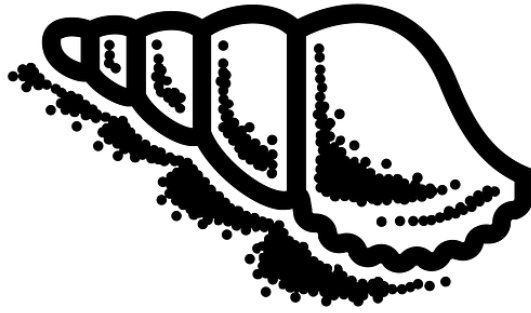




**Mornington
Peninsula Shire**

COUNCIL MEETING

TUESDAY, 9 JUNE 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	Vaacant
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 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

Appointed Chairperson – Deputy Mayor, Cr Paul Pingiaro

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

1. That the Minutes of the previous Council Meeting held on 12 May 2026, be confirmed with a change to item 7.2 Notice of Extension – CN2718 – Independent Advisor: Chief Executive Officer Performance and Remuneration Review.

The Council Decision to read as follows:

That Council:

1. *Approves an extension of contract CN2718 with TMS Consulting for the Independent Advisor – Chief Executive Officer Performance and Remuneration Review, from 28 May 2026 until 30 September 2026.*
2. *Endorses the commencement of a review by Shire officers of the Chief Executive Officer Employment and Remuneration Committee Policy (Attachment 2), with the revised policy to be presented to Council for consideration and adoption in July 2026.*

Part B

That Council:

1. *Resolves that the Council Decision is not confidential pursuant to section 3 (1) of the Local Government Act 2020.*
2. *Resolves that the Report and Attachment 1 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, being information provided by a business, commercial or financial commercial or financial undertaking to disadvantage.*

- 2. That the minutes of the previous Unscheduled Council Meeting held on 2 June 2026, be confirmed.**

2.4 Councillor Briefing Sessions

Councillor Workshop Session- 30 April 2026

Councillor Workshop Session – 5 May 2026

Councillor Workshop Session – 19 May 2026

RECOMMENDATION

That Council receives and notes the record of Councillor Workshop Sessions forms for the 30 April 2026, 5 May 2026 and 19 May 2026.

2.5 Petitions and Joint Letters

Raised Safety Platforms Bellbird Road, Mount Eliza

A petition of 92 signatures has been received in relation to the installation of 7 raised safety platforms on Bellbird Road Mount Eliza. The petition is requesting that Mornington Peninsula Shire Council –

- Halt the proposed installation of seven raised safety platforms on Bellbird Road Mount Eliza.
- Request that Council instead redirect the capital works funds toward the immediate construction of safe, even and stable pedestrian footpath along Bellbird Road Mount Eliza.

Immediate Comment

The Woodlands Local Area Traffic Management (LATM) Project which includes Bellbird Road was funded through the Safe Local Roads and Streets Program which is jointly developed by the Transport Accident Commission (TAC) and the Department of Transport and Planning (DTP). The program is designed to support the development and delivery of road safety infrastructure projects on local roads and has very clear guidelines on what types of projects and treatments are eligible to be funded through the program.

Residents within the Woodlands LATM project precinct have been given several opportunities to provide feedback over the last couple of years. This feedback has helped to shape the project to what is currently proposed in the detailed design that was recently circulated to residents. Residents have been encouraged to provide feedback on the detailed designs to the Shire by 7th June 2026. All feedback received in response to the detailed design will be considered and a response provided to the residents once all feedback has been reviewed.

Action Officer: Team Leader Traffic & Transport

Waste Services Levy

A petition of 170 signatures has been received in relation to reviewing the Waste Services Levy. The petition is requesting that Mornington Peninsula Shire Council –

- Review the Rates Waste Services levy and create a “think tank” of locals to come up with an alternative solution.

Immediate Comment

The waste charge is currently being considered by Council following community consultation on the draft 2026/27 Annual Budget. This petition will be shared with Councillors as part of this consideration process.

Action Officer: Financial Controller

RECOMMENDATION

That Council receives and notes the Petitions:

- 1. Objecting to proposed raised safety platforms on Bellbird Road, Mount Eliza.**
- 2. Requesting a review of the Waste Services Levy and creation of a think tank of locals to come up with an alternative solution.**

2.6 Public Question Time

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

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

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

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

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

3 COUNCILLORS AND DELEGATES REPORTS

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

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

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

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

4 MANAGEMENT REPORTS

CHIEF OF STAFF

4.1 Quarterly Reports January–March 2026

Issued By	Manager Organisation Strategy, Services & Performance
Authorised By	Chief of Staff
Document ID	A13957670
Briefing Note Number	BN2209 – 26 May 2026
Attachment(s)	1. Quarterly Community Report – January to March 2026 ⇒ 2. Quarterly Financial Report – January to March 2026 ⇒

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council receives and notes the Quarterly Community Report and Quarterly Financial Report for January – March 2026 (shown as Attachments 1 and 2 to this report).

COUNCIL PLAN

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

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.

4.1 (Cont.)

- Strategic Objective 4.2: Community-centred, responsive, and fit-for-purpose services.

GOVERNANCE PRINCIPLES

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

- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

Not applicable.

DISCUSSION**Purpose**

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

Background

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

It includes:

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

The presentation of the Quarterly Financial Report ensures compliance with section 97 of *the Act* in relation to budget reporting. Financial commentary is provided in the summary Finance Report at an organisational level in a Standard

4.1 (Cont.)

Financial Statements format. The Finance Report includes a user-friendly financial highlights section for the community, financial commentary and the status of key priority projects and capital works.

Council Plan Highlights

- Mornington Peninsula's unsung heroes have been recognised at the 2026 Local Australia Day Awards.
- Mornington Peninsula Streetlight Upgrade saving us money every single year.
- Mount Eliza Way – Road Rehabilitation completed in five days.
- 2025 – 2026 Road Resurfacing and Rehabilitation Program is now fully complete across all scheduled sites.
- Stage 1 of the Rye Township Plan is now complete.
- Hastings Park Community Pavilion Renewal.

Finance Highlights

- A net operating position of \$84.5 million. This is \$8.1 million above approved forecast.
- A cash position of \$148.9 million:
 - \$95.6million invested in term deposits
 - \$44.3million held in at call accounts
 - \$9.0million of funds held in trust.
- Year to date spend on Capital Works \$36.5 million across 196 projects and programs.
- Loan repayments of \$1.9 million has reduced total borrowings to \$28.4 million.

Options for Consideration

Not applicable.

4.1 (Cont.)**ENGAGEMENT**

Not applicable.

COMMUNICATIONS PLAN

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

LEGAL AND REGULATORY FRAMEWORK

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

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Not applicable.

OFFICER DECLARATION

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

PLANNING & LIVEABILITY

4.2 Road Safety Funding Priorities

Issued By	Manager – Strategic Planning, Transport & Environment
Authorised By	Director – Planning & Liveability
Document ID	A14011401
Briefing Note Number	BN2196 – 28 April 2026
Attachment(s)	1. Original Project Proposal List ⇒ 2. All Responses ⇒ 3. Interactive Map Survey Responses ⇒ 4. Final Project Proposal List ⇒

EXECUTIVE SUMMARY

The Mornington Peninsula Shire delivers road safety improvements each year through the Federal Black Spot Program, which provides government funding for targeted infrastructure upgrades at high-risk locations.

A Shire-wide community consultation was conducted during March and April 2026 to identify and prioritise potential projects for submission to the 2027/2028 Federal Black Spot Program. This report summarises the consultation process and its outcomes.

Following the consultation, three of the proposed projects were successful in securing funding through the 2026/2027 Black Spot Program and have therefore been removed from the list for 2027/2028 submission. It is recommended that two additional projects be included in their place: one with strong community support and prior Council endorsement, and the other arising from a Coronial investigation into a fatal crash.

RECOMMENDATION

That Council approves the :

1. 2027/2028 Black Spot Program Projects listed below:

- A. Collingwood and Lyons Street Intersection, Rye**
- B. McCrae Area Wide**
- C. Somers Area Wide**

4.2 (Cont.)

- D. Boundary Road and Palmerston Avenue, Dromana**
 - E. Arthurs Seat Road and Mornington–Flinders Road Intersection, Red Hill**
 - F. Arthurs Seat Road and White Hill Road Intersection, Red Hill**
 - G. Frankston–Flinders Road and Stanleys Road Intersection, Balnarring**
 - H. Marine Parade, Hastings**
 - I. Hendersons Road, Hastings**
 - J. Graydens Road and Stumpy Gully Road Intersection, Moorooduc**
 - K. Bentons Road and Dunns Road Intersection, Mornington**
 - L. Watt Road and Racecourse Road Intersection, Mornington**
 - M. Mount Arthur Road and Third Avenue Intersection, Rosebud**
 - N. Mornington Peninsula Freeway and Frankston–Flinders Road Interchange, Baxter**
- 2. Delivery of 2027/2028 Black Spot Program Project list shown as Attachment 4 and above, should they receive funding.**

COUNCIL PLAN

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

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

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

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

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

GOVERNANCE PRINCIPLES

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

4.2 (Cont.)

- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES**DISCUSSION****Purpose**

The purpose of this report is to:

- Provide Council with the outcomes of the 'Road Safety – Black Spot 2027/2028 Funding Applications' consultation
- Seek Council approval of the project list to be submitted to the 2027/2028 Federal Black Spot program.

Background

In response to a significant history of fatalities and serious injuries on the Peninsula, in 2016, the Shire adopted the Towards Zero 2020 to 2025 Road Safety Strategy, guided by Safe System principles. The principles recognise that human error is inevitable, and whilst crash analysis remains important for determining high-risk locations, best practice also focuses on proactively identifying risks and implementing treatments.

Identification of High-Risk locations was undertaken previously during the Council's 'Safer Roads Funding Applications and Priorities' consultation in April/May 2025. Feedback was provided on known high-risk locations, with the highest number of crashes in five years, and the proposed project for submission. This consultation culminated in a comprehensive list of known road safety risk locations and potential future Black Spot projects throughout the Shire.

The Black Spot program is a federally funded grant administered by the Victorian Department of Transport and Planning, funding road safety projects targeting Spots and Lengths with crash history and/or road safety risks. Projects are typically fully funded by the program with no Shire-matched funding required.

'Road Safety – Black Spot 2027–2028 Funding Applications' Consultation

The results of the 'Safer Roads Funding Applications and Priorities' Consultation were used to shortlist Black Spot funding applications for the 2027/2028 Program. These locations were then developed into potential Black Spot applications and have been consulted on with the community through the 'Road Safety – Black

4.2 (Cont.)

Spot 2027-2028 Funding Applications' consultation between March and April of 2026. This consultation sought to determine whether the community supported the 15 proposed applications and gather further input on risks at these locations. The project proposal list that was consulted on, the relevant road management authority, the locations, hazards, crash numbers and the proposed treatments are available in Attachment 1 – Original Project Proposal List.

Survey Results

A total of 409 survey responses were received on the 15 proposed projects via an interactive map, and 29 responses were submitted via consultation sessions, emails, and phone calls. Submissions are included in Attachment 2, with the Shire officer's responses. A summary of the Interactive Map Survey results is provided in Attachment 3. Overall, the majority of respondents agreed that the identified locations were high-risk or dangerous and supported the locations being included as Black Spot applications, with the exception of Marine Parade, Hastings.

At Marine Parade, only three interactive map surveys were submitted. Of these, two were unsupportive of the project. One respondent expressed a desire for higher speed limits, which would be inappropriate given that it is a school zone. Another respondent indicated they did not support the project, but commented in favour of speed limit reduction, indicating they were more likely in opposition to an element of the proposal rather than the project as a whole. A speed reduction on Marine Parade has previously been requested by the community due to high pedestrian activity near St Mary's Primary School and crash history. Hence, despite the low number of responses in this consultation, the project remains a strong candidate for submission to the 2027/2028 Black Spot funding program.

Common themes among responses opposing the proposed locations included perceptions of low crash history, a view that funding could be directed elsewhere (e.g. maintenance) and concerns about potential reductions in speed limits. It is important to note that crash numbers do not always reflect road safety risks, a principle recognised within the Black Spot Program, which accepts both crash-based and risk-based submissions. Requests for maintenance funding fall outside the scope of the program's funding criteria. Any future adjustments to speed limits will be assessed in accordance with Transport Victoria's Speed Zoning Guidelines and Council's adopted Road Safety Strategy.

Common themes amongst responses supporting the proposed Black Spot applications included intersection safety concerns, including visibility, geometry and right of way, rat-running and speeding concerns, as well as residents raising known high-risk locations and hazards at the proposed project locations. Additionally, responses cited concerns regarding school-related traffic and child safety, requests for pedestrian crossing improvements, footpaths, and insufficient road maintenance. When consulting on road safety, parking, footpath and

4.2 (Cont.)

maintenance concerns are commonly raised, but cannot be funded through the Black Spot program.

Project List Changes

Since the consultation, three of the projects from the list have been confirmed as being successful applications through the 2026/2027 Federal Black Spot program:

- Tanti Avenue, Mornington
- Dromana Parade, Safety Beach
- High Street, Hastings.

As a result, only 12 of the 15 projects consulted on in April/May 2026 remain to submit through the 2027/2028 Black Spot Program, including:

- Arthurs Seat Road and Mornington-Flinders Road, Red Hill
- Arthurs Seat Road and White Hill Road, Red Hill
- Bentons Road and Dunns Road, Mornington
- Boundary Road and Palmerston Avenue, Dromana
- Collingwood and Lyons Street, Rye
- Frankston-Flinders Road and Stanleys Road, Balnarring
- Graydens Road and Stumpy Gully Road, Moorooduc
- Hendersons Road, Hastings
- Marine Parade, Hastings
- McCrae – Area Wide
- Somers – Area Wide
- Watt Road and Racecourse Road, Mornington.

As the list has reduced, there is capacity to include additional projects for development and application. Two additional projects for consideration are presented below:

- Mount Arthur and Third Avenue, Compact Roundabout
- Mornington Peninsula Freeway and Frankston-Flinders Road interchange Shared Use Path, Barrier Treatment.

4.2 (Cont.)

These projects have been added to Attachment 4 Final Project Proposal List, including the relevant road management authority, the locations, hazards, crash numbers and the proposed treatments.

Mount Arthur and Third Avenue, Compact Roundabout

The proposed compact roundabout at the intersection of Mount Arthur Road and Third Avenue was previously identified, consulted on, and endorsed through the Safer Roads Funding Applications and Priorities Consultation and Council report in 2025. During this consultation, the project was supported by the community, with 93.33% of respondents supporting the project. It was subsequently submitted under the 2025 Safer Local Roads and Streets Program (SLRSP), where it was unsuccessful in securing funding.

Given its strong alignment with Black Spot Program criteria, crash history, existing functional design, and high level of community support, the project is well-positioned for inclusion in the 2027/2028 application. Accordingly, it is recommended that this project also be endorsed for application through the 2027/2028 Black Spot Program.

Freeway and Frankston–Flinders Road Shared Use Path, Barrier Treatment

Following a fatal incident on 24 August 2024 near the Mornington Peninsula Freeway and Frankston–Flinders Road interchange in Baxter, Council's Traffic and Transport Team conducted a Road Safety Risk Assessment and Road Safety Audit (RSA) in response to the Coronial Investigation. While the crash occurred at a zebra crossing managed by the Department of Transport and Planning (DTP), Council was required to assess the Council-managed shared-use path in the vicinity.

The assessment identified several safety concerns, including drivers in the slip lane failing to give way to pedestrians, cyclists riding without helmets, pedestrians with dogs occupying the full path width, forcing cyclists closer to traffic, as well as cyclists, e-scooters and e-bike users riding through red signals, at speed or outside designated crossings. Contributing factors include a turning angle greater than 90 degrees, downhill approach grades increasing vehicle speeds, adverse road camber, and poor lane edge definition.

The RSA identified high vehicle speeds and the absence of protective safety barriers as the primary concerns. Recommended treatments included a DTP-managed speed limit reduction and the installation of road safety barriers, with a steel flexible guard fence identified as the most appropriate option.

The estimated cost of installing the safety barrier is approximately \$100,000. It is recommended that an application is submitted to the 2027/2028 Black Spot Program to fund this work. This would be a proactive, risk-based application,

4.2 (Cont.)

acknowledging that prior crashes have occurred on DTP-managed roads at this location.

Community consultation has not been undertaken and is not proposed for this application. The shared path does not adjoin private properties, the site is located beneath a freeway interchange, and the proposed works are not within a green wedge, rural or scenic area.

Options for Consideration

Option 1 – Endorse the list of projects at Attachment 4 for submission to the 2027/2028 Black Spot Program (which includes the Mount Arthur and Third Avenue and Mornington Peninsula Freeway and Frankston-Flinders Road interchange projects that have been included in place of the three projects that were funded through the 2026/2027 Black Spot Program) – Recommended.

All projects nominated through the community consultation process represent strong candidates for Federal Black Spot Program funding. The two additional projects have also demonstrated merit; one receiving strong prior community support, and the other having been identified through a Coronial Investigation. This submission package offers the best opportunity to secure meaningful road safety improvements across the Shire.

Option 2 – Endorse the list of projects at Attachment 4 for submission to the 2027/2028 Black Spot Program, excluding the two new projects, Mount Arthur and Third Avenue and Mornington Peninsula Freeway and Frankston-Flinders Road interchange – Not recommended.

This option is not recommended as it means two projects that have demonstrated merit; one receiving strong prior community support, and the other having been identified through a Coronial Investigation, will not be considered for Black Spot funding.

Option 3 – Endorse some, but not all projects from the list of projects at Attachment 4 for submission to the 2027/2028 Black Spot Program – Not recommended.

This option is not recommended. The Federal Black Spot Program is competitive, and not all submitted projects are guaranteed funding. By submitting a number of strong projects, Council maximises the likelihood that a sufficient number are approved, ensuring the Shire receives meaningful investment in road safety infrastructure. Reducing the number of submissions would decrease the Shire's chances of securing multiple funded projects through the program.

4.2 (Cont.)**ENGAGEMENT**

The 'Road Safety – Black Spot 2027-2028 Funding Applications' consultation between March and April of 2026 was published on Council social media, and collected feedback through an interactive map survey, in-person consultation sessions, as well as via phone call and email.

An interactive map was developed with built-in survey functionality, allowing respondents to answer survey questions in relation to the risks perceived at the locations and whether they supported the location being included in the 2027/2028 Black Spot applications.

The survey questions were:

- Do you agree that this location is high-risk or dangerous?
- Do you support this location being included in our Black Spot applications for road safety upgrades?

All properties immediately adjacent to any of the proposed projects were directly contacted through a letter containing a QR code to the interactive map. The interactive map survey was also promoted through social media posts. Feedback was collected through the Shire's customer service functions, including via email and phone. Two drop-in sessions were also held, one in Mornington, and another in Hastings. At these sessions, feedback was recorded, and customers were directed to submit their own survey responses through the interactive map. All community feedback, along with Shire officer responses are provided in Attachment 1.

The Red Hill Community Association have also submitted their own Community Black Spot Nominations for the Arthurs Seat Road and Whitehill Road Intersection, Red Hill and the Arthurs Seat Road and Mornington-Flinders Road Intersection, Red Hill showing strong community support for these projects on State Government managed roads.

COMMUNICATIONS PLAN

If Council endorses these projects for submission through the 2027/2028 Federal Black Spot program, and they are funded, further engagement would be undertaken with impacted stakeholders throughout project development and delivery. This would include targeted drop-in sessions for Local Area Traffic Management (LATM) projects, letter drops and website updates.

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

Councils have legislated responsibilities in relation to road safety through the *Road Management Act 2004* and *Transport Integration Act 2010*, such as:

- *Road Management Act 2004*, section 38 (c) (iii): A road authority should seek to ensure “that the public road network and infrastructure are as safe for users as is reasonably practical”
- *Transport Integration Act 2010* – Transport System Objectives, section 13 (‘Safety and health and wellbeing’):
 1. “The transport system should be safe and support health and wellbeing”
 - 2a. The transport system should “seek to continually improve the safety performance of the transport system through
 - i. safe transport infrastructure
 - ii. safe forms of transport
 - iii. safe transport system user behaviour”

Under the *Road Management Act 2004* and *Local Government Act 1989*, councils have the authority to undertake works on roads, such as construct road safety improvements.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Approved projects if they were to proceed, would be entirely funded through the 2027/2028 Federal Black Spot funding program.

OFFICER DECLARATION

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

4.3 Review of the Climate Emergency Community Reference Group

Issued By	Manager – Strategic Planning, Transport and Environment
Authorised By	Director – Planning & Liveability
Document ID	A14049005
Briefing Note Number	BN2197 – 28 April 2026
Attachment(s)	1. Climate Emergency Community Reference Group Terms of Reference – December 2023 ⇒ 2. Proposed Climate Resilience Plan Advisory Committee Terms of Reference – May 2026 ⇒ 3. CRPAC_Member List (confidential) ⇒

EXECUTIVE SUMMARY

The establishment of the Climate Emergency Community Reference Group was originally committed through the adoption of the Climate Emergency Plan in 2020. The establishment of the group was approved on 28 November 2023 with Council adopting the Climate Emergency Community Reference Group Terms of Reference (ToR). Under the ToR, Community Reference Group members were appointed for a 2 year term. The inception meeting was in June 2024, meaning the review of the group needs to occur by June 2026.

The review has been completed with Shire officers proposing the ToR be updated to channel the member's expertise and focus towards informing the development of the Climate Resilience Plan.

RECOMMENDATION

That Council:

1. **Renames the Climate Emergency Community Reference Group to the Climate Resilience Plan Advisory Committee**
2. **Revokes the Climate Emergency Community Reference Group Terms of Reference**
3. **Confirms the appointment of the Climate Emergency Community Reference Group members to the Climate Resilience Plan Advisory Committee as per Attachment 3**
4. **Adopts the Climate Resilience Plan Advisory Committee Terms of Reference shown as Attachment 2 to this report**

4.3 (Cont.)

- 5. Removes Cr David Gill as Representative and Cr Michael Stephens as Substitute Representative of the Climate Resilience Community Reference Group**
- 6. Confirms Cr David Gill as Representative to the Climate Resilience Plan Advisory Committee and Cr Michael Stephens as Substitute Representative.**

Part B

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

COUNCIL PLAN

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

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

- Strategic Objective 3.2: 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 C, D and I which are:

- C. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- D. The municipal community is to be engaged in strategic planning and strategic decision making.
- I. The transparency of Council decisions, actions and information is to be ensured.

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

On 16 December 2025, Council appointed Cr Gill and Cr Stephens as delegates to the Climate Emergency Community Reference Group, noting the delegation incorrectly referenced the Climate Resilience Community Reference Group, not the Climate Emergency Community Reference Group.

DISCUSSION**Purpose**

The purpose of this report is to present Council with a review of the Climate Emergency Community Reference Group and seek adoption of the way forward for the group.

Background

The establishment of the Climate Emergency Community Reference Group was originally committed through the adoption of the Climate Emergency Plan in 2020. The establishment of the group was approved on 28 November 2023 with Council adopting the Climate Emergency Community Reference Group Terms of Reference (ToR) (Attachment 1). As per the ToR, the group has a purpose of:

"The Mornington Peninsula Shire Council is committed to establishing a skills-based and diverse Community Reference Group to advise Council and Shire Officers on the delivery of its Climate Emergency Plan. The reference group will provide input on targets and actions, climate change related issues being experienced in the community and priority tasks and programs. The group will consider and be guided by the best climate science available."

The group was set up as an advisory group, prior to the adoption of the Committee Management Policy but broadly in line with the intentions. Members were selected through a public Expression of Interest process, with 9 members selected to represent key sectors and demographics of the community. Two councillors were appointed annually as delegates.

Under the ToR, community reference group members were appointed for a 2 year term. The ToR also state that the reference group, including purpose, structure and membership, and the ToR will be reviewed in the second year of operation.

The inception meeting was in June 2024, meaning the review of the group needs to occur by June 2026.

4.3 (Cont.)**Outcomes**

The group met five times from June 2024 – August 2025 to discuss and provide feedback on the following topics:

- June 2024 – Initiation meeting
- August 2024 – Topic: Energy transition
- December 2024 – Topic: Resilient and adaptive communities
- March 2025 – Topic: Resilient priority populations
- August 2025 – Topic: Carbon neutrality and insetting opportunities
- November 2025 (meeting cancelled) – Topic: Community tree planting.

The group was governed by a ToR (Attachment 1), and each meeting was facilitated by Shire officers, with agendas, minutes, and outcomes captured and circulated to the group.

The members were advised via email on 23 December 2025 that the group is currently on hold as Council progress with developing the Climate Resilience Plan.

On 16 December 2025, Council appointed Cr Gill and Cr Stephens as delegates to the group, noting the delegation incorrectly referenced the Climate Resilience Community Reference Group, not the Climate Emergency Community Reference Group.

For clarity, a Climate Resilience Community Reference Group was established in March 2026 to provide representative community feedback on key topics during development of the Climate Resilience Plan. This group's purpose and makeup differs significantly from the Climate Emergency Community Reference Group and is established only during the plan development phase.

Options for Consideration

- Option 1 – Dissolve the Climate Emergency Community Reference Group

Dissolve the existing members and ToR as the strategic document which the group informed delivery of no longer exists.

This option is not preferred as it would not allow for the opportunity to continue engagement with the existing group members.

- Option 2 – Update the group name and Terms of Reference (recommended)

4.3 (Cont.)

Update the group name to Climate Resilience Plan Advisory Committee and Terms of Reference to the attached Climate Resilience Plan Advisory Committee Terms of Reference (Attachment 2) with a defined purpose *“to advise Council on the development of the Climate Resilience Plan”*.

This option is recommended as it would offer input from the existing membership to inform development of the Climate Resilience Plan, alongside other key community (Climate Reference Group) and stakeholder groups.

ENGAGEMENT

Existing group members have been advised a review of the group is underway in line with the existing Terms of Reference. Members will be notified of Council’s decision and appropriate next steps taken.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The skills-based and diverse group was originally established to advise on the delivery of the previous Climate Emergency Plan. The members have diverse skills and knowledge in the Climate and Sustainability sector which is a valuable resource to assist with the development of the Climate Resilience Plan which will be the key strategic document outlining Council’s response to climate change.

FINANCIAL CONSIDERATIONS

No budget implications are expected for either option.

OFFICER DECLARATION

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

4.4 Integrated Transport Strategy (Draft) – Transport to 2040 – Public Exhibition

Issued By	Manager – Strategic Planning, Transport & Environment
Authorised By	Director – Planning & Liveability
Document ID	A13963377
Briefing Note Number	BN2195 – 28 April 2026
Attachment(s)	1. 3607 MPS Integrated Transport Strategy_DD3 ↗

EXECUTIVE SUMMARY

The draft Integrated Transport Strategy (ITS) sets a long-term vision for delivering a connected, safe and equitable transport network across the Mornington Peninsula. It provides a roadmap for planning, investment, advocacy and collaboration that will meet the Peninsula's growing mobility demands while supporting environmental, social and economic resilience.

The draft ITS consolidates six of Council's existing Transport and Infrastructure Planning related strategies into one strategy, it also covers other long term transport planning matters providing an integrated and aligned decision-making strategy to improve transport across the Shire.

It is recommended that the draft ITS be placed on public exhibition to seek community feedback, prior to finalising it and seeking Council adoption in late 2026.

RECOMMENDATION

That Council approves the:

- 1. Draft Integrated Transport Strategy – Transport to 2040, as at Attachment 1, being placed on public exhibition for a period of 8 weeks from 23 June to 18 August.**
- 2. Director of Planning & Liveability to make any minor administrative or editorial changes to Attachment 1 of this report if required.**

4.4 (Cont.)**COUNCIL PLAN**

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

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

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

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

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

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

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

GOVERNANCE PRINCIPLES

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

- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- D. The municipal community is to be engaged in strategic planning and strategic decision making.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

A Council decision of relevance to the ITS is from the Council Meeting on the 13 June 2017, where Council resolved:

That Council provides in principle support to the proposal to widen the intersection at Truemans Road and Point Nepean Road.

4.4 (Cont.)

That Council provides in principle support to the upgrade of the existing arterial road freeway extension to freeway standards.

That Council supports the development of a proposal to address safety and congestion improvements at the freeway terminal at Jetty Road.

That Council requests that the existing Public Acquisition Overlay for the Mornington Peninsula Freeway reserve extension between Boneo Road and Melbourne Road be investigated for removal from the Mornington Peninsula Planning Scheme.

That Council will not support a reclassification of Point Nepean Road as it would remain a through road with heavy traffic despite any new or upgraded inland road construction.

That Council is concerned with the potential environmental impacts of a freeway extension through the Tootgarook Wetlands and requests further investigation be undertaken by VicRoads to explore viable alternatives.

That a letter be written to VicRoads outlining the above to make clear Council's position in relation to the Point Nepean Road Study.

DISCUSSION**Purpose**

The purpose of the report is to seek Council approval to put the draft – Integrated Transport Strategy – Transport to 2040 on public exhibition for a period of 8 weeks.

Background

The draft Integrated Transport Strategy – Transport to 2040 (ITS) has been developed to provide a central location for transport planning decision making. This document integrates six existing council Transport and Infrastructure planning strategies into one, with additional strategic transport planning matters also included. These six strategies and other issues include but are not limited to:

- Pedestrian Access Strategy (2024-2034)
- Bicycle Strategy-Ridesafe (2010-2014)
- Unmade Roads Construction Strategy (2006)
- Unmade Carpark Construction Strategy (2015)
- Sustainable Transport Strategy (2016)
- Road Improvement Strategy (2018)

4.4 (Cont.)

- Southern Peninsula Network Planning
- Westernport Freight Network Planning
- Peninsula Public Transport Advocacy
- Various Infrastructure Advocacy Positions

There is real benefit in having a genuine integrated approach to setting the strategic direction of Council's transport and associated infrastructure in one overarching strategy, being the draft ITS. This approach ensures that all relevant themes and issues have been considered concurrently and not in isolation. The consolidated approach also provides Council and community with one reference point when it comes to understanding and advocating for Council's transport priorities.

Road safety is a foundational pillar of the Shire's transport planning. Between 2010 and 2020, 75 lives were lost and more than 1,500 people were seriously injured on local roads. In response, the Shire's Towards Zero 2020–2025 Road Safety Strategy was developed to guide action toward eliminating deaths and serious injuries on our transport network.

The Integrated Transport Strategy acknowledges and reinforces the objectives of Towards Zero by embedding safety principles across infrastructure planning and mobility services. Due to the critical nature of road trauma prevention, the Towards Zero Strategy will remain a standalone document, supported by its own dedicated action plan, performance monitoring, and community education program.

The ITS commits to aligning all transport investments with the vision of zero lives lost. Future road, cycling, and pedestrian projects will be assessed not just for efficiency or connectivity, but also for their safety impact on the community.

Options for Consideration

Option 1 – That Council approves the draft Integrated Transport Strategy – Transport to 2040 being placed on public exhibition. (Recommended)

Option 2 – That Council does not approve the draft Integrated Transport Strategy – Transport to 2040 being placed on public exhibition. (Not recommended)

The draft ITS is ready for community feedback. This feedback will then inform the final ITS, which will be brought back to Council seeking adoption.

4.4 (Cont.)**ENGAGEMENT**

Pre-development engagement was undertaken in December 2024 which has been factored into the draft ITS. A public exhibition period of 8 weeks is now proposed to seek feedback on the draft Integrated Transport Strategy.

COMMUNICATIONS PLAN

A range of communication methods such as media releases, social media, surveys, a shape page, website updates and local drop-in sessions will be utilised to inform the community of the public exhibition.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The draft ITS broadly prioritises more efficient use of all modes of transport. Many Councils have integrated transport strategies; however, these are typically more focused on increasing walking, cycling and all sustainable modes of transport, aiming for reduction of emissions through major mode shift away from cars.

Given the Mornington Peninsulas geography, distinctive settlement pattern, lack of public transport and the distances between population centres, employment hubs and transport hubs, cars will continue to be a major mode of transport for many of the Shire's residents for the foreseeable future.

In acknowledgement of this, the draft ITS aims to increase the offering for walking, cycling and continuing to improve the road network to ensure whatever mode of transport best suits the Shire's residents is available and fit for purpose.

Any increase in active public transport modes may result in less vehicle emissions.

FINANCIAL CONSIDERATIONS

The draft ITS is primarily a strategic transport engineering/planning and advocacy strategy. Whilst investment in infrastructure is proposed across Council and State Government areas of responsibility, any Council funding will be subject to Council's annual budget process.

Examples of action items requiring future investment from Council are summarised below:

- Council to undertake a corridor study of Bungower Road, Mornington to identify the key sources of congestion and propose infrastructure improvements.

4.4 (Cont.)

- Provide appropriate advisory and wayfinding signage along active transport routes.
- Continued delivery of the principal pedestrian network through Council capital works and any available grant funding to a Shared User Path standard.

OFFICER DECLARATION

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

4.5 RFQ-00022 – Large Market Retail Gas (Procurement Australia)

Issued By	Manager – Strategic Planning, Transport & Environment
Authorised By	Director – Planning & Liveability
Document ID	A14048937
Briefing Note Number	BN2199 – 28 April 2026
Attachment(s)	Nil

EXECUTIVE SUMMARY

The Mornington Peninsula Shire's current retail energy agreements for large gas sites are set to expire on 30 June 2026.

The procurement of a new retail energy agreement is required, and the Shire is participating in a collaborative tender process with Procurement Australia for the supply of gas to large sites. Procurement Australia has demonstrated successful tender outcomes through previous appointments for procurement of retail energy. This is an aggregated volume arrangement where the energy load from multiple customers is combined and tendered to the market to attract better pricing than what the Shire could achieve undertaking a tender alone. The tender is expected to be evaluated and awarded by 31 May 2026, after submission of this report.

Procurement Australia will evaluate and award the tender in accordance with the evaluation criteria, ensuring the best value offer is accepted. Procurement Australia will also facilitate provision of energy supply agreements to each participating customer for execution.

Approval is sought to delegate authority to the Chief Executive Officer to execute the resulting retail gas agreement.

RECOMMENDATION**That Council:**

- 1. Approves the participation in the collaborative procurement process for Council's retail energy, currently being undertaken by Procurement Australia, in accordance with section 5.3 of the Procurement Policy.**
- 2. Delegates the execution of the resulting retail energy agreements to the Chief Executive Officer to the value of \$1.8 million.**

4.5 (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, F, G and I which are:

- A. Council decisions are to be made and actions taken in accordance with the relevant law.
- F. Collaboration with other Councils and Governments and statutory bodies is to be sought.
- 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

On 2 December 2025, Council adopted the 2025–2029 Procurement Policy.

The policy sets out the key principles, processes and procedures applied to all purchases of goods, services and works by Council.

DISCUSSION**Purpose**

The purpose of this report is to inform Council that the Shire is participating in the current Procurement Australia collaborative procurement process for retail energy and to seek delegation of the execution of the resulting energy agreement (schedule of rates contract) to the Chief Executive Officer.

4.5 (Cont.)**Background****Procurement Process**

As per section 5.3 Collaborative Procurement of Council's Procurement Policy and in accordance with section 108 (c) of the *Local Government Act 2020*, Procurement Australia has been appointed as the procurement agent to enable collaborative procurement with other councils and public bodies for the procurement of goods, services or works. It has been determined this collaborative process, in which multiple local government customer's gas requirements are aggregated, will deliver economies of scale, improved value for money, and other strategic benefits.

The tender will be conducted in May 2026. A tender evaluation report will be provided at the completion of the tender.

Procurement Australia's role in the tender process:

- Evaluation of submitted tenders in accordance with the evaluation criteria and weightings
- Development of a detailed evaluation report, to be issued to participating members, including a recommendation of a contract duration based on offers received, market benchmarking and analysis
- Award the tender
- Facilitate provision of energy supply agreements to each participating customer for execution
- Provide ongoing contract support during the contract duration.

Procurement Australia is remunerated through a rebate from energy suppliers meaning no upfront cost to Council. The rebate level is applied evenly to all participating energy suppliers as Procurement Australia do not have preferred energy suppliers.

A tender recommendation report and energy supply contract will be submitted to the Chief Executive Officer for approval and execution, subject to delegation from Council.

Options for Consideration

Not applicable.

4.5 (Cont.)**ENGAGEMENT**

This is a collaborative procurement project undertaken by Procurement Australia on behalf of multiple Councils.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

Council is required under sections 108 and 109 of the *Local Government Act 2020* to prepare, adopt and comply with its procurement policy.

In accordance with section 5.3 of the Shire's Procurement Policy, Council will actively seek opportunities to collaborate with other councils and public bodies in the procurement of goods, services or works, where such collaboration can deliver economies of scale, improved value for money, or other strategic benefits.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

The table below summarises the current arrangements for the proposed sites for inclusion in this collaborative procurement project

Category	Current contract	Sites	Contract end date
Large gas	Procurement Australia Retail Energy – Alinta Energy	Yawa Aquatic Centre Pelican Park Recreation Centre	30 June 2026

Natural gas is a commodity and the tendered pricing will be influenced by the wholesale market and future projections at the time of offer. Energy markets remain volatile and are impacted by geopolitical disruption, extreme weather and climate events, infrastructure issues and fuel supply shocks.

4.5 (Cont.)

The table below indicates estimated contract value by contract term.

Contract term (from 1 July 2026)	1 year	2 years	3 years
Estimated total contract value	\$400,000 – \$550,000	\$850,000 – \$1.2 million	\$1.3 million – \$1.8 million

Procurement Australia will recommend a contract term based on the offered rates with consideration of market benchmarking and analysis.

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).

7.4 (Cont.)

- (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 RFP00035 – Microsoft Licensing Contract

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

7.2 RFQ00020 – Unaddressed Mail Delivery Contract

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

7.3 TechnologyOne Contract Over Expenditure

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

7.4 Confidential – Aged Care Reform

This matter is considered to be confidential under section 3 (1) (a) and (g) (ii) of the *Local Government Act 2020* as they contain information in relation to

7.4 (Cont.)

Council business information and if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.