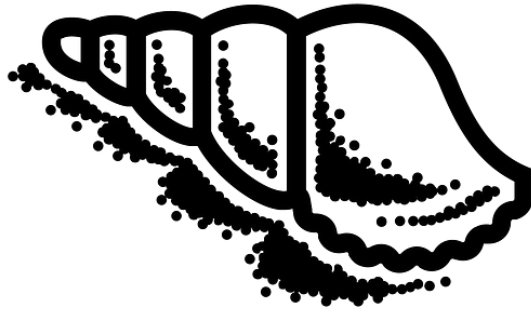




**Mornington
Peninsula Shire**

MINUTES

COUNCIL MEETING

TUESDAY, 7 JULY 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
---	---

OBSERVERS

Prue Digby Rebecca McKenzie	Municipal Monitor Municipal Monitor
--	--

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.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING AND WELCOME	5
1.1	Acknowledgement of Country	5
2	PROCEDURAL MATTERS.....	6
2.1	Apologies	6
2.2	Disclosure of Conflicts of Interest Pursuant to Sections 126 – 131 of the <i>Local Government Act 2020</i>	6
2.4	Councillor Briefing Sessions	8
2.5	Public Question Time	9
3	COUNCILLORS AND DELEGATES REPORTS	11
4	MANAGEMENT REPORTS	12
	PLANNING & LIVEABILITY	12
4.1	HMAS Cerberus – Proposed partial land divestment – Council advocacy position for community consultation	12
4.2	Sorrento Parking Management – Morce Avenue Car Park and Hotham Road Angle Parking Trial.....	13
	COMMUNITIES	14
4.3	Arts, Culture and Events Plan (DRAFT).....	14
	ASSETS & INFRASTRUCTURE.....	15
4.4	Draft Bathing Box Policy	15
4.5	RFT00024 Booked Hard and Green Waste Kerbside Collection Services – Tender Evaluation and Award	16
	OFFICE OF THE CEO	17
4.6	Draft Chief Executive Officer Employment and Remuneration Policy.....	17
4.7	Enterprise Risk Management Policy.....	18
4.8	Audit and Risk Committee Chair Recruitment	19
5	NOTICES OF MOTION	20

6	URGENT BUSINESS	20
7	CONFIDENTIAL ITEMS	20
8	MEETING CLOSE.....	21

1 OPENING AND WELCOME

Meeting opened at 6.30pm

Appointed Chairperson – Mayor, Cr Stephen Batty

1.1 Acknowledgement of Country

(Read by Cr Patton)

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 Mayor, Cr Paul Pingiaro

Cr Bruce Ranken

Cr Kate Roper

Cr Michael Stephens

Cr Cam Williams

Mr Mark Stoermer, Chief Executive Officer

Ms Rebecca McKenzie, Municipal Monitor

Ms Prue Digby, 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 Batty, declared a General, Conflict of Interest in regard to item 4.4, Draft Bathing Box Policy, as Cr Batty has a relative who owns a Bathing Box.

Cr Patton, declared a General and Material, Conflict of Interest in regard to item 4.4, Draft Bathing Box Policy, as Cr Patton manages Boatsheds and Boatshed policy on behalf of his employer.

2.3 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the previous Council Meetings held on 9 June 2026, 16 June 2026 and 29 June 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 record of Councillor Briefing Session for 26 May 2026 and Councillor Workshop Session for 2 June 2026.

COUNCIL DECISION

Moved: Cr Pingiaro

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

2.5 Public Question Time

QUESTION WITH NOTICE

Election candidate support

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

With the 2026 Victorian state election being held on Saturday 28 November, are Mornington Peninsula Shire Councillors permitted to spend time and resources attending media events supporting State election candidates or appear in social media posts and could this be considered improper behaviour under the Local Government Act (2020)?

Council advised that Councillors are permitted to support State election candidates in their personal capacity. However, they must not do so in their official capacity as a Mornington Peninsula Shire Councillor or in a manner that could reasonably imply Council endorsement or support for a candidate or political party. Any attendance at campaign or media events, or participation in social media content supporting a candidate, must be undertaken privately and outside of their Council role. Any costs associated with these activities, including travel, accommodation or other expenses, are the personal responsibility of the Councillor and will not be funded or reimbursed by Council.

QUESTIONS WITHOUT NOTICE

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

Western Point Futures Project

Julia Stockight, a resident of Bittern asked the following question:

What is the Western Port Futures Project, what is the Vision and Opportunities Paper, and has the comprehensive land use plan been presented to Council, or will these initiatives involve any public consultation?

3.1 (Cont.)**Hastings Library Heating**

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

It has now been 10 days, despite 7 days of the Hastings Library closure, to put in a complete new system of heating and air conditioning. How much more time does the installers need to fix the problem, which should have been rectified years ago.

Burning of vegetation

Frederick also asked the following question:

Pine trees, (pinus Radiata) Native and exotic which are valuable sources of timber to the building industry, especially pines, have been cut down at random, taking more oxygen out of the environment and fires burning all night without nobody around, when's Council going to stop issuing permits to landowners?

Sale of HMAS Cerberus

Michael O'Ryan, a resident of Mount Eliza asked the following question:

What does Council plan to say to this Federal Government about their proposal to sell most of the land at HMAS Cerberus?

Council states that as the question relates directly to an item listed for consideration later in tonight's meeting, it will not be responded to during Public Question Time. The matters raised in the question are relevant to the report and will be considered when Council deals with that item later in the meeting.

Removal of outdoor awnings in Mount Eliza

Michael also asked the following question:

Why has the Council ordered the two busiest cafes in Mount Eliza (1001 nights and Mt Terrasse) to remove their outdoor awnings when no one had a single complaint about the set up as it was?

3 COUNCILLORS AND DELEGATES REPORTS

Disability Advisory Committee (Cr Binyon)

Bass Park Trust (Cr Gill)

4 MANAGEMENT REPORTS

PLANNING & LIVEABILITY

4.1 HMAS Cerberus – Proposed partial land divestment – Council advocacy position for community consultation

ADJOURNMENT OF MEETING

That the meeting be adjourned at 6.42pm as there was a technical issue.

RESUMPTION OF MEETING

That the meeting be resumed at 6.44pm.

RECOMMENDATION

That Council approves a six-week period of community consultation on the draft submission to the Commonwealth Department of Finance on the proposed partial divestment of land at the HMAS Cerberus site, Crib Point as contained in Attachment 3 to this report, commencing on 14 July 2026 and concluding on 25 August 2026.

COUNCIL DECISION

Moved: Cr Stephens

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

4.2 Sorrento Parking Management – Morce Avenue Car Park and Hotham Road Angle Parking Trial

RECOMMENDATION

That Council:

1. Endorses the Plans and Prioritised Program of Works to increase parking supply within the Sorrento Commercial Centre and surrounds, in the following order:
 - A. Morce Avenue – Stage 1 (as shown in Attachment 6)
 - B. Hotham Road – Angled Parking (as shown in Attachment 8)
 - C. Morce Avenue – Stage 2 (as shown in Attachment 6)
2. Notes that funding to design and deliver these works will be considered yearly through Council's annual budget process.

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

COMMUNITIES

4.3 Arts, Culture and Events Plan (DRAFT)

RECOMMENDATION

That Council approves the Draft Arts, Culture and Events Plan (as at Attachment 1) being placed on public exhibition for a period of four weeks from 8 July to 5 August 2026 to seek community feedback.

COUNCIL DECISION

Moved: Cr Patton

Seconded: Cr Stephens

That Council approves the Draft Arts, Culture and Events Plan (as at Attachment 1) being placed on public exhibition for a period of six weeks from 8 July to 19 August 2026 to seek community feedback.

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 Draft Bathing Box Policy

Having disclosed a General Conflict of Interest in relation to this item, as a relative owns a Bathing Box, Mayor Cr Batty, left the meeting at 7.33pm.

Having disclosed a General and Material Conflict of Interest in relation to this item, as Cr Patton manages boatsheds and a boatshed policy on behalf of his employer Cr Patton, left the meeting at 7.33pm.

The Deputy Mayor, Cr Pingiaro assumed the Chair for consideration of this item.

RECOMMENDATION

That Council approves the draft Bathing Box Policy (as at Attachment 1) to be placed on public exhibition for a period of six weeks from 13 July to 21 August 2026.

COUNCIL DECISION

Moved: Cr Roper

Seconded: Cr Ranken

That the recommendation be adopted.

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

Against: Nil

Carried Unanimously

Mayor Cr Batty and Cr Patton returned to the meeting at 7.39pm, after the matter had been finalised. Mayor, Cr Batty and Cr Patton, took no part in the discussion or voting on this item.

4.5 RFT00024 Booked Hard and Green Waste Kerbside Collection Services – Tender Evaluation and Award

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer A for the schedule of rates value of \$XXX plus \$XXX GST being for RFT00024 Booked Hard and Green Waste Kerbside Collection Services.
2. Approves the contingency sum identified within the confidential Attachment 2 'RFT0024 Contingency Calculation', 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*.

Part B

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

COUNCIL DECISION

Moved: Cr Ranken

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

4.6 Draft Chief Executive Officer Employment and Remuneration Policy

RECOMMENDATION

That Council adopts the Chief Executive Officer Employment and Remuneration Policy (as at Attachment 1).

COUNCIL DECISION

Moved: Cr Pingiaro

Seconded: Cr Ranken

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

4.7 Enterprise Risk Management Policy**RECOMMENDATION**

That Council:

1. Rescinds the Risk Management Policy 2022 (as at Attachment 1)
2. Rescinds the Risk Management Framework 2022 (as at Attachment 4)
3. Adopts the Enterprise Risk Management Policy 2026 (as at Attachment 2).

COUNCIL DECISION

That item 4.7 – Enterprise Risk Management be deferred until the Risk Appetite Statement has been endorsed and that the item then be brought back to Council at a future date.

Moved: Cr Ranken

Seconded: Cr Gill

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 Chair Recruitment**RECOMMENDATION**

That Council:

1. Rescinds the Audit and Risk Committee Charter 17 February 2026 (Attachment 1)
2. Adopts the revised Audit and Risk Committee Charter June 2026 (Attachment 3)
3. Endorses the creation of an Evaluation Panel to consider applications for the position of Audit and Risk Committee Chair and recommend a preferred candidate to Council
4. Appoints the Mayor, current Audit and Risk Committee Chair and the Manager Governance and Risk to the Evaluation Panel.

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

5 NOTICES OF MOTION

Nil.

6 URGENT BUSINESS

Nil.

7 CONFIDENTIAL ITEMS

Nil.

8 MEETING CLOSE

As there was no further business, the meeting closed at 8.09pm.

Confirmed this 4th day of August, 2026.

.....

Mayor, Cr Stephen Batty