and providing transparency to the public.*

*Why did it take the pound 1 month to contact Sophie about adopting Greg when she applied on Petrescue? The day she was contacted by the Shire, he was suddenly put 'on hold' yet he was still available the previous day. Consequently she adopted a senior cat elsewhere.*

### 3 COUNCILLORS AND DELEGATES REPORTS

#### **Business, Innovation, Technology and Excellence (BITE) Conference** (Cr Roper)

I attended the BITE conference at Mornington last week. This annual event is to promote and support Mornington peninsula businesses.

Guest speakers included Grant Hackett, Olympic gold medallist speaking about goals, motivation, reinventing yourself and teamwork. He spoke of commitment of team members and how removal of one poor performer can result in a significant boost for the team.

Keynote speaker Andrew Griffiths gave a presentation about charging what you are worth, using personal differences to differentiate yourself from competitors. He spoke of his small business experiences in turning around a failing business and gave pointers for business owners.

Shannon Smit a local business leader, spoke of smart and practical hacks for non-accountants, bringing AI into your business and the different AI helpers and which was best for each use.

We also met Rocco the robot. What an impressive creation. He answered questions posed and entertained the crowd.

Our Leader of Economic Development Katherine Cooper hosted a panel discussion on what it means to rethink, reinvent and reignite.

The event had plenty of time for networking and a display of 50 vendors had stalls where people could ask questions and get information about a variety of products and services.

Altogether it was a very informative day, and I am sure everyone who attended would have picked up hints and tips on how to improve their business in these challenging times.

I thank the organisers and our Economic Development team for all the work they did in bringing this sold out event together. And everyone loved the lucky donut wall.

**3.1 (Cont.)****Association of Bayside Municipalities** (Cr Patton)

The Association of Bayside Municipalities (ABM) held its member meeting and workshop day on 8 July at the MAV offices in East Melbourne. I chaired that meeting as a member of the ABM Executive Committee, with three Shire officers attending.

During the roundtable updates, Shire officers reported to the ABM on the progress of the Coastal Strategy at stage five, adaptation pathways tested with our coastal advisory groups, heading to community consultation by the end of this year, plus the coastal asset data collection and infrastructure renewal projects funded in the June budget.

The workshop covered a number of different areas, including discussions about: Vegetation loss through vandalism on the foreshore being a shared problem across almost every Bayside council, and ABM is now mapping how each council responds so we can learn from each other.

The ABM is following up with DEECA on the Port Phillip Bay Environmental Management Plan, which expires in 2027 with no confirmed review. That is the governing document for the health of the Bay.

Valuable workshops and meetings are proposed for the future including:

- Blue carbon workshop and field visit coming up. Our officers put artificial reefs and the oyster shell recovery work off Mount Eliza forward as the more promising nature-based option for the Peninsula.
- Summer Preparedness Forum in September
- ABM is writing to the Bunurong and Wadawurrung Registered Aboriginal Parties to open a conversation about how they want to be engaged in the work of the association.

**Triple A Housing Committee** (Cr Patton)

This report is on Triple A Housing Committee, which I chair, and the timing is appropriate given Homelessness Week was last week, and we ran our Shine a Light on Homelessness campaign.

The Committee met last Thursday, 6 August, and the theme of the meeting was Wear Green. The Committee received an update on the Minister's visit and the 2.1-million-dollar commitment to assertive outreach on the peninsula, along-time advocacy ask of the committee.

**3.1 (Cont.)**

On the standing priorities, the Committee worked through the Main Street Mornington sites, the Rosebud Women's Community Housing project, and a presentation on expanding crisis accommodation through new long-term operating models. We also heard from the Shire's property team on making better use of local, State and federally owned land.

The mid-term review of the Triple A Housing Plan is on hold until a new Social Planner is appointed and is expected to resume in October.

Coming up: Women's Property Initiatives will release its "missing middle" research shortly, and a delegation goes to Parliament House on 9 September as part of Walk in Her Shoes Campaign. The Committee next meets on 19 November.

Homelessness week last week was a great advocacy achievement. It opened with the Winter Sleep Out at The Ranch on 31 July.

On 4 August we held an online information session on the Peninsula's housing story.

On 5 August we ran Shine a Light on Homelessness, and the same night held the volunteer appreciation dinner.

On 6 August Western Port Community Support ran the One Night Without challenge.

And finished on 7 August with the Youth Homelessness Forum co-ordinated by the Committee for Frankston & Mornington Peninsula (CFMP).

Shine a Light encouraged people to switch on a green light for one night. The McCrae Lighthouse, YAWA, police stations, support centres and this building were lit green. Free green globes were available from our customer service centres from 27 July and were quickly taken up. Homes, schools, businesses and shopfronts across the Peninsula also took part.

A green globe does not house anybody. It makes a hidden problem visible for one night, in a community where the problem is anything but small as highlighted by the numbers. Nine hundred and forty-eight people sought help from homelessness services on this Peninsula in 2024-2025.

One hundred and ten people were recorded as homeless at 30 June last year, and three quarters of them were sleeping rough, in tents, in cars, in our foreshore reserves. This Shire records the highest number of people sleeping rough of any local government area in Victoria. Higher than the Melbourne CBD.

So, the campaign matters, but only if it is the front end of something. The work behind it is the Triple A Housing Plan, the Peninsula Housing Network that

**3.1 (Cont.)**

coordinates our frontline services, and Mornington Peninsula Zero, which we run with Launch Housing and ten local support organisations.

I want to thank all the Councillors who attended events, agencies who took part, our own officers, particularly Mrs Harris the housing advocacy lead and I want to thank the residents and businesses who put a globe in a porch light. Hang onto them for next year's bigger and better week, though hopefully we don't need it by then.

We cannot fund our way out of this alone, our three of our community support centres are overstretched. We need more outreach workers, we need crisis accommodation, and we need long term social housing investment on this Peninsula as well as sustainable investment in health as a preventative measure.

With a state election coming, it is worth us repeatedly, saying this to all who want to represent this community.

**Australian Institute of Company Directors (AICD) (Refresher Course)** (Cr Ranken)

**Australian Institute of Company Directors (AICD) Course** (Cr Pingiaro)

**Australian Institute of Company Directors (AICD) Course** (Cr Williams)

**Peninsula Advisory Committee for Elders (PACE)** (Cr Williams)

**Youth Advisory Gathering** (Cr Williams)

**Mayoral Commendation Brian Stahl** (Cr Stephens)

**South East Councils Climate Change Alliance (SECCCA)** (Cr Stephens)

**Climate Resilience Community Reference Group** (Cr Gill)

I attended the Climate Resilience Advisory Committees first meeting, key discussion topics included how to ensure:

- Clear feedback
- Clarity on the purpose of the meetings
- Success measures
- Budget considerations and deliverable outcomes
- Need for wide community engagement including identifying key stakeholders

**3.1 (Cont.)**

- The importance of including health related capacity building measures within this risk assessment
- Need to assess existing Council strategies and policies to avoid acting in a vacuum and to give a high-level strategic overview of Council perspectives and priorities for the committee's guidance.

At the next meeting in August:

- Consideration of the proposed actions within the officer led draft Climate Change risk assessment for committee advice on relevance and inclusion in the plan.

## 4 MANAGEMENT REPORTS

### PLANNING & LIVEABILITY

#### 4.1 Planning Scheme Amendment C314morn – Update to Landslide Planning Controls – Stage 2

##### 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 DECISION

**Moved:** Cr Patton

**Seconded:** Cr Pingiaro

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## 4.2 Parking Infringement 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)
  - 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.

4.2 (Cont.)

**COUNCIL DECISION**

**Moved:** Cr Pingiaro

**Seconded:** Cr Allen

**That Council:**

- 1. Defers Item 4.2 – Parking Infringement Resolution.**
- 2. Requests the Chief Executive Officer to bring an updated report back to Council as soon as practicable for consideration at an urgent unscheduled Council Meeting.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## CHIEF OF STAFF

### 4.3 Recruitment Services Contract

#### 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.

#### COUNCIL DECISION

**Moved:** Cr Ranken

**Seconded:** Cr Pingiaro

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## ASSETS & INFRASTRUCTURE

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

#### Attendance

Having disclosed a general conflict of interest Cr Allen, left the meeting at 7.38pm Cr Allen, took no part in the discussion or voting on this item.

#### **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.
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,

**4.4 (Cont.)**

commercial or financial undertaking that if released, would reasonably expose the business, commercial or financial undertaking to disadvantage.

**COUNCIL DECISION**

**Moved:** Cr Roper

**Seconded:** Cr Stephens

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton,  
Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

**Attendance**

Cr Allen returned to the meeting at 7.41pm, following Council's consideration of this matter.

#### **4.5 Proposed Conservation Covenants for Four Shire-owned Bushland Reserves**

##### **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 DECISION**

**Moved:** Cr Gill

**Seconded:** Cr Patton

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

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

##### **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.
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 DECISION**

**Moved:** Cr Pingiaro

**Seconded:** Cr Allen

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## OFFICE OF THE CEO

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

#### 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.
- 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.

**4.7 (Cont.)**

- 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 DECISION**

**Moved:** Cr Roper

**Seconded:** Cr Binyon

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

#### **4.8 Audit and Risk Committee Update**

##### **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 DECISION**

**Moved:** Cr Ranken

**Seconded:** Cr Stephens

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

#### **4.9 Instruments of Appointment and Authorisation**

##### **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 DECISION**

**Moved:** Cr Williams

**Seconded:** Cr Roper

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

#### 4.10 Australia Day Local Awards Selection Panel Appointments

##### 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.

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 DECISION

**Moved: Cr Pingiaro**

**Seconded: Cr Binyon**

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty,  
Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

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4.10 (Cont.)**COUNCIL DECISION****Moved:** Cr Pingiaro**Seconded:** Cr Binyon**That Council:**

- 1. Appoints Ms Maree Germana, Mr Gordon Hollands and Ms Jo Davie 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 Mr Anthony Byrne and Mr Joshua Sinclair identified in Confidential Attachment 3 for an additional two-year term effective from this decision, ending 27 January 2028.**
- 3. Reappoints Mr Chris Coster and Mr Joe Siragusa identified in Confidential Attachment 3 for a final term of two years effective from this decision, ending 27 January 2028.**

**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.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

## **5 NOTICES OF MOTION**

Nil.

## **6 URGENT BUSINESS**

Nil.

## 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.

**COUNCIL DECISION**

**Moved:** Cr Pingiaro

**Seconded:** Cr Williams

**That the recommendation be adopted.**

**For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton, Cr Roper and Cr Pingiaro

**Against:** Nil

**Carried Unanimously**

**7.1 Best Start, Best Life Reform****COUNCIL DECISION**

**That Council:**

**1. Notes:**

- a) Participation in kindergarten has numerous positive benefits for children's social, emotional and developmental outcomes as well as broader community and economic benefits.**
- b) Kindergarten, including the implementation of the Best Start, Best Life reform, is the responsibility of the State Government.**
- c) Council supports the broad intention of the Best Start, Best Life reform that will provide children with access to 15 hours of three-year-old per week and between 16 and 30 hours of four-year-old 'Pre-Prep' per week prior to commencing school.**
- d) Families and children across the Mornington Peninsula access kindergarten in a range of settings, including not for profit and private sessional kindergarten and long day care (childcare) services, some of which currently operate out of Shire facilities.**

**2. Endorses:**

- a) Implementation of the Community Engagement Plan (Attachment 1) in accordance with the Community Engagement Principles set out in section 56 of the *Local Government Act 2020*, recognising Council's obligation to engage the community in strategic planning and strategic decision-making.**
- b) A report be presented prior to the end of March 2027 to a Council Meeting providing:**
  - i. the outcomes of the Community Engagement in accordance with Council's Community Engagement Policy (6-week engagement period).**

## **8 MEETING CLOSE**

As there was no further business, the meeting closed at 9.09pm.

**Confirmed this 1<sup>st</sup> day of September 2026**

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**Cr Stephen Batty, Chairperson**