

Property Strategy

2026 – 2031



Mornington
Peninsula Shire



Acknowledgement of Country

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 people's living culture continues to have a unique role in the life of this region.



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About the Mornington Peninsula

The Mornington Peninsula is located on the traditional lands of the Bunurong people. It sits on the fringe of Melbourne's outer southern suburbs and spans 723 square kilometres, with 192 kilometres of coastline along Port Phillip Bay, Western Port and Bass Strait. Around 70 per cent of the Peninsula is rural and Green Wedge, with the remaining 30 per cent made up of 40 townships and villages.

The region includes more than 1,735 kilometres of roads, 725 kilometres of footpaths, 342 kilometres of walking trails, and 106 kilometres of cycling trails. The Peninsula has a population of more than 175,000 people, with significant seasonal population increases due to tourism and holidaymakers. Townships range from Mount Eliza to Portsea, and from Baxter and Hastings to Crib Point and Balnarring. Larger population centres such as Mornington, Rosebud, Hastings and Sorrento are complemented by smaller communities such as Flinders, Merricks, Red Hill, Somers, Shoreham, St Andrews Beach and Tuerong.

The Peninsula is known for its distinct coastal villages, sandy beaches, lush parklands, vibrant arts scene and a proud First Nations history, which is reflected in Bunurong cultural heritage and significant sites.

Mornington Peninsula Shire is an 'interface Council' – a classification that recognises our community does not yet have full access to many services available in metropolitan Melbourne, often requiring residents to travel outside of the municipality for key services.

For more information, visit:

mornpen.vic.gov.au/ourpeninsula



\$3.3 billion of infrastructure assets



\$1.5 billion of transportation assets



\$741 million of buildings and facilities assets



\$176 million of open space assets

Our Services

Mornington Peninsula Shire is primarily a service-based organisation. We deliver about 150 services (including both services delivered directly to the community and internal support services) in support of achieving our Community Vision. These are grouped into 40 high-level service areas, including the following 22 who directly engage with the community.

We aim to deliver high-quality services that balance community needs with strategic direction, innovation and long-term financial sustainability.

Liveable Communities

- Economic Development and Business Support
- Land Use Planning
- Open Space
- Transport Connections

Community Health and Safety

- Animal Management
- Building Safety
- Child and Family Health
- Community Safety
- Emergency Management
- Public Health
- Public Works

Community Wellbeing and Connection

- Arts and Cultural Development
- Community Development
- Community Services
- Early Years
- Libraries
- Positive Ageing
- Recreation and Leisure
- Youth Services

Sustainable Environment

- Circular Economy and Waste Management
- Climate Action and Advocacy
- Environment Management



Definitions

Bathing Boxes either a bathing box or boatshed and is a simple, free standing, non-commercial, non-residential structure used by private individuals and families primarily for storing beach equipment or boats and as a change facility and for shade and shelter.

Council is the Mornington Peninsula Shire Council

Council Property is defined in the Scope.

Council Plan the Council Plan 2025-2029.

CoM a Committee of Management appointed under the *Crown Land (Reserves) Act 1978* to manage Crown land on behalf of the Victorian State Government. A CoM is a land manager rather than the land owner.

Crown land any land that has not been alienated from the Crown and includes land owned by the State of Victoria or Australian Commonwealth Government, unreserved Crown land, reserved land or land set aside permanently in accordance with legislation including the *Crown Land (Reserves) Act 1978*.

DEECA the State Government Department of Energy, Environment and Climate Action.

Discontinuance the exercise of power under Clause 3 of Schedule 10 of the *Local Government Act 1989* in relation to a Road which is affected by a notice published in the Government Gazette and/or the removal of reserve status in relation to a Reserve under section 24A of the *Subdivision Act 1988*.

Encroachment the unauthorised use of Council Property, typically involving semi-permanent or permanent structures placed or constructed without approval, this excludes abandoned items.

Lease an agreement where Council (as landlord) grants to a Tenant a right to have exclusive possession of a Council Property (or part thereof) for a fixed duration in return for rental payment. A lease conveys an interest in the land, may be

assigned and offers security of tenure to a Tenant as it cannot be arbitrarily terminated.

Licence an agreement where Council permits a Tenant to occupy a Council Property on particular conditions, which may include limitations as to agreed days and times, period of tenure and/or for part or all of the Council Property. A licence is a contractual right and does not permit exclusive occupancy of the premises and does not convey an interest in land.

Minor Reserve a drainage reserve or revenge strip set aside as a reserve on a plan of subdivision. It does not include reserves for recreation or open space purposes.

Road/Roads a road as defined in the *Local Government Act 1989* and includes public highways at common law.

Tenant either a tenant under a Lease, or a licensee under a Licence and is an authorised person, corporation or an incorporated body that has entered into or is proposing to enter into a Lease or Licence with Council for use of a Council Property.

Executive Summary

Vision

To manage Council Property responsibly and adaptively, delivering long-term community benefit and financial sustainability, supporting the Shire's Community Vision as an inclusive, connected and sustainable community.

Scope

For the purpose of this Strategy, **Council Property** means any land, building and improvements owned, managed or controlled by Council including:

- Council freehold land
- Crown land where Council has been appointed as Committee of Management under the *Crown Land (Reserves) Act 1978*
- Roads and Minor Reserves either owned or vested in Council and no longer used for public access purposes
- Land/buildings where Council has entered into a Lease or Licence with a third party.

Strategic Context

Council manages an extensive and diverse property portfolio which underpins the delivery of community services and facilities across our townships and rural areas. A growing population, increased service expectations in conjunction with financial and environmental pressures are driving the need for a more strategic and sustainable approach to the management of Council's property portfolio.

The Strategy acknowledges the current status of the property portfolio and establishes clear principles, priorities and actions on how Council will plan, acquire, use, and dispose of Council Property, in accordance with the requirements of the *Local Government Act 2020*, the *Local Government Act 1989*, the *Crown Land (Reserves) Act 1978* and Council's broader strategic and financial planning framework.

The Strategy aligns with the strategic objectives of the Council Plan 2025–2029 and provides a basis for consistent, transparent property decisions across the organisation.

Strategic Objectives

The following objectives will guide the implementation of this Strategy over the next five years.

Objective 1: transparent and evidence-based decision making

Property decisions are informed, accountable and align with community and service needs.

We will:

- apply robust governance and review processes to maintain transparency and accountability
- use data driven insights to guide decision making
- align decisions with service delivery requirements and community expectations
- apply best practice principles, policies and strategies to guide decision making
- operate within a framework of continuous improvement and legislative compliance
- communicate key property decisions to the community in a clear and timely manner
- identify, manage and reduce the risks associated with property decisions

Objective 2: sustainable and adaptable

Manage Council Property to achieve financial, social and environmental sustainability:

We will:

- balance fiscal responsibility while delivering maximum community benefit
- manage assets to ensure they are responsive to changing needs
- balance community priorities with strategic objectives.

Objective 3: future focused property planning

Council Property will meet the needs of a changing community.

We will:

- investigate acquisition and sale of land to ensure Council Property meets expectations now and into the future
- maintain flexibility within the portfolio to adapt to future needs
- Integrate property planning across Council through a coordinated, collaborative approach to deliver strategic outcomes for future community need

“...balance fiscal responsibility while delivering maximum community benefit”

Our Property Portfolio

What is Council Property?

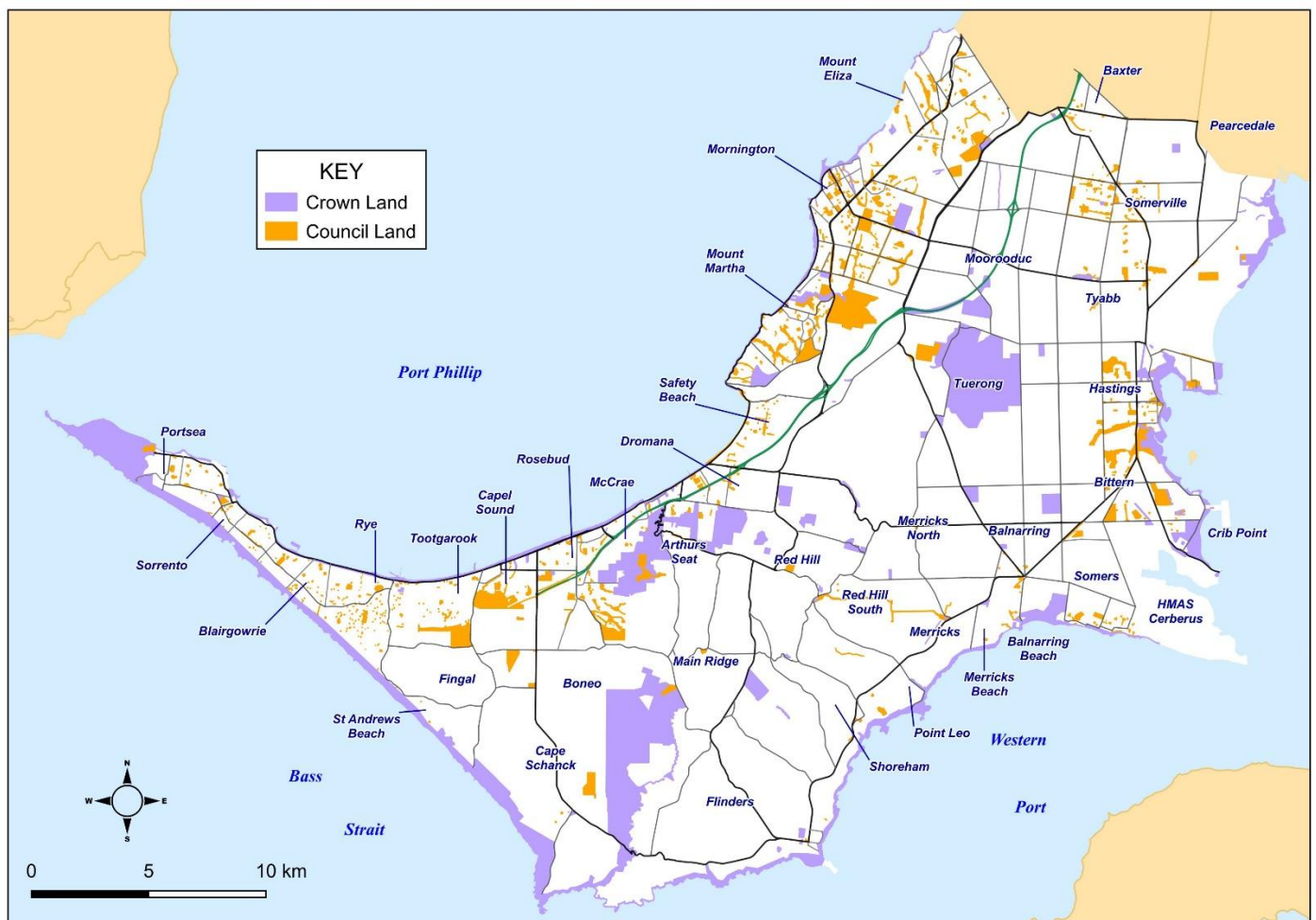
Council may hold land in freehold or manage Crown land on behalf of the State. Council's assets will be located on land that is either freehold or Crown land.

Council is responsible for the management of 30.56 square kilometres of land, with 20.58 square kilometres owned by Council and 9.98 managed by Council where we are the CoM.

As owner of freehold land, Council has full legal rights to use, sell, Lease or subdivide the land that it owns (subject to its powers and functions under the *Local Government Act 2020*). In addition, Council frequently acquires ownership of parcels of land created through private subdivision, such as Roads and reserves. Council owns approximately 1,870 freehold land parcels.

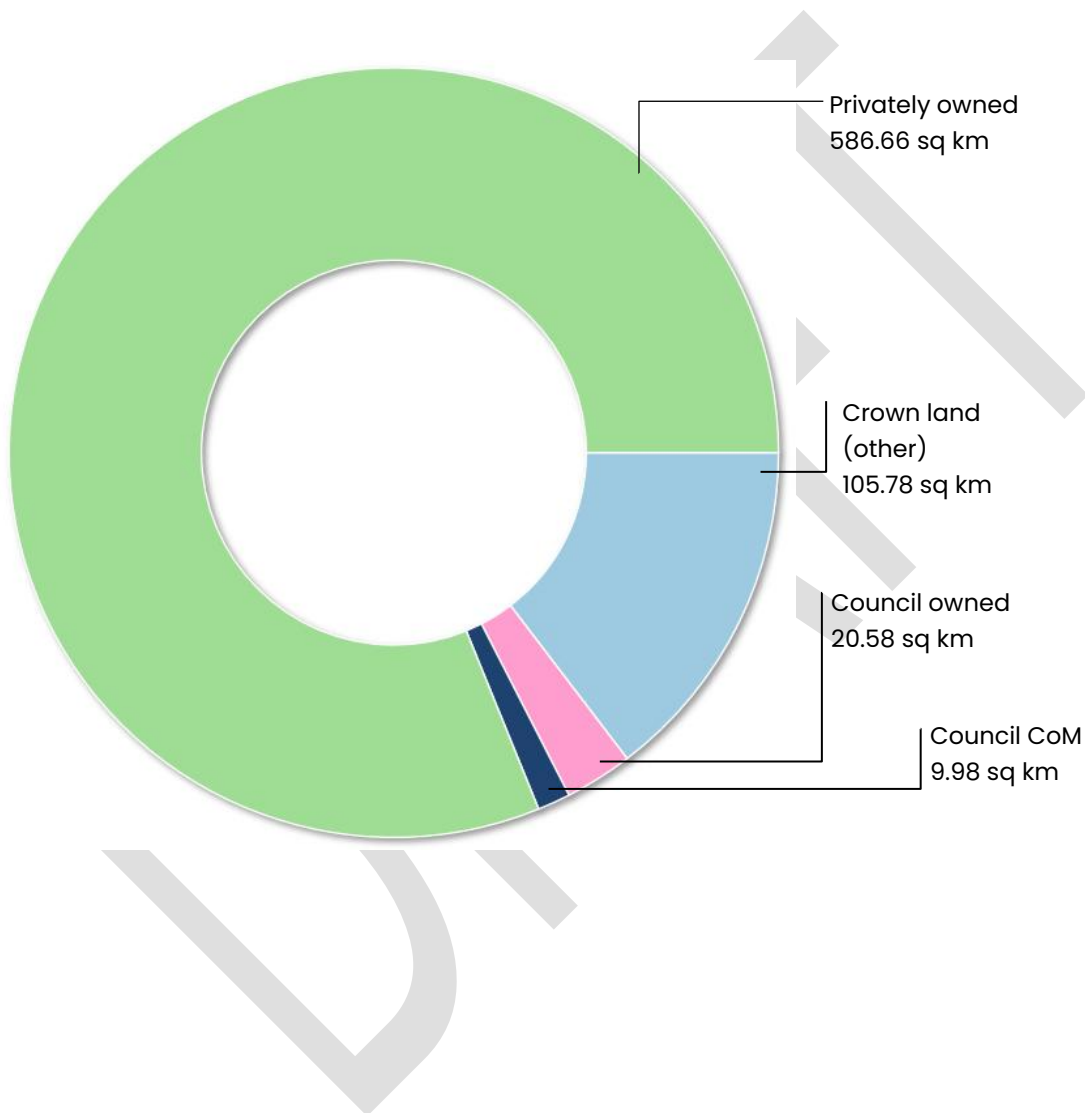
Crown land is either managed directly by DEECA or managed by a CoM. Council is appointed as CoM for 153 parcels of reserved Crown land. The remaining 105.78 square kilometres of Crown land is managed by various state or federal agencies, or other Community CoMs.

Figure 1: Breakdown of Crown Land and Council Land across the municipality



When Council acts as a CoM, we take responsibility for managing, maintaining and improving the reserved Crown land. Council must follow DEECA's approved processes such as obtaining Ministerial approvals for Leases and Licences, whilst DEECA provides oversight, guidance, and operational support to Council. By acting as a CoM, Council can provide the community with a structured, long-standing role in caring for and ensuring public use of Crown land reserves like parks, foreshores, halls, and reserves.

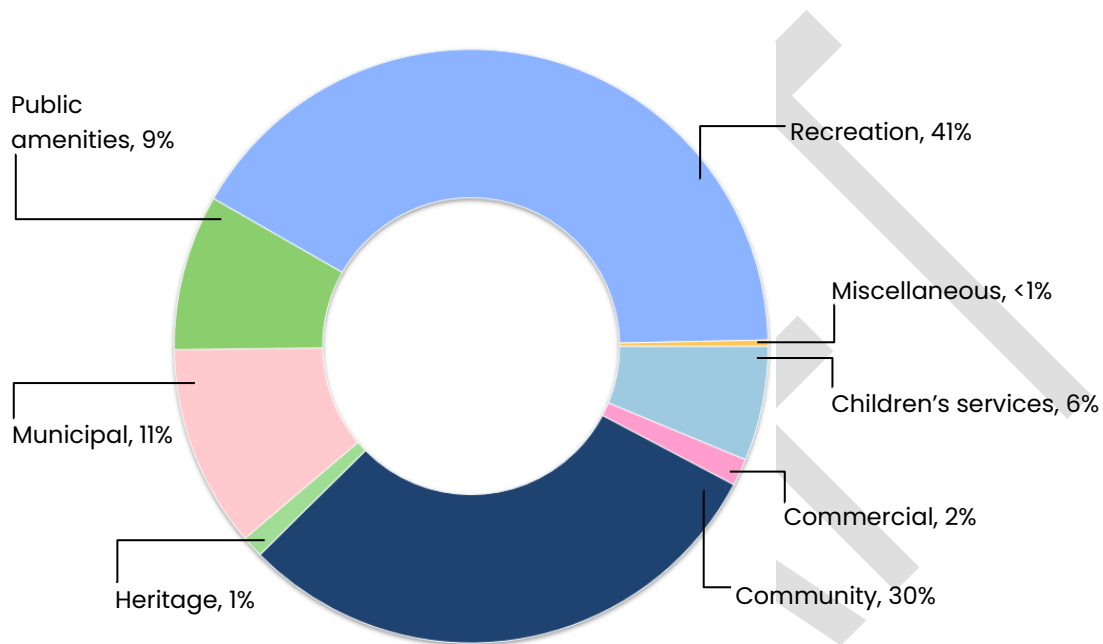
Figure 2: Land ownership across the municipality



What are Council's Buildings?

Including 408 major buildings, Council owns and maintains approximately \$740 million worth of buildings and facilities assets across the municipality. Council owns many of these buildings to provide essential spaces for community programs, events, and services, with sports and recreation, and community use facilities accounting for 41% and 30% respectively.

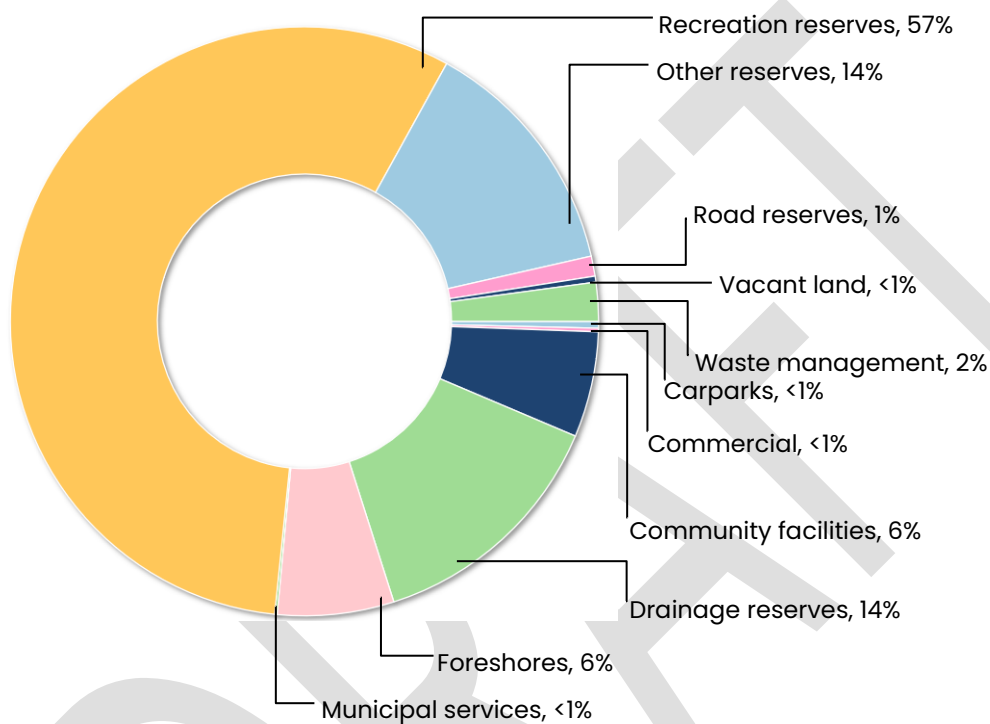
Figure 3: Building use across the municipality



What do we use Council Property for?

Of the 30.56 square kilometres of land Council manages, over half is used for recreation reserves, ranging from our large regional sporting facilities like Civic Reserve in Mornington, to local neighbourhood parks.

Figure 4: Land use across the municipality



Strategic Significance of Council's Property

Council Property is a significant and highly valuable resource that directly impacts on the performance of a wide range of Council's services. Council's property is used and deployed in many different ways to support the effective delivery of the broad range of services it provides to the Shire community. Council Property may be occupied and used for:



Direct service
delivery by Council



Community based
services and
programs



Recreational and
sporting activities



Enhancing strategic
outcomes



Passive open space
and environmental
management



Commercial
activities

Council Property plays a vital role in creating healthy communities, enhancing quality of life and wellbeing and the overall social benefit for the community. It is important that Council not only strategically manages its property portfolio for the long-term best interests of the Shire community but that its decisions in relation to the use and occupancy of Council Property are soundly based, transparent and legally compliant.

With projected population growth to 192,000 by 2046 and a significant annual influx of tourists, Council needs to be well positioned to utilise and manage its property to provide for the diverse and evolving needs of the Council and its community now and into the future. Effective management of Council property presents a major opportunity to enhance public value through improved asset utilisation and stronger financial performance".

Strategic Property Work Streams

Council faces the unique challenge of balancing its urban, coastal and farming areas with population growth and increased infrastructure demands, whilst ensuring the provision of services meets the needs of the community.

To support these challenges, Council undertakes a range of property related activities guided by this Strategy, ensuring Council Property is managed to deliver maximum community benefit.

The Strategy sets out clear direction and an action framework for managing Council's Property across the following six key strategic property areas:



Leasing and
licencing



Sale of surplus
Council land



Land acquisition



Discontinuances



Boatshed and
bathing box
management



Strategic property
advice

Leasing and Licencing

Lease Portfolio

Council Property includes a diverse leasing portfolio, currently comprising over 260 Leased and Licensed facilities with a total income of over \$2 million and a total asset value of \$740 million.

Council's leasing portfolio is used and deployed in many different ways to support Council operationally and strategically. While the majority of Leases and Licences are located on Council owned land, a number are also situated on Crown land managed by Council.

Whilst Council supports community organisations in their role of providing services and programs to the community, the demand for facilities by community organisations in the municipality is increasing.

Council's leasing portfolio needs to be managed to maximise usage for active programs and services that benefit the community, consistent with the Council Plan, now and into the future.

It is important that Council not only strategically manages its Lease portfolio for the long-term best interests of the Shire community but also ensures decisions relating to occupancy agreements provide consistency for Tenants, are soundly based, transparent and legally compliant.

Currently leasing and licensing of Council Property is carried out in accordance with the following endorsed policies:

- Commercial Tenancies Policy
- Community Facilities Tenancies Policy
- Commercial and Community Market Agreements Policy
- Community Garden Policy
- Food Truck Policy
- Men's Shed Policy
- School Tenancy on Council Land Policy

These existing policies have resulted in a fragmented approach to managing our Lease portfolio and have led to inconsistencies in Lease and Licence agreements. A single, consolidated policy is required to ensure a consistent and transparent framework for leasing and licensing Council Property.

The adoption of a new Lease and Licence Policy will ensure that Council has a clear, consistent and equitable approach for the allocation and management of Council Property, including standardise rent and outgoings, maintenance obligations and ensuring that Council Property can respond to changing community needs.



Legislation

Section 115 of the *Local Government Act 2020* empowers Council to Lease land for a term of up to 50 years. Where a Lease is proposed for 10 years or more or has a rental of \$100,000 per annum or more, Council is required to undertake community engagement on the Lease proposal. The engagement must be conducted either through inclusion in Council's annual budget or in accordance with Council's Community Engagement Policy.

Where Council has been appointed CoM of Crown land, Council must also comply with section 17 of the *Crown Land (Reserves) Act 1978* in relation to its powers to grant Leases or Licences on reserved Crown land.

Implementation Plan – Leases and Licences

Actions	Timeframe
Adopt a Lease and Licence Policy	FY26/27
Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28
Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28

Actions

Timeframe

Rationalise permissive occupancy agreements

FY28/29



Sale of Surplus Council Land

Sale of Land Framework

Land is a finite and highly valuable asset, and decisions regarding the sale and acquisition of land carry significant strategic implications. Council's Property needs to respond to the needs of the community now and into the future, which includes selling surplus property and strategically acquiring additional property.



Council currently manages the sale of land in accordance with the Disposal of Property 'Deemed Excess and/or Inappropriate' Policy which was adopted in 2009. Given the policies age and evolving community needs, this policy requires updating to ensure alignment with best practice, strategic objectives and legislative requirements.

A new Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered surplus and suitable for sale. This will ensure Council decisions in relation to the sale of land are robust, transparent, and legally compliant.

The Sale and Acquisition of Land Policy will include a sale of land assessment (Sale of Land Assessment). This assessment will evaluate the suitability of land for disposal based on a range of criteria, including an assessment of existing and new community infrastructure to meet current and future needs. This assessment will be guided by Council's strategies and plans to ensure that decisions on the sale of land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community. A priority disposal plan (Disposal Plan) will be developed following the completion of the Sale of Land Assessment.

Legislation and Guidelines

Section 114 of the *Local Government Act 2020* sets out the legal requirements for Council when selling, exchanging, or transferring land. These include:

- Public notice of intention to sell land
- Community engagement in line with the Council's Community Engagement Policy
- Independent valuation within six months of disposal.

Furthermore, the Best Practice Guideline for the Sale, Exchange and Transfer of Land (June 2009) (Guidelines) was issued by Local Government Victoria and the Government Land Monitor to help Victorian councils manage land transactions in a lawful, transparent, and community focused way. It remains a key reference for councils when disposing of land.

How We Sell Surplus Council Land

If Council resolves to sell land, it must comply with all legislative requirements, and the process will be guided by the adopted Sale and Acquisition of Land Policy and the Guidelines. These obligations ensure that the sale of land is lawful, transparent and deliver the best outcomes for

the community. In addition to meeting these requirements, Council will apply the following principles:

- not sell Council land for less than its current market value, assessed by a qualified valuer, unless there is demonstrable community benefit that justifies a lower price
- seek to achieve the highest and best use of the land, unless there is some derived community benefit not to
- assess opportunities to enhance land value prior to sale, such as rezoning, subdivision, obtaining planning approval for development, or removing existing improvements
- consider imposing restrictions or development requirements to guide the future use of the land
- ensure that the sale of the Council Property is in the best interests of the community and delivers the best result (both financial and non-financial) for Council and its community
- conduct the sale of land through a public process, such as auction, tender (open or selected) or expression of interest unless circumstances justify a direct sale by private treaty.

Implementation Plan – Sale of Surplus Council Land

Actions	Timeframe
Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27
Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Sell land in accordance with the Disposal Plan	Ongoing

Acquisition of Land

Acquisition of Land Framework

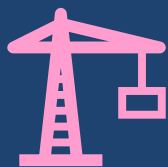
Council's Property should be managed to respond to changing community and organisational needs, ensuring flexibility for future requirements and taking up the opportunity to strategically acquire additional land.

Land is complex in nature and has many varying components. It requires ongoing maintenance, incurs holding costs and cannot be readily converted to cash. For these reasons all land acquisitions must be thoroughly researched, with an appropriate level of due diligence undertaken to ensure a comprehensive understanding of the land prior to proceeding with any acquisition.

Council's acquisition role focuses on identifying land that supports current or future identified service needs and long-term strategic objectives, assessing options for community benefit and value for money, and undertaking rigorous due diligence to evaluate risks, financial impacts, and ongoing costs prior to purchase.

The Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered suitable to purchase (Acquisition Matrix). The Acquisition Matrix will be informed by Council's strategies and plans to ensure that decisions on acquiring land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community.

Council may acquire land through:



A development outcome



Open market transaction



Private negotiation



Compulsory acquisition



Land transfers or exchange

Legislation

Under section 112 of the *Local Government Act 2020*, Council may purchase or compulsorily acquire land required for, or connected with or incidental to, the performance of its functions or the exercise of its powers.

While the *Local Government Act 2020* requires Council to consult with the community regarding land acquisitions, the timing and extent of consultation may vary throughout the process. This depends on the sensitivity of the acquisition and the potential impact that early public disclosure could have on negotiating commercial terms.

If acquiring land for public open space, Council must comply with section 20(2) of the *Subdivision Act 1988* that specifies Council must use money in the Public Open Space Reserves received under the *Subdivision Act* for specific purposes that include to 'buy land for use for public recreation or public resort, as parklands or similar purposes'.

Council must comply with the *Land Acquisition and Compensation Act 1986* when acquiring land whether by agreement or through a compulsory process. This includes following statutory procedures, and in situations where the land is acquired by a compulsory process will include the issue of notices of intention to acquire and ensuring compensation is determined and paid in accordance with the *Land Acquisition and Compensation Act 1986*.

Implementation Plan – Acquisition of Land

Actions	Timeframe
Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Evaluation potential acquisition against the Acquisition Matrix	Ongoing



Discontinuances

Roads

Council as the recognised road authority, has a clear responsibility under the *Road Management Act 2004* to effectively manage the local road network. This ensures the network of Roads supports the movement of persons and goods as part of an integrated transport system, while also making Roads available for other appropriate uses. Our Roads are critical to maintaining connectivity across the Shire. Some of these Roads will be freehold land owned by Council, while others are Crown land, and known as government Roads.

Minor Reserves

Council owns a number of Minor Reserves that are no longer required for the purpose for which they were originally set aside for. These parcels of land often provide limited community benefit, have low utilisation, and may impose ongoing maintenance costs.

What is a Discontinuance?

In most cases, Roads or Minor Reserves are still required for access, drainage or other strategic purposes and should remain open to the public. However, Council may support a Discontinuance within its municipality if it is considered in the best interest of the community.

The majority of requests to Discontinue are either initiated by Council as a result of encroachments by adjoining owners over the Road or Minor Reserve, or applications from adjoining owners seeking redevelopment opportunities on their land.

A Discontinuance allows Council the ability to consider repurposing the land or facilitate the disposal.

Council's Discontinuance and Sale of Roads Policy (adopted in 2009) provides limited guidance on Road discontinuances and primarily serves as a procedural document. A new Discontinuance of Roads and Minor Reserves Policy will incorporate an agreed set of principles and clear criteria to provide guidance to ensure Discontinuance proposals are dealt with equitably and in a transparent and consistent manner.

Council's powers to Discontinue are discretionary, meaning Council in its absolute discretion can refuse to proceed with a Discontinuance application if the Road or Minor Reserve is reasonably required for general public use, regardless of whether there is an approved development for the land or an existing encroachment.

Discontinuances are complex and often lengthy processes that can take up to 12 months to complete. They involve many stages to ensure compliance with legislative requirements and to ensure that the Road or Minor Reserve is no longer required for public use or required for strategic retention. These processes can be contentious and, in some cases, litigious, requiring



thorough investigation, community engagement, and careful consideration of legal and financial implications.

Legislation

Pursuant to section 206 and Schedule 10 clause 3 of the *Local Government Act 1989* Council has the power to discontinue and sell all or a section of Road (including constructed and unconstructed Roads), but in order to do so, Council must give public notice and hear submissions in accordance with section 223 of the *Local Government Act 1989*. Submitters are invited to speak in support of their submission at a Section 223 Committee.

The Discontinuance of a Road permanently closes it and removes all private and public encumbrances from the land, except for certain rights retained by public authorities. Once a Road is discontinued, the land vests in freehold in Council unless the Road is a government Road, in which case it will vest in the State as Crown land.

Where a Road is on the register of public roads it must be removed from the register as part of the Road discontinuance process and in accordance with the *Road Management Act 2004*.

In accordance with Section 24A of the *Subdivision Act 1988* Council has the power to remove the reserve status from land designated a Minor Reserve. The removal of reserve status means the land is formally vested in Council as a lot on title.

Before selling land, Council must also comply with section 114 of the *Local Government Act 2020*, including undertaking community engagement in accordance with Council's Community Engagement Policy.

Implementation Plan – Discontinuances

Actions	Timeframe
Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27
Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28



Boatsheds and Bathing Boxes

Bathing Boxes are iconic features of the Mornington Peninsula foreshore, valued for their historical and cultural significance. They have historical and cultural value and serve the functional purpose of the storage of boats and beach equipment.

Council, as CoM, currently manages 819 of the 1,300 Bathing Boxes within the Shire. The remainder are managed by community CoMs.



What is Council role in managing Bathing Boxes?

In conjunction with DEECA, Council oversees the use, occupancy and management of Bathing Boxes. This includes licensing, transfers, and regular inspections to ensure compliance with the *Marine and Coastal Act 2018*, *Crown Land (Reserves) Act 1978* and DEECA guidelines.

The existing Boatshed and Bathing Box Policy was adopted by Council in 2000 and does not adequately address current legislative requirements, operational practices, or evolving community expectations. A new Bathing Box and Boatshed Policy will provide guiding principles for the management of Bathing Boxes, while recognising their sensitive coastal location and Council's obligations as CoM.

Legislation

Council manages Bathing Boxes in accordance with *Crown Land (Reserves) Act 1978* and the *Coastal Management Act 1995*. Bathing Boxes must be:

- constructed in accordance with DEECA Construction Guidelines 2015
- managed in accordance with DEECA Guidelines for the Management of Existing Bathing Boxes and Boatsheds on Marine and Coastal Crown Land March 2022.

Implementation Plan – Boatsheds and Bathing Boxes

Actions	Timeframe
Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27

Actions	Timeframe
Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27



Strategic Property Advice

The Property Team acts as custodian of Council Property, managing both freehold land and Crown land, and acting as landlord for the Shire. The Property Team plays a critical role in ensuring Council Property is managed strategically and responsibly. The Team provides expert advice to mitigate risk and ensure that property decisions comply with Council policies, statutory frameworks, governance requirements and best practice. This approach ensures Council Property is managed as a key strategic asset that underpins sustainable service delivery, rather than simply an operational resource.

The Property Team conducts research and investigations to ensure informed decisions on Council property matters. This includes (among other things) advising on suitable tenure agreements, land ownership, land status, identifying encumbrances and other legal restrictions that affect Council Property. These due diligence checks mitigate risk and provide clear, accurate advice to support leasing, acquisitions, disposals, and ongoing management of Council's Property.

The Property Team focuses on aligning Council Property decisions with Council's long term objectives and the current and future demand of community needs as identified in Council's Strategies and Plans, including (but not limited to):

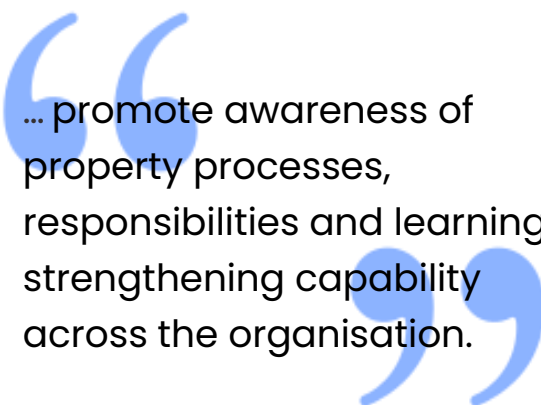
- Community Facilities Infrastructure Strategy
- Open Space Strategy
- Sustainable Transport Strategy
- Council's Triple A Housing Plan and Social and Affordable Housing Policy.

Early involvement of the Property Team in property projects ensures decisions are based on a clear understanding of legal, planning, and financial implications. This includes advising on approval pathways and appropriate legal frameworks. This proactive approach helps Council avoid compliance issues, poor investment decisions, and choices that could restrict future options and lead to better project delivery and outcomes for the community.

Education

The Property Team plays a key role in educating officers, management and Councillors by building organisational understanding of best practice in local government property.

The Property Team will promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation. A proactive education approach will build capability, reduce organisational risk and will ensure that property decisions at all levels are transparent, consistent and aligned with strategic objectives.



... promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation.

Encroachments

Over time, numerous Encroachments on Council Property have occurred without remedial action, resulting in widespread issues. Addressing these Encroachments is essential to protect Council and community interests, uphold legislative obligations and ensure Council Property is managed in accordance with strategic objectives.

Council's enforcement powers regarding Encroachments vary depending on land ownership. Officers will use a range of approaches to address Encroachments, depending on the circumstances. For Encroachments located on Council owned or managed land, the Property Team will carry out preliminary investigations to understand the status of the land and the form of the Encroachment and determine an appropriate resolution that balances the interests of both the community and Council.

The Property Team will take carriage of matters where the encroached land could be considered suitable for a Discontinuance and/or sale.

Implementation Plan – Property Advice

Actions	Timeframe
Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Update Knowledge Base	FY26/27
Investigate developing property management learning module and Crown land	FY27/28
Create a welcome pack for new starters (induction)	FY27/28
Update the Property Team SharePoint page	FY26/27
Create opportunities for knowledge transfer across Council Teams	FY27/28
Undertake 'Lessons Learned' sessions	FY27/28
Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing
Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28

Consolidated Implementation Action Plan by Timeframe

Work Stream	Action	Timeframe
Acquisition of Land	Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Acquisition of Land	Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Boatsheds and Bathing Boxes	Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Boatsheds and Bathing Boxes	Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Boatsheds and Bathing Boxes	Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27
Discontinuances	Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Discontinuances	Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27

Work Stream	Action	Timeframe
Leases and Licences	Adopt a Lease and Licence Policy	FY26/27
Leases and Licences	Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Leases and Licences	Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Leases and Licences	Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Leases and Licences	Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Leases and Licences	Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Leases and Licences	Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Sale of Surplus Council Land	Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Sale of Surplus Council Land	Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27

Work Stream	Action	Timeframe
Sale of Surplus Council Land	Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Sale of Surplus Council Land	Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Sale of Surplus Council Land	Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Property Advice	Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Property Advice	Update Knowledge Base	FY26/27
Property Advice	Update the Property Team SharePoint page	FY26/27
Boatsheds and Bathing Boxes	Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Discontinuances	Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28
Leases and Licences	Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28

Work Stream	Action	Timeframe
Leases and Licences	Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Leases and Licences	Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28
Property Advice	Investigate developing property management learning module and Crown land	FY27/28
Property Advice	Create a welcome pack for new starters (induction)	FY27/28
Property Advice	Create opportunities for knowledge transfer across Council Teams	FY27/28
Property Advice	Undertake 'Lessons Learned' sessions	FY27/28
Property Advice	Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Property Advice	Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28
Leases and Licences	Rationalise permissive occupancy agreements	FY28/29
Acquisition of Land	Evaluation potential acquisition against the Acquisition Matrix	Ongoing
Sale of Surplus Council Land	Sell land in accordance with the Disposal Plan	Ongoing
Property Advice	Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing

Monitoring and Evaluation

The implementation of the Strategy will be monitored and evaluated against the recommended actions in the Consolidation Action Plan. The Strategy will be reviewed after 5 years to ensure that implementation priorities reflect current needs and expectations.

DRAFT

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