



FRANKSTON CITY
COUNCIL

**Special Meeting
(Statutory)**

A G E N D A

9 November 2017



COUNCIL CHAMBERS

Dennis Hovenden Chief Executive Officer		Tim Frederico Director Corporate Development
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Council Core
Business Support
Coordinator

Cr. McCormack

Cr. Mayer

Cr. Aitken

Cr. Hampton

Cr Bolam

Cr. O'Reilly

EMT

EMT

Cr. O'Connor

Cr. Toms

MEDIA

MEDIA

Cr. Cunial

Gallery



THE COUNCIL MEETING

Welcome to this Meeting of the Frankston City Council

The Council appreciates residents, ratepayers and other visitors taking their places in the Public Gallery, as attendance demonstrates an interest in your Council and community affairs. Community spirit is encouraged.

This information sheet is designed to help you to understand the procedures of Council and help you to gain maximum value from your attendance.

The law regarding the conduct of Council meetings enables the public to observe the session. However, to ensure the manageability of Council meetings, opportunities for public participation are limited to Question Time and registered submissions in accordance with Council's guidelines, which are available from Council's CEO Office (call 9768 1632) and on our website, www.frankston.vic.gov.au. It is not possible for any visitor to participate in any Council debate unless specifically requested by the Chairperson to do so.

If you would like to have contact with Councillors or Officers, arrangements can be made for you to do so separately to the meeting. Call Frankston City Council on 9768 1632 and ask for the person you would like to meet with, to arrange a time of mutual convenience.

When are they held?

Generally speaking, the Council meets formally every three (3) weeks on a Monday and meetings start at 7.00 pm, unless advertised otherwise.

Council meeting dates are posted in the Davey Street and Young Street entrances to the Civic Centre (upper level) and also on our website, www.frankston.vic.gov.au.

Governance Local Law No. 1 – Meeting Procedure

34. Chair's Duty

Any motion which is determined by the Chair to be:

- (1) *defamatory of or embarrassing to any Councillor, member of Council staff or other person;*
- (2) *abusive or objectionable in language or nature;*
- (3) *a direct negative of the question before the Chair;*
- (4) *vague or unclear in intention;*
- (5) *outside the powers of Council; or*
- (6) *irrelevant to the item of business on the agenda and has not been admitted as Urgent Business, or purports to be an amendment but is not,*

must not be accepted by the Chair.

88. Chair May Remove

- (1) *The Chair may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction, or cause the removal of any object or material that is deemed by the Chair as being objectionable or disrespectful.*
- (2) *Any person removed from the meeting under sub-clause 0 must not return to the meeting without the approval of the Chair or Council.*

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.

The Penalty for an offence under this clause is 2 penalty units which is \$200

The Formal (Ordinary) Meeting Agenda

The Council meeting agenda is available for public inspection immediately after it is prepared, which is normally on the Thursday afternoon five days before the meeting. It is available from the Reception desk at the Civic Centre (upper level), on our website www.frankston.vic.gov.au or a copy is also available for you in the chamber before the meeting.

The following information is a summary of the agenda and what each section means:-

· **Items Brought Forward**

These are items for discussion that have been requested to be brought forward by a person, or a group of people, who have a particular item on the Agenda and who are present in the Public Gallery. Before the start of the meeting, an Officer will ask those in the Public Gallery whether they wish a matter to be considered early in the meeting.

· **Presentation of Written Questions from the Gallery**

Question Time forms are available from the Civic Centre and our website, www.frankston.vic.gov.au. Questions may also be submitted online using the Question Time web form. "Questions on notice" are to be submitted and received by Council before 12 noon on the Friday before the relevant Ordinary Meeting.

"Questions without notice" may be submitted in the designated Question Time box in the public gallery on the evening of the meeting, just prior to its commencement. Forms are available in the Council Chamber.

A maximum of 3 questions may be submitted by any one person at one meeting. There is no opportunity to enter into debate from the Gallery.

More detailed information about the procedures for Question Time is available from Council's CEO Office (call 9768 1632) and on our website, www.frankston.vic.gov.au.

· **Presentation of Petitions and Joint Letters**

These are formal requests to the Council, signed by a number of people and drawing attention to matters of concern to the petitioners and seeking remedial action from the Council. Petitions received by Councillors and presented to a Council meeting are usually noted at the meeting, then a report is prepared for consideration at the next meeting.

· **Presentation of Reports**

Matters requiring a Council decision are dealt with through officer reports brought before the Council for consideration. When dealing with each item, as with all formal meeting procedures, one Councillor will propose a motion and another Councillor will second the motion before a vote is taken.

· **Presentation of Delegate Reports**

A Councillor or member of Council staff who is a delegate may present to Council on the deliberations of the external body, association, group or working party in respect of which he or she is a delegate or an attendee at a Council approved conference / seminar.

· **Urgent Business**

These are matters that Councillors believe require attention and action by Council. Before an item can be discussed, there must be a decision, supported by the majority of Councillors present, for the matter to be admitted as "Urgent Business".

· **Closed Meetings**

Because of the sensitive nature of some matters, such as personnel issues or possible legal action, these matters are dealt with confidentially at the end of the meeting.

· **Opportunity to address Council**

Any person who wishes to address Council must pre-register their intention to speak before 4.00pm on the day of the meeting, by telephoning Council's CEO Office (call 9768 1632) or by submitting the online web form or by using the application form both available on the website, www.frankston.vic.gov.au.

The submissions process is conducted in accordance with guidelines which are available from Council's CEO Office and on our website. All submissions will be limited to 3 minutes in duration, except for Section 223 submitters, who have a maximum of 5 minutes. No more than ten (10) members of the public are to be permitted to address the Council. Further speakers will be permitted to address the meeting at the discretion of the Chair. All speakers need to advise if they are speaking on behalf of an organisation and it is deemed that they have been appropriately authorised by that said organisation.

Public submissions and any subsequent discussion will be recorded as part of the meeting, and audio recordings of Council meetings are made available to members of the public upon request. If a submitter does not wish to be recorded, they must advise the Chair at the commencement of their public submission.

Disclosure of Conflict of Interest

If a Councillor considers that they have, or might reasonably be perceived to have, a direct or indirect interest in a matter before the Council or a special committee of Council, they will declare their interest and clearly state its nature before the matter is considered. This will be done on every occasion that the matter is considered by the Council or special committee.

If a Councillor has an interest in a matter they will comply with the requirements of the Local Government Act, which may require that they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter.

If a Councillor does not intend to be at the meeting, he or she will disclose the nature of the interest to the Chief Executive Officer, Mayor or Chairperson prior to the meeting commencing.

Agenda Themes

The Council Agenda is divided into three (3) themes which depict the Council Plan's Strategic Objectives, as follows:

1. Planned City for Future Growth.
2. Liveable City.
3. Sustainable City.

MAYOR



NOTICE PAPER

ALL COUNCILLORS

NOTICE is hereby given that a Special Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 9 November 2017 at 7.00 pm.

COUNCILLOR 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 in the debate or vote on the issue.

OPENING WITH PRAYER

Almighty God, we ask for your blessing upon this Council. Direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of Frankston City. Amen.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We respectfully acknowledge that we are situated on the traditional land of the Boon Wurrung and Bunurong in this special place now known by its European name, Frankston. We recognise the contribution of all Aboriginal and Torres Strait Islander people to our community in the past, present and into the future.

BUSINESS**1. APOLOGIES**

Nil

2. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST**3. CONSIDERATION OF REPORTS OF OFFICERS**

- 3.1 Appointment of Temporary Chairperson for the Meeting2
- 3.2 Recognition and Appreciation of services given to the Community by the Mayor for Mayoral Term.....3
- 3.3 Recognition and Appreciation of services given to the Community by the Deputy Mayor for Previous Term4
- 3.4 Election and Installation of Mayor for the Ensuing Year5
- 3.5 Election of Deputy Mayor.....8
- 3.6 Delegates to External/Internal Organisations9
- 3.7 Adoption of Proposed Council Meeting Dates 11
- 3.8 Nomination of Newspapers for Publication of Public Notices for remainder of Council term 15

Dennis Hovenden

CHIEF EXECUTIVE OFFICER

3/11/2017

Report for Information**3.1 Appointment of Temporary Chairperson for the Meeting**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To appoint a temporary Chairperson for the meeting.

Recommendation (Chief Executive Office)

That Cr xx be the temporary Chairperson for the meeting.

The Chief Executive Officer to declare the Special Meeting open and invite nominations for the election of a temporary chairperson.

ATTACHMENTS

Nil

Report for Information**3.2 Recognition and Appreciation of services given to the Community by the Mayor for Mayoral Term**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To recognise and appreciate the services given to the community by the Mayor.

Recommendation (Chief Executive Office)

That a letter under seal be presented to Cr Brian Cunial in recognition of his service to the Frankston Community during the previous term.

Cr Cunial to speak

ATTACHMENTS

Nil

Report for Information**3.3 Recognition and Appreciation of services given to the Community by the Deputy Mayor for Previous Term**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To recognise and appreciate the services given to the community by the Deputy Mayor.

Recommendation (Chief Executive Office)

That a letter under seal be presented to Cr Steve Toms in recognition of his service to the Frankston Community during the previous term.

Cr Toms to speak

ATTACHMENTS

Nil

Report for Information**3.4 Election and Installation of Mayor for the Ensuing Year**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To elect a Mayor for the 2017/2018 year. .

Recommendation (Chief Executive Office)

That Cr xx be nominated for the Office of Mayor.

The Chairperson asks the nominee, "Do you accept the nomination?"

Cr. Xx (the Nominee) "I accept the nomination"

The Governance Local Law provides:7. *Election of the Mayor*

- (1) *A meeting to elect the Mayor must be held:*
 - (a) *as soon as practicable after the declaration of the results of a general election of Councillors;*
 - (b) *as soon as practicable after the fourth Saturday in October, in years between general elections of Councillors; and*
 - (c) *as soon as practicable after the office of Mayor otherwise becomes vacant.*
- (2) *A temporary Chair must be elected to facilitate the election of the Mayor in accordance with the provisions of this Local Law and the Act.*

8. *Method of Voting*

The election of the Mayor must be carried out by a show of hands.

9. *Determining the election of the Mayor*

- (1) *The temporary Chair must open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.*
- (2) *Any nomination for the office of Mayor must be seconded.*
- (3) *Once nominations for the office of Mayor have been received and those nominated have accepted their nomination, the following provisions will govern the election of the Mayor:*
 - (a) *if there is only one nomination, the candidate nominated is deemed to be elected;*
 - (b) *if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;*

4.4 Election and Installation of Mayor for the Ensuing Year**Report for Information**

- (c) *in the event of a candidate receiving an absolute majority of the votes, the candidate is declared to have been elected;*
- (d) *in the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;*
- (e) *if one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;*
- (f) *in the event of two or more candidates have an equality of votes and one of them having to be declared:*
 - (i) *a defeated candidate; and*
 - (ii) *duly elected**the declaration will be determined by lot.*
- (g) *if a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:*
 - (i) *each candidate will draw one lot;*
 - (ii) *the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes, except that if two or more such Councillors surnames are identical, the order will be determined by the alphabetical order of the Councillors first names; and*
 - (iii) *as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).*

Note: The election should be confined to the acceptance of nominations and no discussion or debate should be permitted.

4.4 Election and Installation of Mayor for the Ensuing Year

Report for Information

- A. Former Mayor to assist the Mayor with Cloaking
- B. Councillors and Chief Executive Officer to be invited to congratulate the Mayor
- C. Mayor to respond and outline intentions for the Mayoral term.

ATTACHMENTS

Nil

Report for Information**3.5 Election of Deputy Mayor**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To elect a Deputy Mayor for the 2017/2018 year.

Recommendation (Chief Executive Office)

That Cr xx be nominated for the Office of Deputy Mayor.

The Mayor asks the nominee, "Do you accept the nomination?"

Cr xx (the Nominee) "I accept the nomination"

The Governance Local Law provides:**10. Election of Deputy Mayor and Chairs**

- (1) *At a meeting to elect the Mayor, Council may determine to elect a Deputy Mayor.*
- (2) *Any election for:*
 - (a) *the office of Deputy Mayor; or*
 - (b) *temporary Chair, in cases where a temporary Chair needs to be elected under Clause 11*

will be regulated by Clauses 7-9 (inclusive) of this Local law, as if, in the case of any election for Deputy Mayor, the reference to the:

- (c) *temporary Chair is a reference to the Mayor; and*
- (d) *Mayor is a reference to the Deputy Mayor.*

ATTACHMENTS

Nil

Report for Information**3.6 Delegates to External/Internal Organisations**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To appoint Councillors as delegate(s) to external and internal committees.

Recommendation (Chief Executive Office)

- A. That the following appointments to external organisations be made:
1. Cr xx and an officer be appointed as the delegates to the Association of Bayside Municipalities.
 2. The Mayor and Cr xx be appointed as the delegates to the Australian Local Government Women's Association.
 3. The Mayor and Cr xx be appointed as the delegates to the Frankston Charitable Fund Committee of Management.
 4. The Mayor be nominated as Council's representative to the Peninsula Leisure Pty Ltd Board.
 5. The Mayor be appointed as the delegate to the Municipal Association of Victoria and Cr xx be appointed as the substitute delegate.
 6. Cr xx and Cr xx be appointed as the delegates to the Metropolitan Waste Management Forum.
 7. The Mayor be appointed as the delegate to the South East Melbourne Group.
 8. Cr xx be appointed as the delegate to the Western Port Biosphere Reserve Foundation Ltd.
 9. Cr xx, Cr xx and Cr xx be appointed as the delegates to the Youth Advisory Council.
- B. That the following appointments to internal committees be made:
1. The Mayor and Cr xx be appointed as the delegates to the Audit Committee.
 2. That Cr xx, Cr xx and Cr xx be appointed as the delegate to the Advocacy Sub-Committee.
 3. That Cr xx, Cr xx and Cr xx be appointed as the delegate to the Ballam Park Homestead Advisory Committee.
 4. All Councillors be appointed as the delegates to the Chief Executive Officer's Performance Review Committee.
 5. Cr xx, Cr xx and Cr xx be appointed as the delegates to the Code of Conduct Sub-Committee (Dispute Resolution).
 6. Cr xx and Cr xx be appointed as the delegates to the Community Grants Committee of Management.
 7. Cr xx be appointed as the delegate to the Safety Consultative Committee.

4.6 Delegates to External/Internal Organisations**Report for Information**

8. Cr xx and Cr xx be appointed as the delegates, and Cr xx as the substitute delegate to the Frankston Arts Centre Board of Management
 9. Cr xx, Cr xx and Cr xx be appointed as the delegates to the Frankston Cemetery Trust.
 10. The Mayor, Cr xx and Cr xx be appointed as the delegates to the Frankston City News Committee.
 11. Cr xx be appointed to the Golf Liaison Committee.
 12. Cr xx be appointed as the delegate to the Soccer Liaison Committee.
 13. Cr xx, Cr xx and Cr xx be appointed as the delegate to the Urban Design Advisory Committee.
- C. That as far as practicable and after negotiation with the Councillor or Councillors involved, the meeting times and dates for Committees, where a Councillor or Councillors are delegates, be arranged having regard to the availability of all participants including Councillor(s).

A. External Delegates

Council participates in a number of industry organisations servicing various Council interests and it is anticipated that Council would appoint a delegate to each of the following organisations.

B. Internal Committees

Councillors are members of the following Council convened committees.

ATTACHMENTS

Nil

Executive Summary

3.7 Adoption of Proposed Council Meeting Dates

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To adopt Council meeting dates for the coming 12 months.

Recommendation (Chief Executive Office)

That:

1. Council sets the following meeting dates for the coming 12 months:
 - A. Ordinary Meetings, to commence at 7.00pm:
 - Monday 20 November 2017
 - Monday 11 December 2017
 - Monday 29 January 2018
 - Monday 19 February 2018
 - Tuesday 13 March 2018
 - Tuesday 3 April 2018
 - Monday 23 April 2018
 - Monday 14 May 2018
 - Monday 4 June 2018
 - Monday 2 July 2018
 - Monday 23 July 2018
 - Monday 13 August 2018
 - Monday 10 September 2018
 - Monday 1 October 2018
 - Monday 22 October 2018
 - Monday 19 November 2018
 - Monday 10 December 2018
 - B. Special Meetings, to commence at 7.00pm:
 - Statutory Meeting – Thursday 8 November 2018.
2. Both planning and ordinary matters may continue to be presented for Council's consideration at the three-weekly ordinary meetings.
3. It is noted that additional special meetings may be called in accordance with the procedure set out in Council's Governance Local Law, where required.
4. The meeting dates set out in item 1 be advertised by way of public notice, and on Council's website.

4.7 Adoption of Proposed Council Meeting Dates**Executive Summary****Key Points / Issues**

- The current three weekly ordinary meeting cycle has been in operation since March 2014.
- The cycle was implemented to provide Councillors with the opportunity to give input and provide ideas for inclusion into reports that are listed for the forthcoming meeting.
- The cycle has provided Councillors with the opportunity to review and discuss reports and officer recommendations, in advance of the meeting, assisting Council in making well-informed decisions.
- The regular occurrence of Council meetings has also reduced the duration of meetings and the amount of items considered on each agenda, and has largely eliminated the need for late reports.
- It is proposed to continue with the three weekly ordinary meeting cycle, commencing from Monday 20 November 2017. Where there are public holidays, Council Meetings will be held on a Tuesday or moved out by a week i.e. due to Melbourne Cup.
- The Special (Statutory) Meeting to elect a new Mayor and Deputy Mayor is scheduled to be held on Thursday, 8 November 2018.

Financial Impact

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

Consultation**1. External Stakeholders**

No external stakeholders have been consulted.

2. Other Stakeholders

The Chief Executive Officer and Director Corporate Development have been consulted.

Analysis (Environmental / Economic / Social Implications)

A well-structured meeting schedule assists in the orderly administration of projects that require Council decisions. Setting the meeting schedule in advance and publishing its details demonstrates transparency in decision making and assists members of the public who wish to attend meetings.

4.7 Adoption of Proposed Council Meeting Dates**Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report; it is considered that the report is consistent with the Charter.

Legal

Under section 89 of the *Local Government Act 1989*, Council has an obligation to consider general business at ordinary and special meetings which are open to the public. Council must provide the public with sufficient notice of meeting dates (at least seven days prior, where practicable). By Council resolution, meetings may be closed to the public to consider confidential matters which meet the criteria outlined in the Act.

Policy Impacts

There are no policies that impact the decision of this report.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no conflict of interest in this matter.

Risk Mitigation

There are no identified risk issues for Council.

Conclusion

It is recommended that Council continues with the three weekly ordinary meeting cycle, for the consideration of both general and planning matters.

ATTACHMENTS

Attachment A: Proposed Council Meeting Schedule for remainder of 2017 and the 2018 calendar year

Proposed Council Meeting Schedule – 2017/2018

Meeting Type	Meeting Date:	Commencement Time
Ordinary	Monday 20 November 2017	7.00 pm
Ordinary	Monday 11 December 2017	7.00 pm
Ordinary	Monday 29 January 2018	7.00pm
Ordinary	Monday 19 February 2018	7.00pm
Ordinary	Tuesday 13 March 2018	7.00pm
Ordinary	Tuesday 3 April 2018	7.00pm
Ordinary	Monday 23 April 2018	7.00pm
Ordinary	Monday 14 May 2018	7.00pm
Ordinary	Monday 4 June 2018	7.00pm
Ordinary	Monday 2 July 2018	7.00pm
Ordinary	Monday 23 July 2018	7.00pm
Ordinary	Monday 13 August 2018	7.00pm
Ordinary	Monday 10 September 2018	7.00pm
Ordinary	Monday 1 October 2018	7.00pm
Ordinary	Monday 22 October 2018	7.00pm
Special (Statutory Meeting)	Thursday 8 November 2018	7.00pm
Ordinary	Monday 19 November 2018	7.00pm
Ordinary	Monday 10 December 2018	7.00pm

Report for Information**3.8 Nomination of Newspapers for Publication of Public Notices for remainder of Council term**

Enquiries: (Michelle Tipton: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To nominate the newspapers to be used for the publication of public notices for the remainder of the Council term.

Recommendation (Chief Executive Office)

1. For the purposes of giving public notice, Council nominates the *Frankston Standard Leader* as the primary newspaper to be used for public notices, except where paragraph 2 applies.
2. In urgent circumstances where the copy deadline for publication of a notice in the *Frankston Standard Leader* cannot be met, and publication of the notice cannot reasonably be deferred until the following week, Council nominates *The Age* as the alternative newspaper to be used for public notices.
3. Where public notice is given in *The Age* in accordance with paragraph 2, a corresponding notice will also be published in the next edition of the *Frankston Standard Leader*, and on Council's website. Any statutory time frame associated with the giving of public notice will commence from the date on which the notice is published in *The Age*.
4. This resolution in relation to Council's choice of newspaper will be effective until the end of the current Council term, unless earlier revoked or replaced by a new resolution.

Report

Public notice is defined in s.3 of the *Local Government Act 1989* as:

"A notice published in a newspaper generally circulating in the municipal district of the Council chosen for the purpose by:

- (a) if the notice is required to be given by the Council, the Council."*

Council currently uses the *Frankston Standard Leader* for publication of general public notices, and it is recommended that this practice continues.

The *Frankston Standard Leader* is published and distributed weekly on a Monday, and copy for publication is due by the afternoon of the preceding Wednesday. On occasions the timelines associated with a weekly publication present problems in terms of compliance with statutory timelines, and accordingly it is recommended that Council officially nominates a second newspaper with a quicker publication turnaround, i.e. a daily newspaper.

ATTACHMENTS

Nil