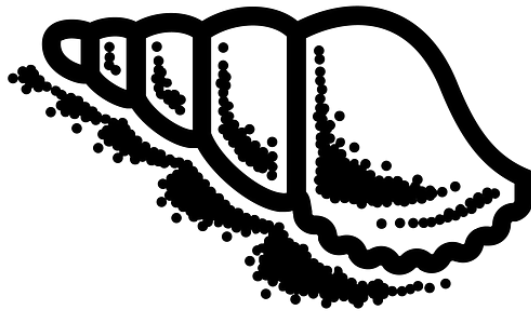




**Mornington
Peninsula Shire**

COUNCIL MEETING

TUESDAY, 16 JUNE 2026

6:00 PM

**MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD**

MORNINGTON PENINSULA SHIRE COUNCIL**WARDS AND COUNCILLORS**

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

EXECUTIVE TEAM

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

Prue Digby Rebecca McKenzie	Municipal Monitor Municipal Monitor
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RECORDING

Please note that this Council Meeting will be livestreamed to the Mornington Peninsula Shire's YouTube channel and a recording of the meeting will be available on the Shire's website.

Recording of persons in the public gallery is not intended but may occur incidentally. By attending this meeting, you consent to being filmed at the meeting and the possible use of subsequent recordings in a live streaming or published video of the meeting.

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1 OPENING AND WELCOME

Temporary Chairperson – Mr Mark Stoemer – Chief Executive Officer

1.1 Acknowledgement of Country

To be read by Cr Binyon

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*

3 MANAGEMENT REPORTS

OFFICE OF THE CEO

3.1 Election of the Mayor

Issued By	Manager – Governance & Risk
Authorised By	Chief Executive Officer
Document ID	A14049634
Briefing Note Number	Not Applicable
Attachment(s)	Nil

EXECUTIVE SUMMARY

In accordance with section 25 of the *Local Government Act 2020* (the Act) Councillors must elect a Councillor (Cr) to be the Mayor of the Council.

On 14 May 2026, Cr Anthony Marsh formally resigned from Council. As Anthony Marsh was serving as Mayor at the time of his resignation, Council is now required to appoint a new Mayor until the next Annual Council Meeting scheduled for 24 November 2026.

Council's Governance rules state that where the office of Mayor becomes vacant, an election of the Mayor must occur within one month after the vacancy arises.

An Unscheduled Council Meeting was held on 2 June 2026 to elect a Mayor and if required a Deputy Mayor. No nominated candidate achieved an absolute majority of votes as required by the *Local Government Act 2020*. Council then resolved to schedule this meeting to hold a further election. This report provides options for Council to consider should a nominated candidate not receive an absolute majority of votes.

The Mayoral term resulting from this election will commence on 16 June 2026 and conclude at the time and on the day of the next Annual Council Meeting in 2026.

RECOMMENDATION

That Council, in accordance with Council's Governance Rules elects Councillor _____ as Mayor for the period from 16 June 2026 until the Annual Council Meeting on 24 November 2026, having received an absolute majority of votes cast.

3.1 (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, B and I which are:

- A. Council decisions are to be made and actions taken in accordance with the relevant law.
- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

At the 18 November Annual Council Meeting, Council resolved:

1. *That Council resolves to establish an office of Deputy Mayor.*
2. *That Council determines that the term of office of the Mayor and Deputy Mayor will be for a period of one year, from 18 November 2025 to the next Annual Council Meeting in November 2026.*

DISCUSSION**Purpose**

The Mayor is elected in accordance with the Mornington Peninsula Shire Council (the Shire) Governance Rules and the *Local Government Act 2020*.

This process as adopted in the Governance Rules is as follows:

1. The Chief Executive Officer (CEO) will be the temporary Chairperson of the meeting for the election of the Mayor.

3.1 (Cont.)

2. The election of the Mayor must be carried out by a show of hands and all Councillors must vote.
3. The CEO will invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.
4. A Councillor may nominate another Councillor or themselves as a candidate.
5. Nominations for the election of Mayor do not require seconding.

Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor.

1. The order of voting for candidates will take place alphabetically based on their last name.
2. If only one candidate is nominated, the candidate must be declared elected as Mayor.
3. If more than one candidate is nominated, Councillors must vote for their preferred candidate.
4. Where two candidates have been nominated, the candidate with the absolute majority of votes cast must be declared elected as Mayor.
5. Where two candidates have been nominated and there is an equal number of votes cast, the vote will be re-cast and if after the re-cast of votes there is an equal number of votes the Chief Executive Officer will seek that the meeting be adjourned to 6.00pm the following day so that a new meeting can be conducted to resolve the election of the Mayor.
6. Where more than two candidates have been nominated, the candidate that has received an absolute majority of votes cast will be declared elected as Mayor.
7. Where more than two candidates have been nominated and no candidate receives an absolute majority of votes cast, the candidate with the fewest number of votes must be eliminated. If more than one candidate has the fewest number of votes, then the candidate to be eliminated must be determined by a simple majority vote.
8. A further vote must then be undertaken for the remaining candidates.
9. This procedure must be repeated until one of the candidates receives an absolute majority of votes.

3.1 (Cont.)

10. Upon being elected, the Mayor may make a ceremonial speech.

Background

The functions of the Mayor of a Council are outlined in section 18 and 19 of the *Act*.

Any Councillor is eligible for election or re-election to the office of Mayor. The Mayor is not eligible to be elected to the office of Deputy Mayor.

Section 20 (a) of the *Act* outlines when the office of the Mayor becomes vacant, which includes at the time and on the day of the election of the next Mayor.

Options for Consideration

Option 1 – The Chief Executive Officer will seek to hold a meeting at 6pm the following day, so that a new election can be conducted.

Option 2 – That Council resolves to schedule a meeting at a specified date and time.

Option 3 – That Council resolves to hold the election of the Mayor and Deputy Mayor at the 24 November 2026 Annual Council Meeting.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

The appointment of the new Mayor will be promoted online via our socials and on our Shire website.

LEGAL AND REGULATORY FRAMEWORK

The Mornington Peninsula Shire Council Governance Rules meets the legislative requirement under section 60 of the *Act* and sets out the procedure for the election of the Mayor and Deputy Mayor.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

There are no direct climate and sustainability considerations.

FINANCIAL CONSIDERATIONS

Not applicable.

3.1 (Cont.)**OFFICER DECLARATION**

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

3.2 Election of the Deputy Mayor

Issued By	Manager – Governance & Risk
Authorised By	Chief Executive Officer
Document ID	A14049632
Briefing Note Number	Nil
Attachment(s)	Nil

EXECUTIVE SUMMARY

In accordance with section 27 of the *Local Government Act 2020* (the *Act*) and rule 49 of the Mornington Peninsula Shire Council Governance Rules – Election of Deputy Mayor, Council may determine to elect a Deputy Mayor at a meeting convened to elect the Mayor.

At the 18 November 2025 Annual Council Meeting, Council resolved to establish the office of the Deputy Mayor for a one-year term concluding at the Annual Council Meeting in November 2026.

Should Council elect the current Deputy Mayor as Mayor at the Council Meeting scheduled for 16 June 2026, the office of Deputy Mayor will become vacant. Council is therefore required to elect a Councillor to the office of Deputy Mayor for the remainder of the current term. If a Councillor other than the Deputy Mayor be appointed as Mayor at this meeting, this report will lapse.

The Deputy Mayor term resulting from this election will commence on 16 June 2026 and conclude at the next Annual Council Meeting scheduled for the 24 November 2026.

RECOMMENDATION

That Council in accordance with Council’s Governance Rules elects Councillor _____ as Deputy Mayor for the period from 16 June 2026 until the Annual Council Meeting on 24 November 2026, having received an absolute majority of votes cast.

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, B and I which are:

- A. Council decisions are to be made and actions taken in accordance with the relevant law.
- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

At the 18 November Annual Council Meeting, Council resolved:

1. *That Council resolves to establish an office of Deputy Mayor.*
2. *That Council determines that the term of office of the Mayor and Deputy Mayor will be for a period of one year, from 18 November 2025 to the next Annual Council Meeting in November 2026.*

DISCUSSION

Purpose

The election for the position of Deputy Mayor follows a similar process as for the election of the Mayor.

The Deputy Mayor is elected in accordance with the Mornington Peninsula Shire Council Governance Rules.

This process is as follows:

1. The Mayor will conduct the election process and will invite nominations for the position of Deputy Mayor.
2. The election of the Deputy Mayor must be carried out by a show of hands and all Councillors must vote.
3. The Mayor will invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.

4. A Councillor may nominate another Councillor or themselves as a candidate.
5. Nominations for the election of Deputy Mayor do not require seconding.

Once nominations for the office of Deputy Mayor have been received, the following provisions will govern the election of the Deputy Mayor:

1. The order of voting for candidates will take place alphabetically based on their last name.
2. If only one candidate is nominated, the candidate must be declared elected as Deputy Mayor.
3. If more than one candidate is nominated, Councillors must vote for their preferred candidate.
4. Where two candidates have been nominated, the candidate with the absolute majority of votes cast must be declared elected as Deputy Mayor.
5. Where two candidates have been nominated and there is an equal number of votes cast, the vote will be re-cast and if after the re-cast of votes there is an equal number of votes the Chief Executive Officer will seek that the meeting be adjourned to 6:00pm the following day so that a new meeting can be conducted to resolve the election of the Deputy Mayor.
6. Where more than two candidates have been nominated, the candidate that has received an absolute majority of votes cast will be declared elected as Deputy Mayor.
7. Where more than two candidates have been nominated and no candidate receives an absolute majority of votes cast, the candidate with the fewest number of votes must be eliminated. If more than one candidate has the fewest number of votes, then the candidate to be eliminated must be determined by a simple majority vote.
8. 13. A further vote must then be undertaken for the remaining candidates.
9. 14. This procedure must be repeated until one of the candidates receives an absolute majority of votes.
10. 15. Upon being elected, the Deputy Mayor may make a ceremonial speech.

Background

The functions of a Deputy Mayor of Council are outlined in section 21 of the *Act*.

Any Councillor, other than a Mayor, is eligible for election or re-election to the office of Deputy Mayor.

Section 22 of the *Act* outlines when the office of the Deputy Mayor becomes vacant, which includes at the time and on the day of the next election of the Mayor.

Options for Consideration

Not applicable.

ENGAGEMENT

The appointment of the Deputy Mayor will be promoted online via our socials and on the Shire's website.

LEGAL AND REGULATORY FRAMEWORK

The Mornington Peninsula Shire Council Governance Rules meets the legislative requirement under section 60 of the *Act* and sets out the procedure for the election of the Mayor and Deputy Mayor.

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.