



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 11 SEPTEMBER 2023 at 7.00PM**

PRESENT	Cr. Nathan Conroy (Mayor) Cr. Liam Hughes (Deputy Mayor) Cr. David Asker Cr. Sue Baker Cr. Kris Bolam Cr. Claire Harvey Cr. Brad Hill Cr. Suzette Tayler (via Zoom)
APOLOGIES:	Nil. Cr Steven Hughes suspended (7 Sep – 6 Dec 2023)
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer (via Zoom) Ms. Kim Jaensch, Director Corporate and Commercial Services Ms. Angela Hughes, Director Communities Ms. Shweta Babbar, Director Customer Innovation and Arts Ms. Brianna Alcock, Manager Governance Mr. Vishal Gupta, Manager Building Infrastructure Mr. Tim Bearup, Manager Community Strengthening Mr. Sam Clements, Manager Development Services (via Zoom) Ms. Tammy Beauchamp, Manager City Futures (via Zoom) Ms. Brooke Whatmough, Coordinator Strategic Planning (via Zoom) Ms. Tammy Ryan, Manager Arts & Culture (via Zoom) Ms. Fiona McQueen, Manager Community Relations (via Zoom) Ms. Ilona Ellerton, Coordinator Economy, Investment and Activation (via Zoom) Ms. Rachel Masters, Coordinator Social Policy and Planning (via Zoom) Ms. Simone Bonella, Senior Recreation Planner Ms. Tenille Craig, Acting Coordinator Governance Ms. Poonam Kothari, Governance Officer Mr. Ric Rais, Systems Support Officer Mr. Jeremy O'Rourke, Supervising Technician Mr. Josh Lacey, Supervising Technician
EXTERNAL REPRESENTATIVES:	Nil

Chairperson's initials.....

COUNCILLOR STATEMENT

The Deputy Mayor, Councillor Liam Hughes, made the following statement:

“All members of this Council pledge to the City of Frankston community to consider every item listed on this evening’s agenda:

- *Based on the individual merits of each item;*
- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors’ personal interests so as to avoid any conflict with our public duty.*

Any Councillor having a conflict of interest in an item will make proper, prior disclosure to the meeting and will not participate or vote on the issue.”

PRAYER

The Deputy Mayor, Councillor Liam Hughes, read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Deputy Mayor, Councillor Liam Hughes, acknowledged the Bunurong People of the Kulin Nation – the Traditional Custodians of the land on which we stand, and paid respect to Elders past, present and future. Respect was also extended to Elders of other communities who may have been present.

1. APOLOGIES	3
2. COUNCILLOR APPRECIATION AWARDS	3
3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	3
Council Meeting No. CM12 held on 6 September 2023.	3
4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST	3
5. PUBLIC QUESTION TIME	3
6. HEARING OF PUBLIC SUBMISSIONS	3
7. ITEMS BROUGHT FORWARD	4
8. PRESENTATIONS / AWARDS	4
9. PRESENTATION OF PETITIONS AND JOINT LETTERS	4
10. DELEGATES' REPORTS	5
ITEMS BROUGHT FORWARD	6
11.2 City Futures Progress Report - Quarter 4 April - June 2023.....	6
12.6 Frankston Basketball & Gymnastics Stadium Redevelopment.....	8
12.7 Update on advocacy outcomes and election commitments made during the 2022 federal and state elections	11
11. CONSIDERATION OF CITY PLANNING REPORTS	14
11.1 Statutory Planning Progress Report for July 2023.....	14
11.3 Planning Scheme Amendment C156fran - Environmental Amendment	15
12. CONSIDERATION OF REPORTS OF OFFICERS	16
12.1 Governance Matters Report for 11 September 2023.....	16
12.2 Capital Works Quarterly Report - Q4 - April to June 2023	18
12.3 Frankston City Council April to June 2023 Economic Scorecard.....	21
12.4 Frankston Arts Advisory Committee - Minutes 15 August 2023.....	22
12.5 Adoption of Asset Management Policy	24
12.8 Annual Volunteer Awards Nominations	25
12.9 Award of Contract CN11126 - Architecture Services Panel.....	26
13. RESPONSE TO NOTICES OF MOTION	27
13.1 Response to 2022/NOM8 - Outreach Support Service	27
13.2 Response to 2023/NOM3 - Hall of Fame Revival	28

14. NOTICES OF MOTION29
14.1 2023/NOM5 - Commitment to consultation on level-crossing
removal works29

15. LATE REPORTS30

16. URGENT BUSINESS.....30

17. CONFIDENTIAL ITEMS30

1. APOLOGIES

Nil

2. COUNCILLOR APPRECIATION AWARDS

- 2.1 A Councillor Appreciation Award was presented by Cr Kris Bolam to the Rotary Club of Frankston. He acknowledged the significant contributions of the Club and their commendable efforts in organising the Seaford Farmers Market, which has served the Frankston community for over 15 years. Founded in August 2007, this market provided an important community-strengthening event in the local calendar, which included the efforts of a rotating team of 20+ dedicated volunteers from the Frankston Rotary who consistently worked to deliver the market every 3rd Sunday.

During its long tenure, the Seaford Farmers Market has raised over \$500,000 in donations, benefiting local, national, and international causes. As the market now wraps up, the Rotary Club of Frankston have advised that they will re-focus their energies on other fundraising activities such as the Rotary Wranglers Golf Day and the Frankston Art Show. Cr Bolam expressed appreciation on behalf of Council for their impactful work and the role the Seaford Farmers Market played in our community. Their commitment to service will continue to inspire us.

Mr David Cross, President of the Rotary Club of Frankston, received the Councillor Appreciation Award on behalf of the Club and the many dedicated volunteers that made the Seaford Farmers market possible.

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM12 held on 6 September 2023.

Council Decision

Moved: Councillor Asker

Seconded: Councillor Harvey

That the minutes of the Council Meeting No. CM12 held on 6 September 2023 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Two (2) people submitted questions with notice to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. There were no questions received without notice.

The questions received with notice and answers will be provided in the Minutes of the next Council Meeting.

6. HEARING OF PUBLIC SUBMISSIONS

The people listed below made a submission to Council regarding Item 12.6: Frankston Basketball & Gymnastics Stadium Redevelopment:

- Mr. Wayne Holdsworth;

Councillor Suzette Tayler left the chamber at 7.24 pm.

Chairperson's initials

Councillor Suzette Tayler returned to the meeting at 7.37 pm.

- Ms. Joyce Stocker

Councillor Suzette Tayler left the meeting at 7.40 pm.

Councillor Suzette Tayler returned to the meeting at 7.41 pm.

Councillor Suzette Tayler left the meeting at 7.43 pm.

Councillor Suzette Tayler returned to the meeting at 7.52 pm.

Councillor Liam Hughes left the chamber at 7.52 pm.

Councillor Suzette Tayler left the meeting at 7.55 pm.

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Asker

Seconded: Councillor Hill

That Items listed below be bought

- 11.2: City Futures Progress Report - Quarter 4 April - June 2023;
- 12.6: Frankston Basketball & Gymnastics Stadium Redevelopment; and
- 12.7: Update on advocacy outcomes and election commitments made during the 2022 federal and state elections be brought forward.

Carried Unanimously

Crs Liam Hughes and Suzette Tayler were not present at the time of voting

Block Motion

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That the items listed below be block resolved:

- 11.1 Statutory Planning Progress Report - July 2023
- 11.3 Planning Scheme Amendment C156fran - Environmental Amendment
- 12.3 Frankston City Council June 2023 Economic Scorecard
- 12.5 Adoption of Asset Management Policy
- 12.8 Annual Volunteer Awards Nominations
- 12.9 Award of Contract CN11126 - Architecture Services Panel
- 13.2 Response to NOM 2023/NOM3 - Hall of Fame Revival

Carried Unanimously

Crs Liam Hughes and Suzette Tayler were not present at the time of voting

8. PRESENTATIONS / AWARDS

Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

Councillor Liam Hughes returned to the chamber at 7.54 pm.

Councillor Suzette Tayler returned to the meeting at 8.05 pm.

10. DELEGATES' REPORTS

Cr Harvey attended Victorian Greenhouse Alliances Conference at Melbourne Convention and Exhibition Centre and did the verbal submission. The annual Victorian Greenhouse Alliances Conference is the highest profile local government climate change conference in Australia. It brings together Victorian local government councillors, executive leaders and officers, working on and interested in climate change projects and advocacy. During the meeting Cr Harvey attended the few seminars, in that one was Sustainable Transport – The role of councils in driving down emissions in the transport sector; The costs and benefits of climate change adaptation – The evidence; and Carbon offsetting – Can Victorian councils adopt a shared policy position and collective approach to offset procurement?

Cr Baker also attended Gender Equality for the Councillors free Workshop last month organised by Municipal Association of Victoria under pilot program by company called as gender works, which also working with Frankston City Council on the creation Gender Equality Action Plan. Workshop explores in area Language, Gender Equality Act 2022, look the responsibility of LGAs, detailing benefits Gender Impact Assessments, including the practical community benefits they seek to bring, the expectations of councils in undertaking them and the role councillors can play.

Delegates Report from Councillor Harvey and Councillor Baker**Council Decision****Moved: Councillor Bolam****Seconded: Councillor Hill**

That the verbal reports by Cr Claire Harvey on her attendance to the Victorian Greenhouse Alliances Conference at Melbourne Convention and Exhibition Centre and Cr Sue Baker on her attendance to the Gender Equality for Councillors, free Workshop organised by Municipal Association of Victoria be received.

Carried Unanimously

ITEMS BROUGHT FORWARD**11.2 City Futures Progress Report - Quarter 4 April - June 2023***(TB Communities)*

That Council:

1. Receives the City Futures Progress Report (excluding Economic Scorecard) for Quarter 4 from April – June 2023; and
2. Notes the commendable efforts of officers in 2023/24 in completing a number of significant strategies, plans and guidelines, following extensive community engagement. These include the Frankston Metropolitan Activity Centre Structure Plan, the Climate Change Strategy and Action Plan, the Community Needs Assessment and Community Infrastructure Plan, and the Mobile Food Van Procurement Guidelines. Officers have also progressed the Nepean Boulevard Vision.

Council Decision**Moved: Councillor Hill****Seconded: Councillor Harvey**

That Council:

1. Receives the City Futures Progress Report (excluding Economic Scorecard) for Quarter 4 from April – June 2023;
2. Notes the commendable efforts of officers in 2023/24 in completing a number of significant strategies, plans and guidelines, following extensive community engagement. These include the Frankston Metropolitan Activity Centre Structure Plan, the Climate Change Strategy and Action Plan, the Community Needs Assessment and Community Infrastructure Plan, and the Mobile Food Van Procurement Guidelines. Officers have also progressed the Nepean Boulevard Vision;
3. Notes that Community Engagement was undertaken in relation to the proposed native vegetation offset site at Witternberg Bushland Reserve between 1 August and 27 August 2023 and during this engagement:
 - 913 people visited the engage Frankston site; and
 - 302 people completed the survey, and of these 243 (80.4%) prefer the no change option (compared to 18 for option 1, 7 for option 2, 33 for option 3).
4. Resolves that Officers cease the investigation into a native offset site at Witternberg reserve due to the strong community sentiment for the no change option as detailed in point 3;
5. Notes that an Engagement Report on the proposed Native Vegetation Offset Site will be provided on the Engage Frankston website;
6. Notes that no further report will be presented to Council on consultation outcomes of native offset site at Witternberg reserve;
7. Refers costings for design and build of car parking works to the LTIP (Long Term Infrastructure Plan), in accordance with the site master plan;
8. Reallocate \$40k of the \$130k (excluding GST) committed in the adopted 2023/24 to the construction of the fencing for the native offset site referred to in Point 4, to the investigation of another suitable site/s for a native vegetation offset plan that Council may establish or contribute to; and
9. Receives a report by the April 2024 Council Meeting on the outcomes of the investigation referred to in Point 8 of this resolution.

Chairperson's initials

*Councillor Suzette Tayler left the meeting at 8.10 pm.
Councillor Suzette Tayler returned to the meeting at 8.15 pm.*

**The motion was
Carried Unanimously**

Cr Suzette Tayler left the meeting at 8.16pm

12.6 Frankston Basketball & Gymnastics Stadium Redevelopment

(TB Communities)

Council Decision

Moved: Councillor Asker

Seconded: Councillor Hill

That Council:

1. Notes that planning for an expanded basketball facility originally commenced in 2014 but the project was put on hold in 2017 and resources were diverted to the subsequent construction of Jubilee Park Stadium. In May 2020 Council approved for a feasibility study to be undertaken to investigate redevelopment options for an expanded basketball and gymnastics facility at Bardia Avenue, Seaford;
2. Notes that in 2018, Council advocated for the development of a Regional Tennis and Gymnastics Centre at Centenary Park with a pledge of \$11.5M towards its construction. This project did not receive the necessary additional funding from the State and Federal governments and did not proceed. In 2020 Bayside Gymnastics Club was identified by Council as a priority tenant in the re-purposing of Linen House, however subsequent investigations determined that it was not possible to include them due to the physical limitations associated with the infrastructure at the site;
3. Notes that at its meeting on the 15 November 2021, Council unanimously endorsed the Frankston Indoor Gymnastics and Basketball Feasibility Study that recommended an eight (8) basketball court stadium, incorporating a dedicated community gymnastics hall with a nominal floor area of 1,000 square metres (m²). At the time of endorsement, the total estimated project cost was \$45 million, with the assumption that the project be built in one (1) stage and that construction commenced in the financial year 2024/25 (given changed market conditions, the costing for this design revised in May 2023 was \$53.5M);
4. Notes that following further engagement with project stakeholders, a revised scope (SK05) was developed that increases the basketball court provision from eight (8) to ten (10). (See Attachment A). This scope expansion, coupled with significant market changes occurring within the construction sector resulted in the estimated cost of construction increasing to \$60 million;
5. Notes that the State and Federal governments along with Council have committed \$15 million respectively (a total \$45 million) to the project, and that the State Government contribution is for the basketball expansion only. Council have been advised no additional funds will be available from the State and Federal governments and therefore if Council is to proceed with the revised \$60 million project, the \$15 million shortfall would need to be borne by Council;
6. Notes that the Frankston District Basketball Association (FDBA) have stated they are unable to commit funds towards the capital project cost;
7. Notes that Bayside Gymnastics Club has notionally committed \$50K-\$70K towards the capital project costs associated with the purchase of gymnastics equipment;
8. Notes that key project stakeholders including the Frankston and District Basketball Association and the Bayside Gymnastics Club have confirmed their support to proceed with the 10-court Frankston Basketball and Gymnastics Stadium concept (SK05).
9. Approves the revised Frankston Basketball and Gymnastics Stadium concept marked SK05 as per Attachment A, for a ten (10) basketball court and a

Chairperson's initials.....

community standard gymnastics facility and approves commencement of design development this financial year 2023/24 and progress to tendering to the construction market in early 2025 and if practical sooner (noting the release of tender is subject to the successful completion of lease/licence and service agreements);

10. Commits additional funding of \$15M to the project in 2026/27 on the basis of the funding strategy outlined in this report, which will be included in the next review of the Long-Term Infrastructure Plan & Financial Plan;
11. Supports future exploration of cost management options and acknowledges such options will be refined and considered during the next design phase; and
12. Notes that the current basketball stadium is subject to a lease agreement between Council and Frankston District Basketball Association (FDBA) that expires in June 2026. Officers will commence with the development of appropriate occupancy agreement(s), noting that the FDBA will be required to surrender their current lease to allow construction of the new stadium.

Extension of Time

Moved: Councillor Bolam

Seconded: Councillor Harvey

That Cr Asker be granted an extension of time.

Carried Unanimously

Cr Suzette Tayler was not present at the time of voting

Extension of Time

Moved: Councillor Bolam

Seconded: Councillor Harvey

That Cr Baker be granted an extension of time.

Carried Unanimously

Cr Suzette Tayler was not present at the time of voting

Extension of Time

Moved: Councillor Harvey

Seconded: Councillor Asker

That Cr Bolam be granted an extension of time.

Carried Unanimously

Cr Suzette Tayler was not present at the time of voting

Councillor Suzette Tayler returned to the chamber at 8.33 pm.

Extension of Time

Moved: Councillor Liam Hughes

Seconded: Councillor Harvey

That Cr Conroy be granted an extension of time.

Carried Unanimously

Extension of Time

Moved: Councillor Harvey

Seconded: Councillor Bolam

That Cr Hill be granted an extension of time.

Carried Unanimously

The Motion was Carried

Chairperson's initials

For the Motion: Crs Asker, Bolam, Conroy and Tayler (4)
Against the Motion: Crs Harvey and Hill (2)
Abstain: Crs L. Hughes and Baker (2)

*In accordance with Council's Governance Rules 69.1,
the Chair exercised the right of a casting vote*

Casting Vote: Cr Conroy For the motion
Meeting was adjourned at 8.54 pm

The meeting resumed at 9.05 pm

12.7 Update on advocacy outcomes and election commitments made during the 2022 federal and state elections

(FM Customer Innovation and Arts)

Recommendation (Director Customer Innovation and Arts)

That Council:

1. Notes Council's practice, for its advocacy projects to seek equal contributions from State and Federal Governments, representing one third of the estimated total project cost of a project;
2. Notes the outcomes of advocacy campaigns throughout the 2022 federal and state elections, where it was successful in securing the following election commitments:
 - a. \$15 million equal contributions from Federal and Victorian Governments towards a redevelopment of the existing Frankston Basketball Stadium;
 - b. \$1.3 million equal contributions from Federal and Victorian Governments towards the Sandfield Reserve Precinct Revitalisation; and
 - c. \$2 million from the Federal Government only towards the Frankston Regional Arts Trail;
3. Notes it also received election commitments for projects detailed in the body of the report, that were not part of Council's Flagship Priority Projects, as follows:
 - a. Federal Government - \$850,000 Nairn Marr Djambana Gathering Place facility upgrade;
 - b. Federal Government - \$170,000 Langwarrin Skate Park upgrade; and
 - c. Victorian Government - \$1.5 million Banyan Fields BMX Pump Track and Play Space;
4. Commits funding in next draft of its LTIP, subject to equal contribution (or as otherwise shown) from the State and Federal government for the following projects:
 - a. Nairn Marr Djambana Gathering Place facility upgrade – total project cost estimated at \$6 million, Council's contribution up to \$2 million; Seeking equal funding contribution of \$2 million each from Victorian and Federal Government, noting the existing Federal Government commitment of \$850,000;
 - b. Langwarrin Skate Park upgrade – total project cost estimated at \$850,000. Council's contribution up to \$680,000 while seeking equal partner funding contribution from the Victorian Government (\$170,000) to that allocated by the Federal Government commitment (\$170,000). The effect of which reduces Council's contribution avoiding deferring other projects; and
 - c. Bruce Park Pavilion facility upgrade - total project cost estimated at \$9 million; Council's contribution up to \$3 million, seeking equal funding contributions of \$3 million each from Victorian and Federal Government;
5. Notes the commitment made towards Banyan Field BMX Pump Track and Play Space by the Victorian Government and continues to work with the Victorian Government to better understand the project scope, site constraints, the estimated total project cost and Council's contribution, if any, before executing any funding agreements by the end of the financial year (FY) 23/24 so that any budget requirements can be considered as part of the annual budget process FY 24/25.

Chairperson's initials.....

*In accordance with Council's Governance Rules 34.1,
this motion was moved in parts*

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Harvey

That Council:

1. Notes Council's practice, for its advocacy projects to seek equal contributions from State and Federal Governments, representing one third of the estimated total project cost of a project;
2. Notes the outcomes of advocacy campaigns throughout the 2022 federal and state elections, where it was successful in securing the following election commitments:
 - a. \$15 million equal contributions from Federal and Victorian Governments towards a redevelopment of the existing Frankston Basketball Stadium;
 - b. \$1.3 million equal contributions from Federal and Victorian Governments towards the Sandfield Reserve Precinct Revitalisation; and
 - c. \$2 million from the Federal Government only towards the Frankston Regional Arts Trail;
3. Notes it also received election commitments for projects detailed in the body of the report, that were not part of Council's Flagship Priority Projects, as follows:
 - a. Federal Government - \$850,000 Nairm Marr Djambana Gathering Place facility upgrade;
 - b. Federal Government - \$170,000 Langwarrin Skate Park upgrade; and
 - c. Victorian Government - \$1.5 million Banyan Fields BMX Pump Track and Play Space;
4. Commits funding in next draft of its LTIP, subject to equal contribution (or as otherwise shown) from the State and Federal government for the following projects:
 - b. Langwarrin Skate Park upgrade – total project cost estimated at \$850,000. Council's contribution up to \$680,000 while seeking equal partner funding contribution from the Victorian Government (\$170,000) to that allocated by the Federal Government commitment (\$170,000). The effect of which reduces Council's contribution avoiding deferring other projects; and
 - c. Bruce Park Pavilion facility upgrade - total project cost estimated at \$9 million; Council's contribution up to \$3 million, seeking equal funding contributions of \$3 million each from Victorian and Federal Government;
5. Notes the commitment made towards Banyan Field BMX Pump Track and Play Space by the Victorian Government and continues to work with the Victorian Government to better understand the project scope, site constraints, the estimated total project cost and Council's contribution, if any, before executing any funding agreements by the end of the financial year (FY) 23/24 so that any budget requirements can be considered as part of the annual budget process FY 24/25.

Carried Unanimously

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Harvey

4. Commits funding in next draft of its LTIP, subject to equal contribution (or as

Chairperson's initials

otherwise shown) from the State and Federal government for the following projects:

- a. Nairn Marr Djambana Gathering Place facility upgrade – total project cost estimated at \$6 million, Council's contribution up to \$2 million; Seeking equal funding contribution of \$2 million each from Victorian and Federal Government, noting the existing Federal Government commitment of \$850,000;

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Liam Hughes
(7)

Against the Motion: Cr Tayler (1)

11. CONSIDERATION OF CITY PLANNING REPORTS**11.1 Statutory Planning Progress Report for July 2023**

(SC Communities)

Council Decision**Moved: Councillor Bolam****Seconded: Councillor Hill**

That Council:

1. Receives the Statutory Planning Progress Report for the month of July 2023;
2. Notes in the month of July, 90% of applications determined were within the statutory timeframe, above the target of 70%;
3. Notes the work of officers over the last 12 months in streamlining planning assessment processes, including by making improvements to internal processes, particularly relating to internal referrals, the creation of more online forms and the development and implementation of the Major Development Operating Framework. All of these have achieved efficiencies, timeliness of service and improved customer experience. Further improvements will be advanced this financial year; and
4. Resolves that Attachment B (Major Development Updates) remain confidential indefinitely on the grounds that it contains land use planning information and private commercial information (*Local Government Act 2023, s.3(1)(c) and (g)*). These grounds apply because it contains private information and would, if prematurely released, impact the reputation of Councillors and Council.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.

11.3 Planning Scheme Amendment C156fran - Environmental Amendment

(TB Communities)

Council Decision**Moved: Councillor Bolam****Seconded: Councillor Hill**

That Council:

1. Request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C156fran;
2. Upon receipt of authorisation from the Minister for Planning, Council exhibits Planning Scheme Amendment C156fran for a period of one (1) month in accordance with Section 19(1A) of the *Planning and Environment Act 1987*;
3. Authorises the Director Communities to make changes to Planning Scheme Amendment C156fran to meet any conditions of authorisation from the Department of Transport and Planning (DTP), as well as make minor editorial changes, prior to submitting the amendment to the Minister for Planning for exhibition. The Director Communities is to inform Councillors of such changes; and
4. Notes that a report on any written submissions received as part of the public exhibition period will be presented to Council.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.

12. CONSIDERATION OF REPORTS OF OFFICERS

12.1 Governance Matters Report for 11 September 2023

(BA Corporate and Commercial Services)

Recommendation (Director Corporate and Commercial Services)

That Council:

Council Resolution Status

1. Receives the Council Resolution Status update, including:
 - a. Notice of Motion Cost Summary and Notice of Motion Report for 11 September 2023;
 - b. Notes there are no open Urgent Business actions;
 - c. Notes there are no Notice of Motion actions reported as complete;
 - d. Notes since the Council Meeting, held on 21 August 2023, 13 resolution actions have been completed, as listed in the body of the report;
 - e. Notes there is one report delayed in its presentation to Council:
 - Frankston City Industrial Strategy and Industrial design Guidelines, delayed from 20 November 2023 to 11 December 2023;

Audit and Risk Committee

2. Sets the remunerations levels for external members at \$2,337 (excl. GST) per meeting for the role of the Chair and \$1,850 (excl. GST) per meeting for the remaining independent members, effective from 1 August 2023; and
3. Approves the remuneration for Ordinary Members and the Chairperson be increased by CPI on an annual basis, effective from 1 August 2023 for a three year period.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

Council Resolution Status

1. Receives the Council Resolution Status update, including:
 - a. Notice of Motion Cost Summary and Notice of Motion Report for 11 September 2023;
 - b. Notes there are no open Urgent Business actions;
 - c. Notes there are no Notice of Motion actions reported as complete;
 - d. Notes since the Council Meeting, held on 21 August 2023, 13 resolution actions have been completed, as listed in the body of the report;
 - e. Notes there is one report delayed in its presentation to Council:
 - Frankston City Industrial Strategy and Industrial design Guidelines, delayed from 20 November 2023 to 11 December 2023;

Audit and Risk Committee

2. Sets the remunerations levels for external members at \$2,337 (excl. GST) per meeting for the role of the Chair and \$1,850 (excl. GST) per meeting for the remaining independent members, effective from 1 August 2023; and
3. Approves the remuneration for Ordinary Members and the Chairperson be increased by CPI on an annual basis, effective from 1 August 2023 for a three year period.

Chairperson's initials

Other Matters

4. Resolves to provide with effect from the October Council Meeting, the record of Councillor briefings containing the following details through the Governance Matters Report:
- List of the topics discussed at councillors briefings held since the date of last council meeting;
 - Records of the Councillors attendance at that briefing; and
 - Conflict of Interest disclosures, if any.

Carried Unanimously

12.2 Capital Works Quarterly Report - Q4 - April to June 2023*(LU Infrastructure and Operations)***Recommendation (Director Infrastructure and Operations)**

That Council:

1. Receives and notes the quarterly progress report for the fourth quarter (April to June 2023) of the 2022/23 Capital Works Program;
2. Notes that \$74.823M of expenditure was achieved in 2022/23 against a total Adjusted Capital Works Program budget of \$92.014M, which equates to an outstanding 81.5% program expenditure delivery rate considering the challenges experienced during the year;
3. Notes that for transparency and disclosure of the capital works program to the public, the full details have been provided in the open attachments to the report;
4. Notes the reported projects where variations have exceeded the pre-approved variation amount is in accordance with S7 Instrument of Sub-Delegation by CEO; and
5. Endorses the list of project funding proposed to be carried forward into the 2023/24 Capital Works Program, an amount which totals \$17.014M which can be largely attributed to several projects experiencing delays and cost escalations due to unfavourable market conditions.

Council Decision**Moved: Councillor Bolam****Seconded: Councillor Baker**

That Council:

1. Receives and notes the quarterly progress report for the fourth quarter (April to June 2023) of the 2022/23 Capital Works Program;
2. Notes that \$74.823M of expenditure was achieved in 2022/23 against a total Adjusted Capital Works Program budget of \$92.014M, which equates to an outstanding 81.5% program expenditure delivery rate considering the challenges experienced during the year;
3. Notes that for transparency and disclosure of the capital works program to the public, the full details have been provided in the open attachments to the report;
4. Notes the reported projects where variations have exceeded the pre-approved variation amount is in accordance with S7 Instrument of Sub-Delegation by CEO;
5. Endorses the list of project funding proposed to be carried forward into the 2023/24 Capital Works Program, an amount which totals \$17.014M which can be largely attributed to several projects experiencing delays and cost escalations due to unfavourable market conditions;
6. Resolves that the CEO is instructed to ensure the satisfactory delivery of the following projects with full scope:
 - Sister City signage is to be installed by 30 November 2023;
 - Cranbourne Road Boulevard plantings and trees (both sides, and Karingal Drive; and discussions with Councillors about savings/efficiencies alternative uses by not proceeding with the central median strip works as part of the Council endorsed scope for this project) to be installed by December 2023;
 - All pending public art – all fibreglass at the Frankston Library Forecourt, 'As One', 'Early Light', 'Catch Me' and 'Metaphor this' are to be installed by

Chairperson's initials.....

January 2024;

- The Kananook public art piece is to be installed by the formal the opening of the Kananook Commuter Car Park;
- The following murals will be completed at the following locations by March 2024 – Havana Reserve, Ballam Park and the Downs Estate;
- Landscape improvements to Beach Street / Cranbourne Road are to be completed by October 2023;
- Landscaping improvements to Skye Road / Frankston Dandenong Road intersection are to conclude by December 2023;
- All urban forest tree plantings, where specific commitments have been given to Councillors, for 2023/2024, are to be planted by December 2023;
- The following Lighting Frankston projects are to be completed by March 2024 –Beach Street Pedestrian Bridge, Mile Bridge Pedestrian uplighting (design only) and Nepean Highway LED Trees Beach Street to Wells (design only);
- Mile Bridge Landmark Public Art contract awarded by March 2024;
- The following Lighting Frankston projects are to be completed by November 2023 – St Paul’s Church, Pier Uplighting, Trial Lighting Project, Trees from Davey to Playne LED, Nepean Highway Clocktower;
- Frankston North Entry Points (all three) are to be completed by January 2024;
- Dalpura Shade Sail and extras are to be completed by January 2024;
- Dalpura Footpath is to completed by March 2024;
- Wingham Shade Sail is to be completed by November 2023;
- Healthy Futures Hub overflow car parking to be completed by 30 August 2024;

Where these timetables are not to be achieved, Council considers this to be unacceptable and is therefore to be notified of the formal failure to respect this resolution; and

7. Resolves that beyond the aforementioned delayed projects, the CEO is instructed to ensure the following ‘legacy’ projects are completed:
- Frankston Yacht Club opened by August 30 2024;
 - Remaining Ballam Park Playground works by March 2024;
 - Kananook Commuter Car Park Facility by August 2024;
 - Ballam Park Athletics Track Pavillion by September 2024;
 - Ballam Park Lake Precinct by August 2024;
 - Frankston Basketball Stadium Award of Tender by September 2024;
 - Arts Centre Forecourt Upgrade works to be physically underway by July 2024; and
 - That Stage 1 of the Nepean Highway Boulevard Tree Planting is to be physically underway by August 2024

Where these timetables are not to be achieved, Council considers this to be unacceptable and is therefore to be notified of the formal failure to respect this resolution.

Chairperson’s initials

Procedural Motion

Moved: Councillor Asker

Seconded: Councillor Liam Hughes

That Motion to be put.

Carried Unanimously

That Motion was put and Carried.

For the Motion: Crs Asker, Bolam, Conroy, Hill and Tayler (5)

Against the Motion: Crs Baker and Liam Hughes (2)

Abstain: Cr Harvey (1)

Councillor Suzette Tayler left the chamber at 9.31 pm.

12.3 Frankston City Council April to June 2023 Economic Scorecard

(TB Communities)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

1. Receives the Frankston City Council Economic Scorecard for the April to June 2023 period; and
2. Notes that Frankston City’s economic growth continues with an overall increase of \$47M this quarter, including an increase in night-time spending and a decrease in the unemployment rate. Sixty-nine enquiries were received by the Business Concierge this quarter.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.

12.4 Frankston Arts Advisory Committee - Minutes 15 August 2023

(TR Customer Innovation and Arts)

Recommendation (Director Customer Innovation and Arts)

That Council;

1. Receives the Minutes of the Frankston Arts Advisory Committee meeting held on 15 August 2023;
2. Notes that the lease agreement with McClelland Gallery and Sculpture Park for Reflective Lullaby ends in October 2023. A replacement sculpture was unable to be negotiated with McClelland, therefore, the plinth will remain without a sculpture until a piece can be commissioned in 2024/2025;
3. Notes the mural concepts commissioned by Building Infrastructure Department to be painted on the water tanks at Jubilee Park; and
4. Notes Frankston's inclusion in a newly released book - ***Silo Art Australia's Outdoor Art Revolution***. Frankston's inclusion in the book acknowledges the significant impact that street art is having on the city and its influence on attracting visitation and elevating the creativity of the city.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Asker

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee meeting held on 15 August 2023;
2. Notes that the lease agreement with McClelland Gallery and Sculpture Park for Reflective Lullaby ends in October 2023. A replacement sculpture was unable to be negotiated with McClelland, therefore, the plinth will remain without a sculpture until a piece can be commissioned in 2024/2025;
3. Notes the mural concepts commissioned by Building Infrastructure Department to be painted on the water tanks at Jubilee Park;
4. Notes Frankston's inclusion in a newly released book - ***Silo Art Australia's Outdoor Art Revolution***. Frankston's inclusion in the book acknowledges the significant impact that street art is having on the city and its influence on attracting visitation and elevating the creativity of the city;
5. a) Resolves that mosaic work at Frankston North, as contained in the minutes of the last Art's Advisory Committee, is to either be fully repaired and modernised or decommissioned. Where it is to be decommissioned, the wall is to receive a high-quality mural piece (akin to 'Big Picture' quality) in the place of the former mosaic works. This is to be funded from efficiencies achieved by not proceeding with a new sculpture purchase for the Ballam Park Water Precinct; and

b) Resolves that repair or mural installation is to occur by March 2024
6. That funding for the \$80K Ballam Park Sculpture (with the exception of the movement of the sculpture from the Library Forecourt to Ballam Park and associated lighting/plinth/landscaping at Ballam Park for this sculpture) is not to be utilised until/unless determined by Council; and
7. That Councillors are to be briefed on options for the alternative use of the earmarked Ballam Park sculpture. This is to occur before a resolution on the use of this funding

Chairperson's initials.....

is determined.

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler (7)

Against the Motion: Cr Liam Hughes (1)

Chairperson's initials

12.5 Adoption of Asset Management Policy

(LU Infrastructure and Operations)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

1. Notes the Draft Asset Management Policy (2023) was publicly exhibited for a period of four (4) weeks with seven (7) responses received;
2. Notes the community feedback was considered and minor administrative amendments were incorporated into the Asset Management Policy (2023);
3. Adopts the updated Asset Management Policy (2023); and
4. Publishes the Asset Management Policy (2023) on Council’s website.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.

12.8 Annual Volunteer Awards Nominations*(TB Communities)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Hill**

That Council:

1. Approves the independent Community Panel's recommendations for the 2023 Annual Volunteer Awards winners within the nominee categories: Service, Leadership Initiative, Youth, Teamwork, and Community Organisation (as noted in the confidential Attachment A) noting that the Innovation category has been replaced with the category of Youth;
2. Awards a \$1,000 monetary prize to the winning recipient of the Community Organisation award;
3. Resolves that the attachment A be retained confidential until the announcement of the award recipients after the Awards Ceremony on 9 November 2023 on the grounds that it includes personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (Local Government Act 2020, s.3(1)(f) and
4. Resolves Attachment B (Nomination Assessment) be retained as confidential indefinitely on the grounds that it includes personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (Local Government Act 2020, s.3(1)(f). These grounds apply because the information concerns information about the nominees and the persons who nominated them, who have not consented to their information being disclosed. Release of this information might undermine public confidence and make people reluctant to submit nominations in the future, which would compromise Council's ability to run similar awards programs in the future.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

12.9 Award of Contract CN11126 - Architecture Services Panel*(VG Infrastructure and Operations)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Hill**

That Council:

1. Appoints the following Architectural Practices to CN11126 – Architecture Services Panel for an initial three (3) year term with a provision of three (3) further two (2) year terms at Council’s sole discretion:
 - Architecture Matters Pty Ltd ATF The Gionfriddo and Quigley Unit Trust, ABN 38 213 895 383
 - Bickerton Masters Architecture Pty Ltd, ABN 30 109 225 149
 - Centrum Architects Pty Ltd, ABN 40 065 422 835
 - Cohen Leigh Architects Pty Ltd, ABN 83 106 604 648
 - Content Studio Pty Ltd, ABN 80 130 984 468
 - Croxon Ramsay Pty Ltd, ABN 12 115 304 928
 - Dock4 Pty Ltd ATF Dock4 Trust, ABN 62 988 287 460
 - dwp Australia Pty Ltd, ABN 37 169 328 018
 - Greenway Hirst Page Pty Ltd, ABN 33 006 574 241
 - Gresley Abas Pty Ltd, ABN 46 109 290 842
 - Group GSA Pty Ltd, ABN 76 002 113 779
 - H2O Architects Pty Ltd, ABN 63 088 273 929
 - Hames Sharley (Vic) Pty Ltd, ABN 84 006 134 229
 - Haskell Architects Pty Ltd, ABN 55 099 347 350
 - James O. Millar Pty Ltd, ABN 59 007 406 206
 - K20.AU Pty Ltd, ABN 49 101 332 503
 - Katz Architecture Pty Ltd, ABN 92 101 078 415
 - Mantric Architecture Pty Ltd, ABN 47 106 972 696
 - Mode Design Corp. Pty Ltd, ABN 65 112 807 931
 - N2SH Pty Ltd, ABN 20 606 603 196
 - Plus Architecture Pty Ltd, ABN 400 916 903 36
 - Studio106 Architecture Pty Ltd, ABN 25 632 561 230
 - Taylors Development Strategists Pty Ltd, ABN 80 128 948 523
 - Workshop Architecture Pty Ltd ATF Workshop Architecture Unit Trust, ABN 27 308 835 213
 - Williams Ross Architects Pty Ltd, ABN 96 005 624 868
 - Young Lehmann & Co Pty Ltd (Y2Architecture), ABN 94 004 941 155
2. Notes that this is a Schedule of Rates contract(s). The award of any contract for works procured via this panel will be approved in accordance with the provisions set out in the relevant Instrument(s) of Delegation;
3. Authorises the Chief Executive Officer to execute the contract(s);
4. Authorises the Chief Executive Officer to approve any contract variations;
5. Authorises the Director Infrastructure and Operations to approve the extensions of the contract(s) subject to the satisfactory performance of the contractor(s); and
6. Resolves that Attachment A to this report be retained confidential on the grounds that 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, pursuant to the *Local Government Act 2020 s3(1)(g)*.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson’s initials

13. RESPONSE TO NOTICES OF MOTION**13.1 Response to 2022/NOM8 - Outreach Support Service***(TB Communities)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Baker**

That Council:

1. Notes the information provided in this report on the current provision of outreach support services for people experiencing homelessness in Frankston City;
2. Notes implementation of the recommendation proposed in 2022/NOM8 would have significant budget implications and a comparable service is currently being funded by State Government to operate within the municipality;
3. Resolves to deliver a 12-month pilot project, subject to appropriate agreement/s in place, to engage a student social worker to operate from Frankston City Libraries. This student social worker will promote awareness of the existing support services designed to assist residents and facilitate referrals to these services across the municipality through a range of agencies.
4. Resolves to deliver a 12-month pilot project (subject to 2023-24 mid-year budget review) to provide a program of free training for volunteers supporting community groups, charities and not-for-profit organisations providing homelessness support and emergency relief to meet identified unmet training needs;
5. Refers the funding of \$16,000 towards the 2023-24 mid-year budget process for further consideration to enable delivery of the recommendations mentioned at Point 4 of this resolution; and
6. Receives a report at the end of the 12-month periods referred to in Points 3 and 4 of this resolution, reviewing the pilot programs.

Carried Unanimously

13.2 Response to 2023/NOM3 - Hall of Fame Revival

(FM Customer Innovation and Arts)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

1. Notes the Hall of Fame (HoF) was a bi-annual red tie event, which ran from 2008 to 2010;
2. Notes that in May 2011, Council resolved not to further conduct the HoF due to the diminishing pool of inductees;
3. Notes that the Citizen of the Year program was refreshed in 2022 to deliver similar intent to that of HoF; and
4. Resolves not to resume HoF as an event on the basis of diminishing value and additional financial investment.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.

14. NOTICES OF MOTION

14.1 2023/NOM5 - Commitment to consultation on level-crossing removal works

(SB Customer Innovation and Arts)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council formally writes to both the Victorian Government and Level Crossing Removal Project (LXRP), seeking a commitment to consult with both Frankston City Council and the local Seaford community regarding proposed level-crossing removal works due to occur at both Armstrongs Road and Station Street, Seaford.

Council is to note the following in its correspondence given the current project scope uncertainty:

- The sensitivities of any built-form development at both sites, noting past concerns relating to the Kananook Stabling Yard;
- The timetable for construction / delivery, and what replacement services (if any) will be required;
- The sensitivities of any vegetation removal at both sites, noting the loss of vegetation and tree canopy which occurred with the Seaford Road level-crossing removal project;
- The inclusion of high-quality public art at the Station Street site as has occurred at other prominent railway station / level-crossing removal projects along the Frankston line. The letter is to note the success of the Frankston City Council Arts Advisory Committee in the selection and placement of high-quality art throughout the municipality - such as the 'Beacon' on Nepean Highway / Eel Race Road - and request that this Committee be consulted on any potential public art options;
- The realignment of the existing shared user path to alleviate current concerns with its operation as it passes the Seaford RSL and Seaford War Memorial, address safety concerns as it crosses Station Street;
- The future of the Seaford RSL facility adjacent to the Seaford Railway Station and the Seaford Scouts facility located in the Seaford Railway Station car park (refurbishment, re-location etc.);
- The future of the Seaford Substation facility adjacent to the Seaford Railway Station (repurpose, beautify and refurbish or removal); and
- Aligned with improvements to amenities nearby other level-crossing removal sites throughout Victoria, whether there is scope for much-needed improvements to the Seaford War Memorial site that borders the proposed level-crossing removal site at Station Street and the Nepean Highway / Armstrongs Road public toilet which is within proximity to the level-crossing removal works at Armstrongs Road.

Council is to conclude this correspondence by acknowledging the need for level-crossing solutions at both sites and affirms its preparedness to working with the State Government and LXRA on positive outcomes for the Seaford community that encapsulate the aforementioned observations.

Carried Unanimously

Chairperson's initials

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

17. CONFIDENTIAL ITEMS

Nil reports

The meeting was closed to the public at 9.44 pm

CONFIRMED THIS

DAY OF

2023

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Nathan Conroy, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday, 11 September 2023, confirmed on 2 October 2023.

.....
(Cr. Nathan Conroy, Chairperson – Council Meeting)

Dated this

day of

2023

Chairperson's initials