



**MORNINGTON
PENINSULA**
Shire

MINUTES

**UNSCHEDULED
COUNCIL MEETING**

MONDAY, 26 AUGUST 2024

6:30 PM

**MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD**

MORNINGTON PENINSULA SHIRE COUNCIL

WARDS AND COUNCILLORS

Briars	Cr Steve Holland Cr Anthony Marsh Cr Despi O'Connor
Cerberus	Cr Lisa Dixon
Nepean	Cr Susan Bissinger Cr Sarah Race
Red Hill	Cr David Gill
Seawinds	Cr Simon Brooks Cr Antonella Celi Cr Debra Mar
Watson	Cr Kate Roper

EXECUTIVE TEAM

Mr John Baker Ms Tanya Scicluna Ms Sam Stanton Ms Katanya Barlow Mr Derek Rotter Mr Bulent Oz	Chief Executive Officer Director – Community Strengthening Director – Corporate Strategy and Business Improvement Acting Director – Planning and Environment Acting Director - Infrastructure Chief Financial Officer
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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

Appointed Chairperson – Mayor, Simon Brooks

1.1 Acknowledgement of Country

(Read by Cr Roper)

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 Simon Brooks
(Chairperson) Cr Susan Bissinger
Deputy Mayor, Cr Antonella Celi
Cr Lisa Dixon
Cr David Gill
Cr Debra Mar
Cr Anthony Marsh
Cr Despi O'Connor
Cr Sarah Race
Cr Kate Roper

Mr John Baker, Chief Executive Officer

2.1 Apologies

Cr Steve Holland (Apology)

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

Nil.

3 MANAGEMENT REPORTS

PLANNING & ENVIRONMENT

3.1 A new Plan for Victoria and draft local government housing targets - submission to Victorian Government

RECOMMENDATION

That Council:

1. Adopts the submission to the proposed Plan for Victoria and draft housing targets contained in Attachment 1 to this report.
2. Forwards the adopted submission to the Department of Transport and Planning (DTP) by 30 August 2024.
3. Writes to the Minister for Planning requesting that a draft version of the Plan for Victoria be provided to the Mornington Peninsula Shire Council (and all other Victorian councils) for comment before the Plan is finalised and reiterates the need for the timely planning and release of Port zoned land for alternative uses, including more housing.

Moved: Cr Gill

Seconded: Cr Celi

AMENDMENT

Moved: Cr Marsh

Seconded: Cr Bissinger

1. Adopts the submission to the proposed Plan for Victoria and draft housing targets contained in Attachment 1 to this report, excluding recommendation 13 which relates to a future policy decision of council. Council authorises changes to the submission as required to accommodate the removal of recommendation 13.
2. Forwards the adopted submission to the Department of Transport and Planning (DTP) by 30 August 2024.
3. Writes to the Minister for Planning requesting that a draft version of the Plan for Victoria be provided to the Mornington Peninsula Shire Council (and all other Victorian councils) for comment before the Plan is finalised and reiterates the need for the timely planning and release of Port zoned land for alternative uses, including more housing.

Vote by Division (Requested by Cr Race)

For: Cr Gill, Cr Dixon, Cr Bissinger and Cr Marsh

Against: Cr O'Connor, Cr Race, Cr Roper, Cr Mar, Cr Celi and Cr Brooks

Amendment Lost

COUNCIL DECISION

That the recommendation be adopted.

Vote by Division (Requested by Cr O'Connor)

For: Cr Gill, Cr O'Connor, Cr Dixon, Cr Race, Cr Roper, Cr Mar, Cr Celi and Cr Brooks

Against: Cr Bissinger and Cr Marsh

Carried

3.2 Additional Parking Proposal - Morce Avenue, Sorrento

RECOMMENDATION

That Council endorses the at-grade carpark extension options outlined in this report as the preferred approach to increase carparking capacity within the commercial precinct off Morce Avenue, Sorrento.

MOTION

1. That council endorse the at-grade carpark extension, Option 4 with the removal of the following:

- A) removal of all carparking spaces running directly off Morce Avenue
- B) removal of additional vehicular entry/exit points
- C) removal of the marked pedestrian crossing – crossing to be kept.

This will leave a significant net carpark gain of a number to be determined by officers, carparking spaces and is the preferred approach to increase carparking capacity within the commercial precinct of Sorrento.

2. That carparking plans for the length of Hotham Road from Point Nepean Road to Melbourne Road are referred to the 2025/2026 budget process, noting that the section from Melbourne Road to the bowling club has already been endorsed and prioritised by council as part of the David Macfarlan Reserve Masterplan to increase carparking capacity to service the commercial precinct off Morce Avenue, Sorrento
3. That carparking plans for the block to the rear of the bowls club (off Hurley Street, Sorrento) are referred to the 2025/2026 budget process, noting that this has been endorsed and prioritised through the David Macfarlan Reserve Masterplan to increase carparking capacity to service the commercial precinct of Sorrento

Moved: Cr Bissinger

Seconded: Cr Gill

Vote by Division (Requested by Cr Bissinger)

For: Cr Bissinger

Against: Cr Gill, Cr O'Connor, Cr Dixon, Cr Race, Cr Roper, Cr Mar, Cr Celi, Cr Marsh and Cr Brooks

Lost

COUNCIL DECISION

Moved: Cr Race

Seconded: Cr Bissinger

That Council endorses the draft Morce Avenue, Sorrento at grade carpark extension options for community consultation, for a four-week period after the Council election caretaker period.

Carried Unanimously

3.3 Dromana Community Facilities Project

RECOMMENDATION

That Council endorses the draft Dromana Community Facilities Project for community consultation for a four-week period after the Council election caretaker period.

COUNCIL DECISION

Moved: Cr Celi
Seconded: Cr Mar

That the recommendation be adopted.

Carried Unanimously

3.4 Boundary Road footpath ecology assessment and community consultation

RECOMMENDATION

That Council undertakes community consultation on two shared path alignment options to connect Dromana township to Dromana Secondary College after the Council election caretaker period.

COUNCIL DECISION

Moved: Cr Mar

Seconded: Cr Gill

That the recommendation be adopted.

Carried Unanimously

ADJOURNMENT OF MEETING

That the meeting be adjourned at 8.09pm for short recess.

RESUMPTION OF MEETING

That the meeting be resumed at 8.15pm.

COMMUNITY STRENGTHENING

3.5 Compliance and Enforcement Policy

RECOMMENDATION

That Council adopts the Compliance and Enforcement Policy (Attachment 1).

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Marsh

That Council adopts the Compliance and Enforcement Policy (Attachment 1).

Part B

That Council prioritises additional resourcing and funding for enforcement related activities.

Carried Unanimously

3.6 Alcohol Harm Prevention Policy

RECOMMENDATION

That Council endorses the draft Alcohol Harm Prevention policy to be placed on public exhibition for a period of three weeks.

COUNCIL DECISION

Moved: Cr O'Connor

Seconded: Cr Dixon

That the recommendation be adopted.

Carried Unanimously

Attendance

Cr Gill left the meeting at 8:41pm.

Cr Gill returned to the meeting at 8:47pm and was present for voting on item 3.6

INFRASTRUCTURE

3.7 CN2826 - Pelican Park Recreation Centre - Renewal and Upgrade - Tender Recommendation Report

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer A for the lump sum value of \$XXX plus \$XXX GST being for CN2826 Pelican Park Recreation Centre – Renewal and Upgrade.
2. Approves the tender options for the bin cage area and additional roofing renewal works be included within the project scope.
2. Approves the contingency sum identified within the confidential section of this report, which is not to be disclosed to the tenderer until and if required by a contract variation.
3. The additional funding required to complete the project as identified in the confidential section of this report is to be allocated in FY2024/2025 financial year budget as part of the Capital Works budget process.

Delegates the execution of the contract for the awarded tender to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*.

Part B

That Council resolves the Attachment 1 to this report be retained as a confidential item, pursuant to section 3 (1) (g) (ii) 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 DECISION

Moved: Cr Dixon

Seconded: Cr Marsh

That Council:

1. **Having considered all tender submissions, hereby accepts the tender submission received from 4 Dimensions Building Contractors Pty Ltd for the lump sum value of \$4,704,968.72 plus \$470,967.87 GST being for CN2826 Pelican Park Recreation Centre – Renewal and Upgrade.**
2. **Approves the tender options for the bin cage area and additional roofing renewal works be included within the project scope.**
2. **Approves the contingency sum identified within the confidential section of this report, which is not to be disclosed to the tenderer until and if required by a contract variation.**

4.7 (Cont.)

3. The additional funding required to complete the project as identified in the confidential section of this report is to be allocated in FY2024/2025 financial year budget as part of the Capital Works budget process.

Delegates the execution of the contract for the awarded tender to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*.

Part B

That council resolves the Attachment 1 to this report be retained as a confidential item, pursuant to section 3 (1) (g) (ii) 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.

Carried Unanimously

3.8 Building Maintenance Services Contracts Procurement Update

RECOMMENDATION

That Council:

1. Notes the procurement status of the building maintenance services contracts listed in Table 1.
2. Notes the procurement process for CN2761 Automatic Doors and Vertical Transport Devices was abandoned.
3. That Council resolves that Attachments 1 and 2 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Marsh

Seconded: Cr Dixon

That the recommendation be adopted.

Carried Unanimously

3.9 Asset Management Policy Review

RECOMMENDATION

That Council:

1. Adopts the amended Asset Management Policy (Attachment 1)
2. That Council resolves that Attachment 4 to this report be retained as a confidential item pursuant to section 3 (11) of the *Local Government Act 2020* as it contains personal information of residents.

COUNCIL DECISION

Moved: Cr Celi
Seconded: Cr Gill

That the recommendation be adopted.

Carried Unanimously

4 CONFIDENTIAL ITEMS

Nil.

5 MEETING CLOSE

As there was no further business, the meeting closed at 9:05pm

Confirmed this 3rd day of September 2024

.....
Mayor, Cr Simon Brooks, Chairperson - Council