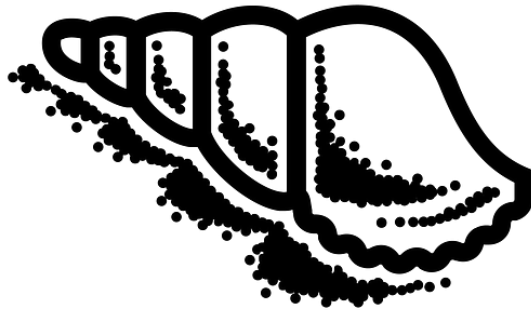




**Mornington
Peninsula Shire**

COUNCIL MEETING

TUESDAY, 12 MAY 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	Cr Anthony Marsh
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

Ms Prue Digby Ms 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

Meeting opened at 6.32pm

Appointed Chairperson – Deputy Mayor, Cr Paul Pingiaro

1.1 Acknowledgement of Country

(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

Present

Deputy Mayor, Cr Paul Pingiaro (Chairperson)

Cr Andrea Allen

Cr Stephen Batty

Cr Patrick Binyon

Cr David Gill

Cr Max Patton

Cr Bruce Ranken

Cr Kate Roper

Cr Michael Stephens

Cr Cam Williams

Ms Prue Digby, Municipal Monitor

Mr Mark Stoermer, Chief Executive Officer

2.1 Apologies

Nil.

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

Nil.

2.3 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the previous Council Meeting held on 14 April 2026, be confirmed.

COUNCIL DECISION

Moved: Cr Batty

Seconded: Cr Patton

That the Recommendation be adopted.

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

Against: Nil

Carried Unanimously

2.4 Councillor Briefing Sessions

RECOMMENDATION

That Council receives and notes the record of Councillor Workshop Sessions for 7 April and Councillor Briefing Sessions for 28 April 2026.

COUNCIL DECISION

Moved: Cr Batty

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 Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

2.5 Petitions and Joint Letters

RECOMMENDATION

That Council receives and notes the Petitions:

1. Relating to renewal of the Koopalanda Playground Reserve.
2. Requesting a new public toilet and RV dump point at Hastings Foreshore.

COUNCIL DECISION

Moved: Cr Stephens

Seconded: Cr Patton

That the Recommendation be adopted.

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

Against: Nil

Carried Unanimously

2.6 Public Question Time

QUESTION WITH NOTICE

MPSC Community Facility Models Framework Report

Mary Iles, a resident of Flinders asked the following question:

When will the MPSC Community Facility Models Framework – August 2025 report, prepared by Council officers with input from external consultants, be submitted to Council for ratification? This report underpins community engagement on future management of all MPSC facilities, including Flinders Civic Centre, and highlights the need to further explore alternative management models and partnerships.

Council advised that the Framework is a key component of Council's Community Facilities Infrastructure Strategy 2024–2034 and is being considered alongside the development of Infrastructure Action Plans for each township. This integrated work will inform future community engagement and decision-making regarding the management of Council facilities, including the Flinders Civic Hall.

Shire officers are currently working through the appropriate approach and timing for presenting this package of work to Councillors. It is expected that the Framework will be brought forward for Council consideration as part of this broader Strategy in the second half of this year.

QUESTIONS WITHOUT NOTICE

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

Planned Burning

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

Regarding planned burns of vegetation and trees over large areas or consecutive days, are there legal requirements for landowners to provide adequate notice to neighbouring properties and schools and record air quality data during and after the burn-offs as well as notifying EPA Victoria if smoke pollution exceeds air quality standards?

Asset Management

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

The Hastings Public Hall community clock has malfunctioned once again. Why doesn't the Shire install a new clock or brick the hole up and forget the maintenance issue.

Library Heating

Fred also asked the following question:

This morning inside the Hastings Library the heating/air conditioning wasn't working properly and was very cold inside. Again. After making enquiries, I was told the problem would be fixed at the end of the month. Why can't it be addressed tomorrow instead of waiting another two weeks?

Roadside Collection

J Farrell, asked the following question:

What is happening with roadside collection price?

3 COUNCILLORS AND DELEGATES REPORTS

BlueScope Community Liaison Committee (Cr Roper)

Peninsula Aero Club Airshow Donations (Cr Roper)

Association of Bayside Municipalities (Cr Patton)

The Association of Bayside Municipalities (ABM) held an online launch event on 7 May for its 2026 State Election advocacy campaign, Victoria's Coastal Commitment, comprising three position papers directed at the incoming Victorian government.

The first calls for the creation of a Parliamentary Secretary for Marine and Coasts, a dedicated position that doesn't currently exist in any Australian jurisdiction, to provide whole-of-government coordination on coastal management, filling the gap left by the dissolution of the Marine and Coastal Council.

The second calls for a Port Phillip Bay Coastal Adaptation Infrastructure Investment Plan. Much of the Bay's coastal protection infrastructure dates from the 1930s, and modelling suggests inaction will result in \$442 billion in economic losses by 2100, with cumulative impact already approaching \$123 billion by 2040.

The third calls on the State to lead and fast-track consistent coastal planning scheme amendments for Port Phillip Bay, building on work already commenced by the Municipal Association of Victoria (MAV), ABM and member councils but stalled awaiting State direction.

Mornington Peninsula's extensive dual-bay coastline, mix of land uses, and ongoing planning exposure to coastal hazards make all three positions directly relevant to Council's interests.

Peninsula Friends of Lospalos (Cr Binyon)

Disability Advisory Committee Mornington (Cr Binyon)

Mornington, Hastings and Southern Peninsula Liquor Accords (Cr Batty)

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

4 MANAGEMENT REPORTS

ALTER THE ORDER OF BUSINESS

That the item listed at 4.8 Emil Madsen Western Pavilion – Updated Project Direction on the agenda be considered before the item listed as 4.1 P25/1239 – 1180 Mornington–Flinders Road, Main Ridge – Use and development of a host farm, solar panels and associated vegetation removal.

PLANNING & LIVEABILITY

4.1 P25/1239 – 1180 Mornington–Flinders Road, Main Ridge – Use and development of a host farm, solar panels and associated vegetation removal

Attendance

Cr Roper left the meeting at 7.29pm and did not return.

RECOMMENDATION

That Council, being a Responsible Authority under the Mornington Peninsula Planning Scheme (the Planning Scheme) and the *Planning and Environment Act 1987* (the Act), having considered all matters required under section 60 of the Act, hereby resolves that Planning Permit Application P25/1239 be supported and the following Notice of Decision to Grant a Permit is issued:

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED
Clause 35.04-1 (Green Wedge Zone (GWZ) 1)	Use the land for a section 2 use (host farm).
Clause 35.04-5 (GWZ1)	Construct a building or construct or carry out works for a section 2 use (host farm).
Clause 42.01-2 (Environmental Significance Overlay (ESO) 10)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.01-2 (ESO17)	Construct a building or construct or carry out works (driveway).

4.1 (Cont.)

	Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.01-2 (ESO28)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.03-2 (Significant Landscape Overlay (SLO) 6)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 44.01-2 (Erosion Management Overlay (EMO) 1)	Construct a building or construct or carry out works (host farm). Remove, destroy or lop any vegetation.
Clause 44.06-2 (Bushfire Management Overlay (BMO))	Construct a building or construct or carry out works associated with accommodation (host farm).
Clause 52.17-1 (Native vegetation)	Remove, destroy or lop native vegetation, including dead native vegetation.

CONDITIONS**Amended Plans**

1. Before the use or developments starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the Application but modified to show:
 - a) Location of vegetation protection fence as required by condition 18.

Layout not Altered

2. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for

4.1 (Cont.)

any buildings or works which do not require a planning permit under the Planning Scheme).

Colours/Materials

3. The materials and colours of the exterior finish of the building must be in accordance with the endorsed plans unless with the further permission of the Responsible Authority.

Finishes

4. Prior to the initial occupation of the building external finishes must be completed to a professional standard to the satisfaction of the Responsible Authority.

Disturbed Surfaces

5. All disturbed surfaces on the land resulting from the development must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Wastewater

6. Works on the proposed development must not commence until a permit to install an onsite wastewater management system is approved by Council's Environmental Health Team.
7. All wastewater from the approved development must be contained on site in accordance with the Council's Wastewater Management Plan and then maintained to the satisfaction of the Responsible Authority.

Use

8. The Host Farm Program (Titled Green Olive Escape Host Farm Accommodation) endorsed under this permit must be implemented and maintained, as part of the use of the approved host farm, to the satisfaction of the Responsible Authority.
9. The use of the land as a host farm may only operate if the agricultural activities on the land are carried out generally in accordance with those set out in the endorsed host farm program.
10. The buildings (villas) must be removed from the land and host farm use ceased should the agricultural use referred to in the host farm program endorsed under this permit cease.

4.1 (Cont.)

11. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any buildings, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, dust, waste water or other waste products.
12. Nuisance dust must not be unreasonably discharged beyond the boundaries of the premises.
13. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; Environment Protection Authority (EPA) Publication 1411, 2011) or as amended.
14. Outdoor or external lighting including that of the buildings and car park areas must be suitably baffled to the satisfaction of the Responsible Authority to prevent any unreasonable effect on adjoining land.
15. At all times, during occupation of the host farm, a representative of the property must be available for contact by guests of the host farm.

Protection of Fauna

16. Prior to the removal of the vegetation, the site/tree(s) must be inspected for signs of habitation by fauna. If wildlife are present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed.

Vegetation Removal

17. The extent of clearing of vegetation as shown on the endorsed plans must not be altered or modified without the consent of the Responsible Authority.
18. All disturbed surfaces on the land must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Protection of Patches of Native Vegetation and Scattered Trees

19. Before works start
 - a. A native vegetation protection fence must be erected around all patches of native vegetation.

4.1 (Cont.)

- b. Scattered trees to be retained on site.
 - c. This fence must be erected around the patch of native vegetation at a:
 - i. minimum distance of two (2) metres from retained native vegetation
 - ii. And/or at a radius of $12 \times$ the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of tree.
 - d. The fence must be constructed of star pickets/chain mesh/or similar; to the satisfaction of the Responsible Authority.
 - e. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.
 - f. Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
 - i. vehicular or pedestrian access
 - ii. trenching or soil excavation
 - iii. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - iv. entry and exit pits for underground services
 - v. any other actions or activities that may result in adverse impacts to retained native vegetation.
20. All excavation within the Notional Root Zones (NRZ) of retained trees on the subject site (including excavation undertaken to install the irrigation/wastewater field) must:
- a. Be undertaken using minimally destructive methods (pneumatic, hydraulic, hand digging or similar).
 - b. Include any tree roots which require pruning to be cut with a clean sharp cutting implement with a final cut to undamaged wood at an angle which minimises the size of the wound.
 - c. Not include tree roots over 40 millimetres (mm) in diameter be cut unless under the direct supervision of a Level 5 qualified Arborist.

4.1 (Cont.)

- d. Not include tree roots critical to maintaining tree health, structure or viability to be cut. These tree roots must be retained undamaged and alternative design and construction methods used.
21. Any underground services must be installed outside the Notional Root Zone (NRZ) of any retained trees (unless shown on the approved plans) or installed by directional boring outside of the Structural Root Zone (SRZ); and at a minimum depth of 600mm; unless with the written permission of the Responsible Authority and by using non-destructive excavation techniques methods (pneumatic, hydraulic, hand digging or similar); under the direct supervision of a Level 5 Australian Qualifications Framework(AQF) Arborist; and in accordance with any requirements of the Responsible Authority.
22. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.
23. No trenching or soil excavation is to occur within the Notional Root Zone (NRZ) of retained trees during development unless shown on the endorsed plans, without the prior written consent of the Responsible Authority.

Offset Requirement

24. To offset the removal of 0.176 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation by the Department of Energy, Environment and Climate Action of Victoria (DEECA 2025) as specified below:
- A general offset of 0.12 general habitat units:
 - located within the Port Phillip and Westernport Catchment Management Authority (CMA) boundary or Mornington Peninsula Shire municipal district
 - with a minimum strategic biodiversity score of at least 0.432.
 - The offset(s) secured must provide protection of at least 6 large trees.
25. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:

4.1 (Cont.)

- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site and/or
- credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the Responsible Authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action (DEECA).

26. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a Statutory Authority.

Bushfire Management Plan

27. Before the development starts, an amended Bushfire Management Plan (BMP) which is generally in accordance with BMP prepared by Planning For Fire Version 1 Dated 21 July 2025 must be submitted to and endorsed by the Responsible Authority. The plan must show the following bushfire protection measures, unless otherwise agreed in writing by the Country Fire Authority (CFA) and the Responsible Authority:
- a. Defendable Space – Show an area of defendable space for a distance of 39 around the proposed buildings/or to the property boundary where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
 - i. Grass must be short cropped and maintained during the declared fire danger period.
 - ii. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - iii. Within 10 meters of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - iv. Plants greater than 10 centimetres in height must not be placed within 3 meters of a window or glass feature of the building.
 - v. Shrubs must not be located under the canopy of trees.

4.1 (Cont.)

- vi. Individual and clumps of shrubs must not exceed 5 square meters in area and must be separated by at least 5 meters.
- vii. Trees must not overhang or touch any elements of the building.
- viii. The canopy of trees must be separated by at least 5 meters.
- ix. There must be a clearance of at least 2 meters between the lowest tree branches and ground level.

Bushfire Emergency Management Plan

28. Before the development is occupied or the use commences, a Bushfire Emergency Management Plan (BEMP) to the satisfaction of the Responsible Authority and CFA must be submitted to and endorsed by the Responsible Authority. The BEMP must clearly describe the proposed emergency management arrangements and should address the following matters:
- a. Premises details
 - i. Describe property and business details.
 - ii. Identify the purpose of the BEMP stating that the plan outlines procedures for:
 - Closure of premises on any day with a Fire Danger Rating of Catastrophic.
 - Evacuation – evacuation from the site to a designated safer off-site location).
 - Shelter-in-place – remaining on-site in a designated building.
 - b. Review of the BEMP
 - i. Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
 - ii. Include a Version Control Table.
 - c. Roles and Responsibilities
 - i. Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.
 - d. Emergency contact details

4.1 (Cont.)

- i. Outline organization/position/contact details for emergency services personnel
- e. Bushfire monitoring procedures
 - i. Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
 - ii. Describe and show (include a map) the area to be monitored for potential bushfire activity.
- f. Action Statements – trigger points for action
 - i. Prior to the Fire Danger Period
 - Describe on-site training sessions and fire equipment checks.
 - Identify maintenance of bushfire protection measures such as vegetation management (including implementation of protection measures required by any endorsed Bushfire Management Plan).
 - ii. Closure of premise during forecast Fire Danger Rating of Catastrophic.
 - Outline guest notification procedures and details of premises closure (including timing of closure).
 - iii. Evacuation
 - Identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services.
 - Details of the location/s of the offsite emergency assembly location.
 - Transport arrangements for staff and guests including details such as:
 - Number of vehicles required
 - Name of company providing transportation
 - Contact phone number for transport company
 - Time required before transportation is likely to be available

4.1 (Cont.)

- Estimated travelling time to destination
 - Actions after the bushfire emergency event. Shelter-in-place.
 - Show the location and describe the type of shelter-in-place.
 - Triggers for commencing the shelter-in-place option.
 - Procedures for emergency assembly in the shelter-in-place building.
29. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Permit Expiry

30. This permit will expire if either one of the following applies:
- a. The development is not commenced within 3 years of the date of this permit.
 - b. The development is not completed within 5 years of the date of this permit.
 - c. The use does not commence within 6 years of the date of this permit.
 - d. The use is discontinued for a period of 3 years.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes

1. All wildlife in Victoria is protected under the *Wildlife Act 1975* (Wildlife Act). Prior to removal of vegetation landholders are advised to determine whether a *Wildlife Act* authorisation is required. For further information please visit <https://www.vic.gov.au/wildlife-licences-and-permits>.
2. If wildlife is present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed. If displaced wildlife cannot be relocated on site to an appropriate location

4.1 (Cont.)

away from the construction footprint, or injured wildlife is captured, please contact DEECA on 136 186 for further advice.

3. Endorsed copies of offset evidence should be sent to the DEECA Port Philip Region Planning and Approvals Team at ppr.planning@delwp.vic.gov.au

COUNCIL DECISION

Moved: Cr Batty

Seconded: Cr Ranken

That the Recommendation be adopted.

For: Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Cr Gill

Carried

4.2 P25/1362 – 209 Sandy Road Fingal – Telecommunications Facility**RECOMMENDATION**

That Council, being a Responsible Authority under the Mornington Peninsula Planning Scheme (the Planning Scheme) and the *Planning and Environment Act 1987* (the Act), having considered all matters required under section 60 of the Act, hereby resolves that Planning Permit Application P25/1362 be supported and the following issued:

Grant a Permit with the following permissions and conditions:

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED
Clause 35.04 (Green Wedge Zone (GWZ)4)	Construct a building that is 100 metres from a dwelling or small second dwelling not in the same ownership.
Clause 42.01-2 (Environmental Significance Overlay (ESO) 15 and ESO23)	Construct a building or construct or carry out works.
Clause 52.19-1 (Telecommunications facility)	Construct a building or construct or carry out works for a telecommunications facility.

Approved Development Not Altered

1. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Amenity

2. The development must be carried out so that the amenity of the area is not detrimentally affected, through the:
 - A. Transport of materials, goods or commodities to or from the land.
 - B. Inappropriate storage of any works or construction materials.
 - C. Hours of construction activity and/or repair and maintenance activities.

4.2 (Cont.)

- D. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.

External Lighting

- 3. External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

Telecommunications Facility

- 4. If the telecommunications facility hereby approved is or becomes redundant, all infrastructure associated with the telecommunication facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the permit holder.

Expiry

- 5. This permit will expire if one of the following circumstances applies:
 - A. The development is not started within 3 years of the issue date of this permit.
 - B. The development is not completed within 5 years of the issue date of this permit.

In accordance with section 69 of *the Act*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Part B

That Council resolves that Attachment 6 to this report be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* as it relates to people's personal information.

COUNCIL DECISION

Moved: Cr Williams

Seconded: Cr Ranken

That the Recommendation be adopted.

For: Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

4.2 (Cont.)

Against: Cr Gill

Carried

4.3 Mornington Peninsula Planning Scheme Review 2026 – Draft Report for Consultation

RECOMMENDATION

That Council endorses the draft Mornington Peninsula Planning Scheme Review No.6, 2026 Report (as at Attachments 1 to 6) for community consultation over a 6-week period starting in mid-May 2026.

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Patton

That the Recommendation be adopted

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.4 Green Wedge Management Plan – Progress Report and Proposed Green Wedge Councils Planning Alliance

RECOMMENDATION

That Council:

1. Receives, notes and publishes the progress report for the Green Wedge Management Plan (2019) (as contained in Attachment 1) on Council's website.
2. Resolves to receive yearly progress reports about the plan in future so any outstanding action items can be considered for funding and/or resourcing as part of Council's annual budget process.
3. Invites all green wedge councils in Melbourne to join a new advocacy group ("Green Wedge Councils Planning Alliance") for joint advocacy and information sharing based on the draft Terms of Reference (as contained in Attachment 3).
4. Invites all green wedge councils to co-sign a joint letter to the Minister for Planning, urging prompt implementation of the actions outlined in the State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024 in consultation with all 17 green wedge councils.
5. Endorses Shire officers to explore the establishment of an informal officer-level group for information sharing and identification of joint advocacy opportunities with other green wedge councils if there is not enough support for a Council led advocacy group.

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Patton

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.5 Response to NOM 505 – Joint Statutory and Strategic Ward Planning meetings

RECOMMENDATION

That Council does not reinstate ward meetings for Statutory and Strategic Planning Matters.

COUNCIL DECISION

Moved: Cr Ranken

Seconded: Cr Williams

That the Recommendation be adopted.

For: Cr Williams, Cr Allen, Cr Ranken, Cr Batty and Deputy Mayor, Cr Pingiaro

Against: Cr Gill, Cr Stephens, Cr Binyon and Cr Patton

Carried

4.6 Port Development Strategy 2055 – Council Submission**RECOMMENDATION**

That Council endorses the submission to the Port of Hastings Corporation on the draft Port Development Strategy 2055 as per Attachment 1.

COUNCIL DECISION

Moved: Cr Stephens

Seconded: Cr Binyon

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

ADJOURNMENT OF MEETING

That the meeting be adjourned at 8.32pm for a short recess.

RESUMPTION OF MEETING

That the meeting be resumed at 8.40pm.

COMMUNITIES

4.7 Progress report on the Economic Development and Tourism Strategy, and the Food Economy and Agroecology Strategy

RECOMMENDATION

That Council notes the progress report for the Economic Development and Tourism Strategy, the Food Economy and Agroecology Strategy and the Destination Management Plan.

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 and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.8 Emil Madsen Western Pavilion – Updated Project Direction

RECOMMENDATION

That Council:

1. Notes that the redevelopment Option 3 previously endorsed for the Emil Madsen Western Pavilion has a significant funding shortfall to deliver the project.
2. Endorses Shire officers to progress a design based on Option 2 as the design for the Emil Madsen Western Pavilion Redevelopment.
3. Notes the confirmed financial contribution from tenant clubs toward the redevelopment of the Emil Madsen Western Pavilion.
4. Authorises Shire officers to work collaboratively with tenant clubs to apply a value management approach and refine the project deliverables, ensuring the delivery meets:
 - A. Councils adopted standards and state sporting association guideline requirements, aligns with accessibility, gender-equity and sport-specific compliance requirements
 - B. Remains within Council's previously adopted Council contribution funded position of \$6.6million and external confirmed funding contributions.
5. Approves a Contract Over Expenditure of \$174,200 plus \$17,420 GST to finalise CN2864 being the contract for the detailed design of Emil Madsen Western Pavilion.
6. That this Contract Over Expenditure for the completion of the detailed design will be managed within Council's current grant agreement, ensuring a net zero impact on the 2025–2026 financial year Capital Works budget.
7. A further report will be presented following the completion of the detailed design and tendering process outlining the preferred tenderer, final costings, delivery timelines and tender options for council's consideration.

Part B

That Council resolves that Attachment 1 to this report be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* as it contains personal information.

4.8 (Cont.)

COUNCIL DECISION

Moved: Cr Batty

Seconded: Cr Ranken

That the Recommendation be adopted.

For: Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Cr Gill, Cr Stephens and Cr Roper

Carried

OFFICE OF THE CEO

4.9 Australia Day Local Awards Selection Panel Terms of Reference and Expression of Interest

RECOMMENDATION

That Council:

1. Adopts the draft Australia Day Local Awards Selection Panel Terms of Reference (Attachment 1).
2. Endorses seeking Expression of Interest applications for community representatives for the Australia Day Local Awards Selection Panel for a period of four weeks from 13 May 2026.

Part B

That Council resolves that Attachment 3 to this report be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* as it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

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 and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.10 Instrument of Delegation – Council to members of Council Staff**RECOMMENDATION**

That:

1. In the exercise of the powers conferred by section 11 of the *Local Government Act 2020* and the other legislation referred to in the attached Instrument of Delegation, Mornington Peninsula Shire Council resolves
 - A. That Council adopts the Instrument of Delegation from Council to Council Officers dated 12 May 2026 as shown in Attachment 1.
 - B. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached S6 Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument (Attachment 1).
 - C. The Council to Council Officer Instrument of Delegation as shown in Attachment 1 comes into force immediately upon this resolution being made and is to be signed by the Chief Executive Officer (CEO).
 - D. On the coming into force of the Instrument, the previous s6 Council to Council Officer dated 16 December 2025 is revoked.
 - E. The duties and functions set out in the instruments must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

COUNCIL DECISION

Moved: Cr Allen

Seconded: Cr Patton

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

ASSETS & INFRASTRUCTURE

4.11 Draft Property Strategy 2026–2031

RECOMMENDATION

That Council approves the draft Property Strategy 2026–2031 being placed on public exhibition for a period of four weeks.

COUNCIL DECISION

Moved: Cr Ranken

Seconded: Cr Batty

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.12 Draft Sale and Acquisition of Land Policy**Attendance**

Cr Patton left the meeting at 9.03pm and returned to the meeting at 9.04pm.

RECOMMENDATION

That Council approves the draft Sale and Acquisition of Land Policy to be placed on public exhibition for a period of four weeks.

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Stephens

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

4.13 Draft Discontinuance of Roads and Minor Reserves Policy

RECOMMENDATION

That Council approves the draft Discontinuance of Roads and Minor Reserves Policy being placed on public exhibition for a period of four weeks.

COUNCIL DECISION

Moved: Cr Ranken

Seconded: Cr Batty

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Cr Binyon

Carried

4.14 Lease and Licence Policy

RECOMMENDATION

That Council:

1. Revokes the following Council policies:
 - A. Commercial Tenancies Policy, adopted on 21 December 2009
 - B. Community Facilities Tenancies Policy, adopted on 21 December 2009
 - C. Commercial and Community Market Agreements Policy, adopted on 12 October 2009
 - D. Food Truck Policy, adopted on 20 December 2022
 - E. Men's Shed Policy, adopted on 27 July 2015
 - F. School Tenancy on Council Land Policy, adopted on 21 December 2009
2. Resolves to adopt the Lease and Licence Policy.
3. Resolves to make an alteration to the adopted Schedule of Fees and Charges 2025/2026 to include the following fees and charges:
 - A. Lease/Licence Administrative Rent (Community): \$540.00
 - B. Leased Sporting Ground Rent (Lit Court): \$300.00
 - C. Leased Sporting Ground Rent (Unlit Court): \$120.00

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Patton

That Council:

1. **Revokes the following Council policies:**
 - A. Commercial Tenancies Policy, adopted on 21 December 2009**
 - B. Community Facilities Tenancies Policy, adopted on 21 December 2009**
 - C. Commercial and Community Market Agreements Policy, adopted on 12 October 2009**

4.14 (Cont.)

- D. Food Truck Policy, adopted on 20 December 2022**
 - E. Men's Shed Policy, adopted on 27 July 2015**
 - F. School Tenancy on Council Land Policy, adopted on 21 December 2009**
- 2. Resolves to adopt the Lease and Licence Policy.**
- 3. Resolves to make an alteration to the adopted Schedule of Fees and Charges 2025/2026 to include the following fees and charges:**
- A. Lease/Licence Administrative Rent (Community): \$540.00**
 - B. Leased Sporting Ground Rent (Lit Court): \$300.00**
 - C. Leased Sporting Ground Rent (Unlit Court): \$120.00**
- 4. Reviews the Lease and Licence Policy 18 months after adoption.**
- For:** Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

5 NOTICES OF MOTION

5.1 Notice of Motion 515 – Proliferation of signs and illegal signage

MOTION

That Council:

1. Provides a report as soon as possible to a Council Briefing on the proliferation of illegal real estate signs and proposals to deal with the problem
2. Considers organising a roundtable meeting of real estate agent representatives to discuss real estate signage issues
3. Reports on general signage policy issues and solutions at a Council Meeting before the end of July 2026.
4. Considers community consultation for public feedback on signage issues.

UPDATED MOTION

That Council:

1. Provides a report as soon as possible to a Council Briefing on the proliferation of illegal real estate signs and proposals to deal with the problem
2. Considers organising a roundtable meeting of real estate agent representatives to discuss real estate signage issues
3. Reports on general signage policy issues and solutions at a Council Meeting before the end of September 2026.
4. Considers community consultation for public feedback on signage issues.

Moved: Cr Gill

Seconded: Cr Patton

AMENDMENT

Moved: Cr Batty

Seconded: Cr Ranken

2. **Considers organising a roundtable meeting of real estate agent and sign writer representatives to discuss real estate signage issues.**

5.1 (Cont.)

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

The Amendment became part of the Substantive Motion

COUNCIL DECISION

The Substantive Motion was then put.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

5.2 Notice of Motion 516 – Wildlife Protection**RECOMMENDATION**

That Council:

1. Brings a report to reconsider the best way forward to have a Wildlife Master Plan for the Mornington Peninsula
2. Reports on options for a wildlife hospital on the Mornington Peninsula
3. Undertakes long-term advocacy to governments regarding the high wildlife road toll on the Mornington Peninsula.

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Patton

That the Motion be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

5.3 Notice of Motion 517 – Nature Strips**RECOMMENDATION**

That Council reports on progress with local street community partnerships to help enable the greening of nature strips by residents in line with climate change initiative policies of Council.

COUNCIL DECISION

Moved: Cr Gill

Seconded: Cr Binyon

That the Motion be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Ranken, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Cr Allen and Cr Batty

Carried

EXTENSION OF MEETING TIME

Moved: Cr Gill

Seconded: Cr Stephens

That the meeting be extended to 10.30pm.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

6 URGENT BUSINESS

Nil.

7 CONFIDENTIAL ITEMS

Advice to the Public

All reports, information and recommendations contained in 'Section 7 – Confidential Items' of this Agenda have been designated by the Chief Executive Officer as confidential pursuant to section 66 (2) (a) of the *Local Government Act 2020*.

MEETING CLOSED TO THE PUBLIC

The Council may resolve that the meeting be closed to members of the public in accordance with section 66 (5) (a) of the *Local Government Act 2020* if the meeting is discussing any of the following:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
- (b) Security information, being information that if released is likely to endanger the security of Council property or the safety of any person.
- (c) Land use planning information, being information that if prematurely released is likely to encourage speculation in land values.
- (d) Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person.
- (e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies.
- (f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.
- (g) Private commercial information, being information provided by a business, commercial or financial undertaking that:
 - (i) Relates to trade secrets.
 - (ii) If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- (h) Confidential meeting information, being the records of meetings closed to the public under section 66 (2) (a).
- (i) Internal arbitration information, being information specified in section 145.

- (j) Councillor Conduct Panel confidential information, being information specified in section 169.
- (k) Information prescribed by the regulations to be confidential information for the purposes of this definition.
- (l) Information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

RECOMMENDATION

That Council considers the confidential reports listed below in a meeting closed to the public in accordance with section 66 (2) (a) of the *Local Government Act 2020*:

7.1 Draft Audit and Risk Committee Minutes

This matter is considered to be confidential under section 3(1)b of the *Local Government Act 2020* as it contains information in relation to security information.

7.2 Notice of Extension – CN2718 – Independent Advisor: Chief Executive Officer Performance and Remuneration Review

This matter is considered to be confidential under 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 unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Ranken

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 and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

7.2 Notice of Extension – CN2718 – Independent Advisor: Chief Executive Officer Performance and Remuneration Review

RECOMMENDATION

That Council:

1. Approves a 6-month extension of contract CN2718 with TMS Consulting for the Independent Advisor – Chief Executive Officer Performance and Remuneration Review, commencing from 28 May 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

1. That Council resolves that the Council Decision is not confidential pursuant to section 3 (1) of the *Local Government Act 2020*.
2. That Council 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 undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Ranken

Seconded: Cr Patton

That the Recommendation be adopted.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon, Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

MEETING RE-OPENED TO THE PUBLIC

Moved: Cr Patton

Seconded: Cr Batty

That the meeting be re-opened to members of the public at 9.58pm.

For: Cr Gill, Cr Stephens, Cr Williams, Cr Allen, Cr Ranken, Cr Batty, Cr Binyon,
Cr Patton and Deputy Mayor, Cr Pingiaro

Against: Nil

Carried Unanimously

8 MEETING CLOSE

As there was no further business, the meeting closed at 9.58pm

Confirmed this 9th day of June 2026

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Deputy Mayor, Cr Paul Pingiaro, Chairperson – Council