



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 25 SEPTEMBER 2017 at 7PM**

PRESENT	Cr. Brian Cunial (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Colin Hampton Cr. Michael O'Reilly Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Dr. Gillian Kay, Director Communities Development Mr. Brad Hurren, Acting Director Community Assets Mr. Russell Joiner, Manager Human Resources Mr. Michael Papageorgiou, Manager Planning & Environment Mr. Bryon Douglas, Acting Manager Community Strengthening Ms. Kristin Thomson, Communications Officer Media Ms. Michelle Tipton, Coordinator Council Business Support
EXTERNAL REPRESENTATIVES:	Nil


COUNCILLOR STATEMENT

Councillor O'Reilly 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."

Chairperson's initials 

PRAYER

The Mayor, Councillor Cunial read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor McCormack acknowledged the Boon Wurrung and Bunurong peoples – the traditional custodians of the land on which we stand and recognised all Aboriginal and Torres Strait Islander peoples who have given to Australia’s identity – from the past, into the present and for the future.

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1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM306 held on 4 September 2017.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor O'Connor

That the minutes of the Ordinary Meeting No. OM306 held on 4 September 2017 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Nil

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Cr McCormack declared an interest in Item 12.11: Councillor Training. Cr McCormack made a prior declaration to the Chief Executive Officer and therefore will leave the chamber during discussion and voting.

Cr Bolam declared an interest in Item 12.11: Councillor Training. Cr Bolam made a prior declaration to the Chief Executive Officer and therefore will leave the chamber during discussion and voting.

The Chief Executive Officer declared an interest in Item 14.1: NOM 1369 - Chief Executive Officer Credit Card and therefore will leave the chamber during discussion and voting.

5. PUBLIC QUESTION TIME

One (1) person submitted two questions With Notice to Council. The question and answer are contained in Appendix.

One (1) person submitted three questions Without Notice to Council. The questions and answers will be responded to in writing within seven (7) days.

At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery.

The Mayor acknowledged former Councillors, Judy Wachendorfer and Brad Hill are present in the Gallery.

6. HEARING OF PUBLIC SUBMISSIONS

The Mayor acknowledged former Councillor, James Dooley is present in the Gallery.

Mr. Paul Davies made a submission to Council regarding Item 12.8: Beckwith Grove Bridge Project Update;

Ms. Cheryl Saffron made a submission to Council regarding Item 12.8: Beckwith Grove Bridge Project Update;

Mr. Neil Hunter made a submission to Council regarding Item 12.8: Beckwith Grove Bridge Project Update;

Mr. Aaron Tenabel made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design;

Miss. Bailey Newham made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design;

Ms. Melissa Newham made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design;

Mr. John McGilivray made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design;

Ms. Bea Reddan made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design;

Ms. Joyce Stocker made a submission to Council regarding Item 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design.

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Aitken

Seconded: Councillor McCormack

That Items 12.3: Consolidated Financial Report and Performance Statement for the year ended 30 June 2017, 12.8: Beckwith Grove Project Update and 12.10: Centenary Park Multipurpose Sporting Pavilion Concept Design be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

ITEMS BROUGHT FORWARD**12.3 Consolidated Financial Report and Performance Statement for the year ended 30 June 2017**

(KJ Corporate Development)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. Council approves adoption, in principle, of the draft Financial Report and Performance Statement for the year ended 30 June, 2017;
2. The Mayor and Councillor Bolam (as Council nominated Audit and Risk Management Committee members) be authorised to certify the Consolidated Financial Report after agreement with Council's external auditors as to any changes that may need to be made and as considered appropriate;
3. The Mayor and Councillor Bolam (as Council nominated Audit and Risk Management Committee members) be authorised to certify the Performance Statement after agreement with Council's external auditors as to any changes that may need to be made and as considered appropriate.

Carried Unanimously

12.8 Beckwith Grove Bridge Project Update

(GK Community Development)

Recommendation (Director Community Development)

That Council:

1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.
2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.
3. Resolves to:
 - 3a Reconstruct the bridge as a prefabricated steel I beam bridge with disability access and with additional safety measures as recommended by the CPTED safety Audit
 - Or
 - 3b reconstruct the bridge as a prefabricated steel I beam bridge without disability access and with additional safety measures as recommended by the CPTED safety Audit
 - Or
 - 3c. Do not reconstruct the bridge

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Toms

That Council:

1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.
2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.
3. Resolves not to reconstruct the bridge.
4. Writes to all residents within immediate proximity to the former Beckwith Bridge explaining Council's recent decision. The letter is to explain why the Council has overturned the previous decision of Council on this matter – i.e. modern disability access requirements, escalating construction costs etc.
5. Instructs the CEO to install a checks and-balances process to prevent the expenditure of public monies on conceptual designs that do not take into account the full scope of required works (ie. disability access, public safety, statutory specifications etc). Upon the implementation of this new checks-and-balances process, the new procedure is to be articulated in a report to Council in January 2018.

Carried Unanimously

Chairperson's initials



12.10 Centenary Park Multipurpose Sporting Pavilion Concept Design

(CA Corporate Development)

Recommendation (Director Corporate Development)

That Council:

1. Supports option two – two storey tennis only facility - as the preferred concept design option for relocation of Frankston Tennis Club at Centenary Park to be taken forward to the next stage of detailed design.
2. Notes \$400K is available for the development of the detailed designs for Option 2 and authorises Council officers to proceed with approval of a further \$500K to complete this work.
3. Works with Bayside Gymnastics in 2017/18 to identify an alternative site for a regional gymnastics facility within the municipality.

Council Decision

Moved: Councillor McCormack

Seconded: Councillor Aitken

That:

1. Council completes further work in respect of Option 1 and Option 2, to enable the relocation of Frankston Tennis Club at Centenary Park, as well as the feasibility of establishing a regional gymnastics facility at this location.
2. Council notes \$400k is available for the development of the detailed designs for Options 1 and 2 and authorises Council officers to proceed with approval of a further \$500k to complete this work, including the feasibility of implementing Option 1 via a staged approach.
3. Council notes that the completion of the Centenary Park Multipurpose sporting Pavilion concept is contingent on securing funding from State and/or Federal Government.
4. In the event Centenary Park is not a feasible site to co-locate Bayside Gymnastics, Council commits to identify an alternative site for a regional gymnastics facility within the municipality.

Carried Unanimously

11. CONSIDERATION OF TOWN PLANNING REPORTS

- 11.1 Planning Permit Application 179/2017/P and 183/2017/P - 2/5 Nolan Street and 3/5 Nolan Street, Frankston 3199 - To end Section 173 Agreement AL533563N which affects Lot 2 of Plan of Subdivision 644828A (2/5 Nolan Street) and Lot 3 of Plan of Subdivision 644828A (3/5 Nolan Street).**

(MP Community Development)

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Bolam

That Council has given consideration to Section 178E(2)(a) and any other matters in Section 178B of the Planning and Environment Act 1987 in respect to Planning Applications 179/2017P and 183/2017/P and resolves to End Section 173 Agreement AL533563N which affects Lot 2 of Plan of Subdivision 644828A (2/5 Nolan Street) and Lot 3 of Plan of Subdivision 644828A (3/5 Nolan Street).

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Hampton

11.2 Town Planning Application 179/2017/P - To construct one (1) double storey dwelling over 7.0 metres in height on a lot less than 300 square metres - 2/5 Nolan Street, Frankston.

(MP Community Development)

Council Decision

Moved: Councillor Toms

Seconded: Councillor Mayer

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 179/2017/P for the construction of one (1) double storey dwelling over 7.0 metres in height on a lot less than 300 square metres at 2/5 Nolan Street, Frankston, subject to the following conditions:

Plans

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
 - (a) Shade devices provided to northern and western glazed areas in habitable rooms.
 - (b) The balcony setback a minimum of 2 metres from the side boundary, with plans annotated.
 - (c) Double garage converted to a double carport.
 - (d) Screening/obscure glazing to prevent overlooking from bedroom 2 window (east elevation) in accordance with Standard B22 of Clause 54 of the Frankston Planning Scheme.
 - (e) A free standing trellis extension along the western boundary in accordance with condition 14 of this permit.
 - (f) Landscaping plan in accordance with Condition 3.

No Alterations

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Landscaping

3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - (a) a survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed;
 - (b) buildings on neighbouring properties within three metres of the boundary;

- (c) the delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site;
- (d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
- (e) a range of plant types from ground covers to large shrubs and trees
- (f) landscaping and planting within all open areas of the site
- (g) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
- (h) A planting theme of a minimum 20 % indigenous and 40 % native within each plant group;
- (i) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.
- (j) the provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority;
 - a. one within the private open space of the dwelling one minimum mature height 5m
- (k) the provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements

Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

Prior to Occupation

- 4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Prior to Occupation

Drainage

- 5. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
- 6. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
- 7. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention and rainwater tanks.
 - Soil percolation

- Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
 - On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
8. Prior to occupation of the dwelling hereby permitted by this permit starts, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must be :-
- (a) Constructed to the satisfaction of the Responsible Authority;
 - (b) Properly formed to such levels that they can be used in accordance with the plans;
 - (c) Surfaced with an all-weather sealcoat; and
 - (d) Drained and maintained to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.
9. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.
- Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.
- All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

Urban Design

10. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
11. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
12. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
13. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
14. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the western boundary of the site to an height which is 1.7 metres above the finished floor level of the respective deck, to restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority

Satisfactorily Completed

15. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

16. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the issued date of this permit.

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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
 - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Hampton

11.3 Town Planning Application 183/2017/P - To construct one (1) double storey dwelling over 7.0 metres in height on a lot less than 300 square metres - 3/5 Nolan Street, Frankston.

(MP Community Development)

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Toms

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 183/2017/P for the construction of one (1) double storey dwelling over 7.0 metres in height on a lot less than 300 square metres at 3/5 Nolan Street, Frankston, subject to the following conditions:

Plans

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
 - (a) Shade devices provided to northern and western glazed areas in habitable rooms.
 - (b) Storage shed and clothes line relocated to the service area to the rear (north) of the dwelling.
 - (c) Double garage converted to a double carport.
 - (d) A free standing trellis extension along the western and northern boundary in accordance with condition 14 of this permit.
 - (e) Landscaping plan in accordance with Condition 3.

No Alterations

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Landscaping

3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - (a) A survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed;
 - (b) Buildings on neighbouring properties within three metres of the boundary;
 - (c) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site;

- (d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
- (e) A range of plant types from ground covers to large shrubs and trees
- (f) Landscaping and planting within all open areas of the site
- (g) Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
- (h) A planting theme of a minimum 20 % indigenous and 40 % native within each plant group;
- (i) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.
- (j) The provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority;
 - a. One within the private open space of the dwelling one minimum mature height 5m
- (k) The provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements

Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

Prior to Occupation

- 4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Prior to Occupation

Drainage

- 5. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
- 6. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
- 7. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention and rainwater tanks.
 - Soil percolation
 - Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc

- On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
8. Prior to occupation of the dwelling hereby permitted by this permit starts, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must be :-
- (a) Constructed to the satisfaction of the Responsible Authority;
 - (b) Properly formed to such levels that they can be used in accordance with the plans;
 - (c) Surfaced with an all-weather sealcoat; and
 - (d) Drained and maintained to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

9. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

Urban Design

10. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
11. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
12. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
13. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
14. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the western and northern boundary of the site (in the vicinity of the new dwelling) to an height which is 1.7 metres above the finished floor level of the respective deck, to restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

Satisfactorily Completed

15. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

16. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the issued date of this permit.

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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
 - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Hampton

11.4 Draft Frankston Housing Strategy 2017

(MP Community Development)

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

That Council:

1. Notes the findings and recommendations of the report.
2. Releases the draft Frankston Housing Strategy 2017 on public exhibition for 8 weeks consultation.

CarriedFor the Motion: Crs Bolam, Cunial, Hampton, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Aitken

11.5 EOI Process for Heritage Advisory Committee Candidates

(MP Community Development)

Council Decision**Moved: Councillor Aitken****Seconded: Councillor Toms**

That Council authorises officers to undertake an Expression of Interest process for suitably experienced candidates to join Council's Heritage Advisory Committee and expand the Committee's breadth of knowledge.

Carried Unanimously

11.6 July Town Planning Progress Report

(MP Community Development)

Council Decision**Moved: Councillor Aitken****Seconded: Councillor McCormack**

That Council receives and notes the July Town Planning Progress Report.

Carried Unanimously

11.7 August Town Planning Progress Report

(MP Community Development)

Council Decision**Moved: Councillor Toms****Seconded: Councillor O'Connor**

That Council receives and notes the August Town Planning Progress Report.

Carried Unanimously

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Hearing of Submitters - Proposed Renaming of a section of "Moorooduc Highway Service Lane" to "Susono Way"**

(MC Corporate Development)

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

That the information be received and a further report be presented to Council.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Hampton, Mayer, O'Connor, O'Reilly and Toms

Against the Motion: Nil

Abstained: Cr McCormack

12.2 Minutes of the Frankston Arts Board - 15 August 2017

(AM Community Development)

Council Decision**Moved: Councillor Mayer****Seconded: Councillor O'Connor**

That Council receives the Minutes of the Frankston Arts Board meeting of 15 August 2017.

Carried Unanimously

12.4 Frankston Community Plan 2017-2021

(LD Community Development)

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

That Council:

1. Notes that as a result of public consultation on the draft Frankston Community Plan 2017-2021 no changes are recommended.
2. Adopts the draft Frankston Community Plan 2017-2021.
3. Formally writes to submitters thanking them for their contribution as part of the public consultation on the draft Frankston Community Plan 2017-2021.

Carried Unanimously

12.5 Resolution Progress Report

(MC Corporate Development)

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

That Council notes that a report for NOM 1325 – Student Action Grants will be presented after a briefing of Councillors on the matter.

Carried Unanimously

12.6 Progress of Council Resolutions resulting from Notices of Motion*(MC Corporate Development)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor O'Connor**

That Council:

1. Receives the Notices of Motion Report as at 25 September 2017.
2. Notes that the following Notices of Motion be archived from the Notice of Motion Report:
 - NOM 1243 - Pedestrian Crossing Fletcher Road
 - NOM 1245 - Frankston Volunteer Coastguard
 - NOM 1249 - Police Station in Langwarrin or Frankston North
 - NOM 1300 - Reinstatement of Full Voting Rights for Frankston City Council
 - NOM 1322 - Peninsula Leisure Core Obligations
 - NOM 1351 - Notice of Rescission - Urgent Business - Independence of notice of Motion Process and Independent Costings
 - NOM 1362 - Refugee Welcome Banner

Carried Unanimously

12.7 Draft Frankston Biodiversity Policy

(MP Community Development)

Recommendation (Director Community Development)

That:

1. Council endorses the draft Frankston Biodiversity Policy for public exhibition of Policy for a period of 6 weeks.
2. A report to be submitted to Council reviewing all submissions received with a view to formal adoption of a revised Biodiversity Policy early in 2018.

Council Decision

Moved: Councillor McCormack

Seconded: Councillor Aitken

That the matter be deferred to the next Council Meeting.

Carried Unanimously

12.9 Community Proposed Mountain Bike Track - Frankston South

(GK Community Development)

Recommendation (Director Community Development)

That Council supports further exploration of the options to establish a local bike trail in Frankston South with a report to be presented by March 2018 recommending a longer term proposal for consideration.

Council Decision**Moved: Councillor McCormack****Seconded: Councillor Toms**

That Council supports further exploration of the option to establish a local bike trail at Overport Park with a report to be presented by March 2018 recommending a longer term proposal for consideration at this location.

Carried Unanimously

12.11 Councillor Training

(RJ Corporate Development)

Crs McCormack and Bolam left the Chamber at 8.56 pm due to a Conflict of Interest declared to the Chief Executive Officer prior to the meeting.

Recommendation (Director Community Development)

That:

1. Council notes the information provided and determines its position on supporting Councillors to attend the Municipal Association of Victoria (MAV) sponsored Australian Institute of Directors Company Directors' Course.
2. Council notes the clash of dates for the relevant courses this October, and recommends attendance at a course run in 2018.
3. That Council's allocation of Municipal Association of Victoria (MAV) Credit Points for 2017/2018 be allocated equally amongst Councillors for their use.
4. Should Council determine attendance at the course, Council nominates Councillor(s) Bolam and McCormack, to undertake the MAV sponsored Company Directors Course.
5. The funding shortfall (to be determined) be referred for inclusion in the mid year 2017/18 budget review.

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Aitken

That a further report be presented to Council at the 16 October 2017 Council Meeting regarding Councillor funding for training for the remainder of this term.

Carried Unanimously

Crs McCormack and Bolam returned to the Chamber at 8.59 pm

The Mayor adjourned the meeting at 8.59 pm

The meeting resumed at 9.07 pm

13. RESPONSE TO NOTICES OF MOTION

13.1 Response to NOMs 1252 & NOM 1265 - Cleanliness of the City

(LR Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes this report responds to NOM 1252 and 1265 including those additional resolutions added to the Ordinary Meeting 301 22 May 2017.
2. Endorses the trialled Model of Maintenance Standards for Open Space (in summary form) included at Attachment V as the optimal and most cost effective regime of maintenance.
3. Notes that Officer investigation and legal advice supports the Environmental Protection Act 1970 and General Local Law No. 8 effectively deals with litter and dumped rubbish and supports the issuing of Infringements and Notices to Comply to VicTrack.
4. Notes the current trial of increased service provision to manage abandoned shopping trolleys exceeds budget and EFT resource allocations. The projected cost to continue this increased service per annum is estimated to be \$133,099 for labour plus a one off cost of \$62,971 for vehicle use and \$14,180 for maintenance for the vehicle. It should be further noted that officers make every effort to meet agreed service levels and budget adopted as part of the annual budget approval process. Council may resolve to either:
 - 4a. Formalise the establishment of these resources comprising 3 part-time officers (1.97 EFT) at a cost of \$133,099 per annum for labour plus a one off cost of \$62,971 for a vehicle and \$14,180 per annum for maintenance;
 - or
 - 4b. Does not continue the trial of increased service levels to collect abandoned shopping trolleys and instead endeavours to solicit cooperation of store managers to manage their own trolley collection service.
5. Refers \$9,000 to the 2018-19 budget for the application of footpath markings encouraging the public to report abandoned shopping trolleys via the MyFrankston app or by phoning Frankston City Council.
6. Refers an additional \$30,000 to the 2018-19 budget for consideration of more or advanced mobile CCTV camera to capture dumped rubbish and abandoned trolley offenders.
7. Endorses further exploration of maintenance opportunities with VicRoads noting these maybe applied to specific hot spots only and strongly advocates to the State Government for the inclusion of contractual arrangements for maintaining the rail corridor to an acceptable standard.
8. Reviews fees and charges for abandoned trolleys as part of the 2018-19 Budget.
9. Adopts the 'Dealing with Litter and Illegally Dumped Rubbish Procedures' and notes that these procedures address a submission titled 'Possible Initiatives to Rid the City of Rubbish'.
10. Notes that Officers have conducted a media campaign through advertorials, rate notice information and social media to encourage reporting of abandoned trolleys and also advertised the MyFrankston app.

Deferral Motion

Moved: Councillor Hampton

Seconded: Councillor O'Reilly

That the matter be deferred.

Carried Unanimously

13.2 Response to NOM 1264 - Frankston History taught in Local Schools

(KK Community Development)

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

That Council:

1. Endorses the development of a Curriculum Package to support the teaching of Frankston's history in local primary schools and refers the unbudgeted cost of up to \$6,000 to the mid-year budget review.
2. Notes that the introduction of a resource portal on the Frankston City Council website requires further investigation which is recommended to be considered as part of the development of Council's Digital Strategy. The results of which may form a bid for the 2018/19 Capital Works Program.

Motion be put**Moved: Councillor McCormack****Seconded: Councillor Toms**

That the motion be put.

Carried

For the Motion: Crs Aitken, Bolam, Hampton, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Cunial

**The Motion was then Put
and Carried**

For the Motion: Crs Aitken, Bolam, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Crs Cunial, Hampton and Mayer

13.3 Response to NOMs 1303 & 1329 - Quality of Life/Anti Social Behaviour in the Frankston LGA

(LR Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes the report.
2. Notes the minutes of the initial Consultative Committee at Attachment A.
3. Notes that producing the 'white paper' requires additional EFT allocation and an additional \$116,244 in excess of the approved annual budget. Officers make every effort to meet the approved budget and service levels. At the request of Council quotes have been sourced and Council may resolve to either:
 - 3a Accept the quote and formalise the associated Consultative Committee confirming approval of the 'whitepaper' consultancy, and endorse the Terms of Reference attached in Attachment B

Or

 - 3b Not accept the quote or initiate the consultancy; and writes to the organisation quoting for the work and the Consultative Committee and advise them of Council's decision and thank them for their time and input;

Or

 - 3c In addition to not accepting the quote or initiating the consultancy and writing to the organisation quoting for the work and the Consultative Committee advising them of Council's decision and thanking them for their time and input also invites the Consultative Committee to continue to meet subject to a revised Terms of Reference with a view to identifying and realising opportunities to improve safety in Frankston.
4. Notes the costs associated with the introduction of increased Local Laws Authorised Officers during peak day time hours is \$300K labour costs per annum at current costs and \$62,971 for purchase of a vehicle with \$14,180 recurrent for its operation and, seeks officers recommendations to be referred to the 2018/19 budget process or Council's consideration.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Toms

That Council

1. Notes the report.
2. Notes the minutes of the initial Consultative Committee at Attachment A.
3. Notes that producing the 'white paper' requires additional EFT allocation and an additional \$116,244 in excess of the approved annual budget. Officers make every effort to meet the approved budget and service levels. At the request of Council quotes have been sourced.

Resolves not to accept the quote or initiate the consultancy, and writes to the organisation quoting for the work and the Consultative Committee advising them of Council's decision and thanking them for their time and input.

Invites the Consultative Committee to continue to meet, subject to a revised Terms of Reference, with a view to identifying and realising opportunities to improve safety in Frankston.

4. Notes the costs associated with the introduction of increased Local Laws Authorised Officers during peak day time hours is \$300K labour costs per annum at current costs and \$62,971 for purchase of a vehicle with \$14,180 recurrent for its operation and, seeks officers recommendations to be referred to the 2018/19 budget process for Council's consideration.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Hampton, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Mayer

13.4 Response to NOM 1312 - Unemployment in Frankston

(SJ Corporate Development)

Recommendation (Director Corporate Development)

That:

1. Council notes this report.
2. A further report be brought to the March 2018 Council Meeting on the findings of the South East Regional Skills study with recommendations of where the focus of Council could be best directed, including potential advocacy to state and federal government.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

1. Council notes this report.
2. A further report be brought to the March 2018 Council Meeting on the findings of the South East Regional Skills study with recommendations of where the focus of Council could be best directed, including potential advocacy to state and federal government.
3. That the March 2018 report back to Council also considers the municipal led initiative of Cessnock City Council titled "Youth Employment Initiative" and how FCC might be able to incorporate some facets of the Cessnock City Council model.

Deferral Motion to another Council Meeting

Moved: Councillor Hampton

That the matter be deferred.

This motion lapsed due to want of a Seconder

Motion be put

Moved: Councillor McCormack

Seconded: Councillor Toms

That the motion be put.

Carried Unanimously

**The Motion was then Put
and Carried**

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Hampton

13.5 Response to NOM 1319 - Access to Hindu Temple via Boundary Lane

(MR Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes this report responds to NOM 1319 - Access to Hindu Temple via Boundary Lane;
2. Resolves that access to the Hindu temple remains from the existing Boundary Road entry/egress point and that Council resolves not to proceed with the construction of Boundary Lane to accommodate vehicle traffic at this point in time.

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Mayer**

That the matter be deferred pending discussions with the Hindu Temple Committee in Carrum Downs with a view to seeking a resolution to this issue.

Carried

For the Motion: Crs Bolam, Cunial, Hampton, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Aitken

13.6 Response to NOM 1334 - Reconciliation Action Plan Road-Map

(LD Community Development)

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

That Council:

1. Notes the information in this report about the development and implementation of Reconciliation Action Plans.
2. Notes the Reconciliation Plan Road-Map Project Brief at Attachment A, which outlines the road-map for the introduction and implementation of a Frankston City Reconciliation Plan (Reconciliation Plan).
3. Approves Option 2 and refers costs to the 2018-2019 budget process (\$35,000 consultancy; \$73,000 .8 EFT identified position).

Carried Unanimously

13.7 Response to NOM 1340 - Homelessness Count

(LD Community Development)

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

That Council:

1. Notes the information and analysis of options in the officers' assessment.
2. Supports Option 1: to approach the Victorian Government's Rough Sleeping Response Taskforce to work in partnership to address homelessness in Frankston, part of which is to conduct a census of rough sleepers (Taskforce census), noting the methodology for the census will be determined by the Taskforce for consistency and accuracy of data now and for comparative purposes into the future.
3. Provides a further report to February 2018 Ordinary Meeting on the potential of the partnership together with a project plan and cost contribution of Council.
4. Refers a one off amount of \$20K to the mid-year budget review towards Option 1 noting that should the partnership be formalised an evaluation of the Taskforce census will provide clarity for future budgets.
5. Notes local housing services will be asked to provide numbers on other forms of homelessness (rooming houses, couch surfers) as part of a count.
6. Notes Councillors and volunteers have expressed an interest in continuing to raise cash donations for Frankston's homeless fund and approves a review of the governance arrangements for collecting, managing and distributing the donations to be presented to the Audit Committee at a future meeting.

Motion be put**Moved: Councillor McCormack****Seconded: Councillor Mayer**

That the motion be put.

Carried

For the Motion: Crs Aitken, Bolam, Hampton, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Cunial

**The Motion was then Put
and Carried**

For the Motion: Crs Aitken, Bolam, Mayer, McCormack, O'Connor and Toms

Against the Motion: Crs Cunial, Hampton and O'Reilly

13.8 Response to NOM 1353 - Advocating for Increased Bus Services

(KJ CAA Development)

Recommendation (Director CAA Development)

That Council:

1. Receives this report.
2. Notes that no response has been received to date on the 17 August 2017 letters sent to State MPS and Ministers on improving bus services in Frankston.
3. Continues to submit requests to Public Transport Victoria (PTV) for additional and improved bus shelters, including those for Frankston South, based on community requests and bus stop usage.
4. Request Metropolitan Transport Forum (MTF) arrange a candidates meeting on transport in Frankston prior to the 2018 State election.
5. Notes increased bus services are currently part of Council's advocacy program targeting State Government and election candidates.

Council Decision

Moved: Councillor Toms

Seconded: Councillor Aitken

That Council:

1. Receives this report.
2. Notes that no response has been received to date on the 17 August 2017 letters sent to State MPS and Ministers on improving bus services in Frankston.
3. Continues to submit requests to Public Transport Victoria (PTV) for additional and improved bus shelters, including those for Frankston South, based on community requests and bus stop usage.
4. Requests Metropolitan Transport Forum (MTF) arrange a candidates meeting on transport in Frankston prior to the 2018 State election.
5. Notes increased bus services are currently part of Council's advocacy program targeting State Government and election candidates.
6. Expresses its concerns to PTV about the irregularity of the service of the 901 bus between Frankston and Dandenong.

Carried Unanimously

13.9 Response to NOM 1355 - Major Works

(RF Corporate Development)

Recommendation (Director Corporate Development)

That Council:

1. Adopts the attached Terms of Reference, and
2. Notes that the operations of the Committee may conflict with the work of other Major Project Steering Committees and requests a report on the operation and efficacy of the Committee in May 2018 so that the Terms of reference may be reviewed and refined.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hampton

That Council:

1. Adopts the attached Terms of Reference, and
2. Notes that the operations of the Committee may conflict with the work of other Major Project Steering Committees and requests a report on the operation and efficacy of the Committee in May 2018 so that the Terms of reference may be reviewed and refined.
3. Confirms that this Committee is formed for Councillors to receive and discuss information and status of projects. It has no delegated authority to change scope or budget for projects.

Carried Unanimously

14. NOTICES OF MOTION**14.1 NOM 1369 - Chief Executive Officer Credit Card**

(KJ Corporate Development)

The Chief Executive Officer left the chamber at 9.58 pm due to Conflict of Interest.

Council Decision**Moved: Councillor Aitken****Seconded: Councillor Toms**

That a detailed listing be provided to all Councillors of all expenditure on the credit card provided to the Chief Executive Officer showing amounts and what these amounts are for.

Motion be put**Moved: Councillor Mayer****Seconded: Councillor Bolam**

That the motion be put.

Carried

For the Motion: Crs Bolam, Cunial, Hampton, Mayer, McCormack, O'Connor and Toms

Against the Motion: Crs Aitken and O'Reilly

**The Motion was then Put
and Lost**

For the Motion: Crs Aitken, McCormack and Toms

Against the Motion: Crs Bolam, Cunial, Hampton, Mayer, O'Connor and O'Reilly

The Chief Executive Officer returned to the Chamber at 10.03 pm

14.2 NOM 1370 - Keyboard Cowards

(SJ Corporate Development)

Councillor Recommendation

That the Chief Executive Officer request Council Officers to write to the Attorney General indicating that greater controls need to be put in place in respect to statements made through Facebook and social media, currently without any accountability or penalty to the writer.

Sought Leave of Council

Moved: Councillor Aitken

Cr Aitken sought Leave of Council to amend his motion.

Carried

For the Motion: Crs Aitken, Bolam, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Crs Cunial and Hampton

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Toms

That the Chief Executive Officer request Council Officers to write to the Attorney General indicating that greater controls need to be put in place in respect to statements made through Facebook and social media, currently with limited or little accountability or penalty to the writer.

Extension of Time

Moved: Councillor Toms

Seconded: Councillor Bolam

That Cr Aitken be granted an extension of time.

Carried Unanimously

Cr Bolam left the chamber at 10.20 pm

Cr Bolam returned to the Chamber at 10.23 pm

Extension of Time

Moved: Councillor Mayer

Seconded: Councillor Bolam

That Cr Hampton be granted an extension of time.

Carried Unanimously

**The Motion was then Put
and Carried**

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Hampton

14.3 NOM 1372 - Biennial Staff Engagement Survey

(RJ Corporate Development)

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

1. That Council refers to the budget every two (2) years, financial resources within future budgets to facilitate an organisation-wide 'Staff Engagement Survey'; and
2. That in the event Council allocates financial resources to facilitate an organisation-wide Staff Engagement Survey, the Chief Executive Officer be requested to keep the Council informed on the progress of future biennial surveys at integral stages.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Hampton, Mayer, McCormack,
O'Connor and Toms

Against the Motion: Cr O'Reilly

14.4 NOM 1373 - Funds from Trader's Assistance Package

(SJ Corporate Development)

Councillor Recommendation

That any remaining funds remaining from the Trader's Assistance Package be redirected to hold a street fair with the purpose of bringing shoppers back to the Young Street precinct.

This is in accordance with the wishes of the majority of traders in the Central Activity Area.

Sought Leave of Council**Moved: Councillor Toms**

Cr Toms sought Leave of Council to amend his motion.

Council Decision**Moved: Councillor Toms****Seconded: Councillor McCormack**

That a report be presented at the November 2017 Council Meeting on any remaining funds from the traders assistance package being re directed to hold a street fair or night market with the purpose of bringing shoppers back to the Young Street precinct. This is in accordance with the wishes of the majority of traders in the Central Activity Area.

Extension of Time**Moved: Councillor Aitken****Seconded: Councillor Bolam**

That Cr Toms be granted an extension of time.

Carried Unanimously

Cr Mayer left the Chamber at 10.47 pm

Motion be put**Moved: Councillor Bolam****Seconded: Councillor Aitken**

That the motion be put.

Carried

For the Motion: Crs Aitken, Bolam, McCormack, O'Connor and Toms

Against the Motion: Crs Cunial, Hampton and O'Reilly

**The Motion was then Put
and Carried**

For the Motion: Crs Aitken, Bolam, Cunial, McCormack, O'Connor and Toms

Against the Motion: Crs Hampton and O'Reilly

Cr Mayer was not present in the Chamber when voting took place

14.5 NOM 1374 - Frankston District Basketball Association

(TF Corporate Development)

Cr Mayer returned to the Chamber at 10.53 pm

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

Given the Frankston District Basketball Association's reticence to commit to bona fide negotiations on a new lease arrangement, the CEO prepares a report for Council consideration at its meeting on 16 October 2017 to fully inform Councillors on the current status of the lease negotiations. The report should also include an update on the status of Council's acquittal of the requirements of both federal and state funding agreements which underpin the financial viability of the project.

Carried

For the Motion: Crs Bolam, Cunial, Hampton, Mayer, McCormack, O'Connor, O'Reilly and Toms

Against the Motion: Cr Aitken

Extension of Time to Meeting**Moved: Councillor Hampton****Seconded: Councillor Aitken**

That the meeting be extended to 11.30 pm.

Carried Unanimously

14.6 NOM 1375 - East / West Wells Street Project

(TF Corporate Development)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Mayer**

In light of the findings around this project contained in the Pitcher Partners Internal Audit of Project Management, Council initiates a full forensic audit of this project. The Audit is to be conducted by an auditor experienced in Local Government tendering and project management processes, and an amount of \$25,000 be allocated for this purpose in the mid-year budget review.

The audit is to determine who initiated the changes in the scope of the project during construction and the reasons and drivers behind it. The audit should also review the changes to the Project Management arrangements which led to the lead consultant, Aspect Studios Pty. Ltd. being removed from the project.

It is expected that the Auditor will interview key staff and Councillors (both current and former) and contractors involved in the project. It should also review the process for the initiation of the scope changes and cost escalations and the timeliness of Council's approval of the changes.

In consultation with the Chief Executive Officer, the Independent Auditor will prepare a brief for the scope of work to be completed. The scope is to be approved by the independent members of Council's Audit and Risk Management Committee by electronic resolution.

The final report is to be presented to Council at its first Ordinary Meeting in 2018.

Carried

The Mayor, Cr Cunial left the chamber and the Deputy Mayor, Cr Toms resumed the chair at 11.10 pm

The Mayor, Cr Cunial returned to the Chamber and Chair at 11.12 pm

For the Motion: Crs Cunial, Hampton, Mayer, O'Connor and O'Reilly
Against the Motion: Crs Aitken, McCormack and Toms
Abstained: Cr Bolam

15. LATE REPORTS

Nil.

16. URGENT BUSINESS

Urgent Business

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That the matter of Electrification of Rail Network to Baxter be accepted as urgent business.

Carried Unanimously

Urgent Business – Electrification of Rail Network to Baxter

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That in light of the recent announcement that the Federal and State Government will work jointly on the development of a business case for the electrification of the rail network to Baxter, which may include Langwarrin as the initial stage of works, the Minister for Transport be called upon to delay the Kananook Stabling Project.

The request is made on the basis that there is spare capacity within the network to stable trains in the short term and the proposed \$187M committed to the Kananook Stabling Project would be better invested in the Baxter Electrification Project. Further that the decision to delay the Kananook Stabling Project would not have a negative impact on the other projects along the Frankston line.

Carried Unanimously

17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That the Ordinary Council Meeting be closed to the public to discuss the following Agenda items and all documents associated with the consideration and discussion of it, that are designated confidential information by me, pursuant to Section 77(2)(c) of the Local Government Act 1989 (the Act) on the following grounds:

C.1 Visitor Information and Services Delivery Options

Agenda Item C.1 Visitor Information and Services Delivery Options is designated confidential as it relates to personnel matters (s89 2a)

C.2 Eric Bell Reserve Carpark & Netball Court Construction - Contract Variation

Agenda Item C.2 Eric Bell Reserve Carpark & Netball Court Construction - Contract Variation is designated confidential as it relates to contractual matters (s89 2d)

C.3 NOM 1371 - Frankston Basketball Stadium

Agenda Item C.3 NOM 1371 - Frankston Basketball Stadium is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

.....
Signed by the CEO

18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS**C.1 Visitor Information and Services Delivery Options**

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (a) 'personnel matters'.

Deferral Motion to another Council Meeting**Moved: Councillor Hampton****Seconded: Councillor Aitken**

That the matter be deferred to the 16 October 2017.

The motion was put and Carried

C.2 Eric Bell Reserve Carpark & Netball Court Construction - Contract Variation

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'contractual matters'.

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

That Council

1. Approves a variation amount of \$69,081.02 (excluding GST) to Contract 2016/17-27A resulting in a total contract value of \$516,977.22 (excluding GST).
2. Notes the justification for this variation – and any future variations for any major project – be properly articulated upon public disclosure of project costs.

The motion was put and Carried

C.3 NOM 1371 - Frankston Basketball Stadium

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'contractual matters'.

Council Decision**Moved: Councillor Aitken****Seconded: Councillor Toms**

That Council gives consideration to re-tender for the contract for the construction of the Frankston Basketball Stadium.

The motion was put and Lost

The meeting was closed to the public at 11.22 pm

CONFIRMED THIS *23rd* DAY OF *October,* 2017


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CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Brian Cunial, 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 25 September 2017, confirmed on Monday 16 October 2017.


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(Cr. Brian Cunial, Chairperson – Council Meeting)

Dated this *23rd* day of *October,* 2017

John McGillivray

Question 1

Provided the Frankston Tennis Club signs off the Deed of Surrender, is there any surety from Council that the proposed option will be fully funded and not just a \$3M makeover?

Response:

The Centenary Park Regional Tennis Facility is a key project in the Frankston City Council Plan 2017-2021. Council has developed three options that will be presented to Council tonight that for a 16 court regional facility with new pavilion with one option including a regional gymnastics facility. None of the options being presented include just a makeover of the existing Frankston East facility.

Question 2

What happens to Frankston Tennis Club if there is no funding or not enough to complete the project?

Response:

Council has negotiated a significant contribution towards the project from Peninsula Health due to the State Government requiring the Frankston Tennis Club site for the expansion of the hospital. This contribution will be processed once the Frankston Tennis Club sign the deed of surrender for their current lease. This project will require a combination of Federal, State and Council funding to ensure its success. Council will work with all stakeholders to advocate for funding for the project and will investigate options including staging the project to ensure the successful delivery of the project.