



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 22 MAY 2023 at 7.00PM**

PRESENT	Cr. Nathan Conroy (Mayor) Cr. Liam Hughes (Deputy Mayor) Cr. David Asker Cr. Sue Baker Cr. Kris Bolam Cr. Claire Harvey Cr. Brad Hill Cr. Steven Hughes
APOLOGIES:	Cr. Suzette Tayler
ABSENT:	Nil.
OFFICERS:	Mr. Cam Arullanantham, Acting Chief Executive Officer Ms. Kim Jaensch, Director Corporate and Commercial Services Ms. Angela Hughes, Director Communities (Via Zoom) Mr. Vishal Gupta, Acting Director Infrastructure and Operations Ms. Shweta Babbar, Director Customer Innovation and Arts Ms. Caroline Reidy, Manager Financial and Integrated Planning (Via Zoom) Ms. Joanne Keeling (Leave the meeting at 7.46PM) (Via Zoom) Ms. Lisa Finn (Leave the meeting at 7.47PM) (Via Zoom) Ms. Rachna Gupta Singh, Coordinator Governance Ms. Poonam Kothari, Governance Officer Mr. Connor Rose, Desktop Support and Project Officer Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Technician
EXTERNAL REPRESENTATIVES:	Nil

### COUNCILLOR STATEMENT

Councillor Liam Hughes (Deputy Mayor) 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.*

Chairperson’s initials .....

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

**PRAYER**

Councillor Liam Hughes (Deputy Mayor) read the Opening Prayer.

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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## 1. COUNCILLOR APPRECIATION AWARDS

### 1.1 Councillor Appreciation Award to Ross Shepherd

Councillor Bolam presented a Councillor Appreciation Award to Ross Shepherd in recognition of his work in planting more than 1000 banksias since May last year. Councillor Bolam mentioned that Ross is a green thumb who has a big heart for Seaford, huge passion and drive. When Ross noticed two large blocks at the corner of Wells and Seaford roads were being used as an unofficial rubbish tip, Ross sprang into action. Ross liaised with the owners and VicRoads to establish a Roadside Revegetation Project. Ross also set up the Seaford Banksia Arboretum Project. Councillor Bolam expressed his appreciation to Ross for inspiring locals to get behind his inspirational vision to beautify the site and create something special the community can be proud of.

## 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM6 held on 10 May 2023.

### Council Decision

**Moved: Councillor Asker**

**Seconded: Councillor Hill**

That the minutes of the Council Meeting No. CM6 held on 10 May 2023 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

## 3. APOLOGIES

An apology was received for Cr. Suzette Tayler.

## 4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

## 5. PUBLIC QUESTION TIME

Two (2) people submitted the questions with notice to the Council. Out of four (4) questions submitted with notice, two (2) dealt with the subject matter already answered and one (1) dealt with the subject matter already answered and aimed at embarrassing councillors, which were disallowed under Rule 57.8 of the Council's Governance Rules. At the request of the Mayor, the Chief Executive Officer read the remaining one (1) question and provided response to the gallery.

One (1) person submitted two (2) questions without notice. Those questions were taken on notice. The Chief Executive Officer informed that responses to these questions will be provided in writing within seven business days of the Council Meeting.

Both questions with notice and questions without notice with answers will be provided in the Minutes of the next Council Meeting.

## 6. HEARING OF PUBLIC SUBMISSIONS

Mr. Michael Telleson made a submission to Council regarding Item 12.4 Draft Waste Circularity Plan 2023-2030.

**7. ITEMS BROUGHT FORWARD****Block Motion****Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That, in accordance with rule 35.2 of Council's Governance Rules, the items listed below be Block Resolved:

- 12.1 Governance Matters Report for 22 May 2023
- 12.2 Frankston Arts Advisory Committee - Minutes
- 12.3 Capital Works Quarterly Report - Q3 - January to March 2023
- 12.5 Council Plan and Budget Quarterly Report - including Peninsula Leisure - Quarter three - January to March 2023
- 12.7 Community Grants Allocations
- 12.8 Award of Contract CN10971 - Kevin Collopy Pavilion Redevelopment
- 12.9 Award of Contract CN11011 - Traffic Management Services
- 12.10 Award of Contract CN11021 - Irrigation Maintenance and Minor Works Panel
- 12.11 Award of Contract CN11023 - Storm Water Access Covers, Surrounds and Grates

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

**8. PRESENTATIONS / AWARDS**

Nil

**9. PRESENTATION OF PETITIONS AND JOINT LETTERS**

**Petition – to stop the great wall of Frankston**

**Council Decision****Moved: Councillor Liam Hughes****Seconded: Councillor Hill**

That in accordance with clause 58.11.1 of the Council's Governance Rules, the Petition 'to stop the great wall of Frankston' be received.

**Carried Unanimously****10. DELEGATES' REPORTS**

Nil

**11. CONSIDERATION OF CITY PLANNING REPORTS**

Nil

**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Governance Matters Report for 22 May 2023***(BA Corporate and Commercial Services)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

**Council Resolution Status**

1. Receives the Council Resolution Status update, including:
  - a. Notice of Motion Cost Summary and Notice of Motion Report for 22 May 2023;
  - b. Urgent Business Status Update for 22 May 2023;
  - c. Notes there are no Notice of Motion actions reported as complete;
  - d. Notes since the Council Meeting held on 1 May 2023, 12 resolutions have been completed, as listed in the body of the report; and
  - e. Notes there are three reports delayed in its presentation to Council:
    - (i) Native Vegetation Offset Site progress update, delayed to October 2023
    - (ii) Proposed renaming a section of RF Miles Reserve, delayed to a future Council Meeting
    - (iii) Response to 2022/NOM11 – Exploration of the establishment of a South Eastern Councils Biodiversity Network, delayed to 10 July 2023

**Sister City with Suva, Fiji - Memorandum of Understanding**

2. a. Notes Cr Bolam's visit to Fiji in March 2022 to facilitate the signing of a Memorandum of Understanding (MOU) in which Suva, Fiji jointly committed to a MOU agreement for a Sister City Relationship;
- b. Endorses signing the MOU for the formal establishment of the Sister City relationship with Suva, Fiji, and authorises the Common seal of Council be affixed to the MOU; and
- c. Notes once signed, the last page of the MOU will form a commemorative framed MOU and will be displayed alongside the agreements of other Sister Cities - Susono, Japan and Wuxi, China. A shelf dedicated to Sister City - Suva, Fiji will contain artefacts and the commitment letter from Fiji.

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Liam Hughes  
 Against the Motion: Nil  
 Abstained: Cr Steven Hughes

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

Chairperson's initials .....

**12.2 Frankston Arts Advisory Committee - Minutes**

*(TR Customer Innovation and Arts)*

**Council Decision**

**Moved: Councillor Harvey**

**Seconded: Councillor Hill**

That Council receives the Minutes of the Frankston Arts Advisory Committee meeting held on 18 April 2023.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.3 Capital Works Quarterly Report - Q3 - January to March 2023***(LU Infrastructure and Operations)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Receives and notes the quarterly progress report for the third quarter (January to March 2023) of the 2022/23 Capital Works Program;
2. Notes for transparency and disclosure of the capital works program to the public the full details have been provided in the open attachments to the report; and
3. Notes the reported projects where variations have exceeded the pre-approved variation amount in accordance with S7 Instrument of Sub-Delegation by CEO.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.4 Draft Waste Circularity Plan 2023-2030**

*(JK Corporate and Commercial Services)*

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

That Council:

1. Endorses the draft Waste Circularity Plan for public exhibition for a period of four weeks;
2. Seeks a report back no later than August 2023, to consider for adoption the Waste Circularity Plan, taking into account any submissions received;
3. Notes there are financial costs associated with the implementation of the Waste Circularity Plan, however a significant number of initiatives are expected to be delivered within existing budget and resource allocations; and
4. Notes where additional funding is required for future programs and service changes, these budget allocations will be subject to Council's consideration as part of the annual budget process.

**Extension of Time****Moved: Councillor Harvey****Seconded: Councillor S. Hughes**

That Cr Hill be granted an extension of time.

**Carried Unanimously****The motion was put and****Carried Unanimously**

**12.5 Council Plan and Budget Quarterly Report - including Peninsula Leisure -  
Quarter three - January to March 2023**

*(CR Corporate and Commercial Services)*

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

That Council:

1. Receives the 2022-2023 Quarter three Council Plan and Budget Performance Report;
2. Receives the 2022-2023 Quarter three Peninsula Leisure Performance Report; and
3. Resolves that Attachment B - 2022-2023 Quarter Three Peninsula Leisure Performance Report - remains confidential indefinitely as it contains private commercial information (*Local Government Act 2020, s(3)(g)*). These grounds apply because the information is provided by a business, commercial or financial undertaking and, if released, would impact the relationship between Council and Peninsula Leisure Pty Ltd.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.6 Adoption of 2023-2027 budget (including year three 2023-2024 Council Plan Initiatives)***(CR Corporate and Commercial Services)***Recommendation (Director Corporate and Commercial Services)**

That Council:

1. Adopts the 2023-2027 budget (including 2023-2024 Council Plan Initiatives) as publicly displayed and includes the following amendments:

**1.1 Other matters not included in the budget**

Notes that the following items not included in the budget, will be subsequently adjusted and in the event that there are minor cost pressures, the CEO will find savings from the Budget 2023-2024 to fund these items to re-establish the accounting result to \$27.988 million surplus.

- a. Ballam Park Lighting design-only, Ballam Park History Trail design-only and Cranbourne Road Retaining Wall design-only - \$60,000
- b. Pines Pool Entrance Landscaping design-only - \$25,000

**1.2 Budget Submissions**

Having complied with the requirements of the *Local Government Act (2020)*, and having considered, at a meeting held on 10 May 2023, fifteen (15) written submissions received on the draft 2023-2027 budget (including 2023-2024 Council Plan Initiatives), resolves to adopt the budget with the following amendment noting that the following capital item not included in the budget, will be subsequently adjusted and the CEO will re-prioritise the Budget 2023-2024 to fund this item to re-establish the capital work program to remain at \$78.422 million. :

- Funding of \$100,000 to Long Island Tennis Club fencing replacement. \$30,000 of this funding will come from the carry forward of unspent works from the 2022-2023 budget; the remaining \$70,000 will be found in a re-prioritisation of the 2023-2024 capital works program.

- 1.3 Directs that submitters be advised in writing of its decision in relation to their submissions on the proposed 2023-2027 budget (including 2023-2024 Council Plan Initiatives).

**2. Declaration of Rates and Charges**

Declares the following rates and charges:

- An amount of \$144,999,709 (or such other amount as is lawfully raised as a consequence of this Resolution) be declared as the amount which Council intends to raise by general rates and the annual service charge (described later in this Resolution), which amount is calculated as follows:

- a. General Rates (excludes supplementary rates)                      \$100,059,150
- b. Annual Service Charges    \$44,940,559

**2.1 General Rates**

2.1.1 A general rate be declared in respect of the 2023-2024 Financial Year.

2.1.2 It be further declared that the general rate be raised by the application of differential rates.

2.1.3 A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:

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## 2.1.3.1 Derelict Land (Attachment A)

Derelict land, being land on which a dwelling or building is erected and is in a dilapidated state, and any other Council guidelines which may be in operation from time to time).

## 2.1.3.2 Retirement Village Land (Attachment B)

Land in retirement villages on which a flat or unit has been constructed.

## 2.1.3.3 Acacia Heath Land (Attachment C)

Land located in the Acacia Estate at 560-600 McClelland Drive (consisting of 110 lots in plans of subdivision 446669/70, 448786/7/8, 512750 531862/63, 537447 and 546857/58).

## 2.1.3.4 Commercial Land (Attachment D)

Any land which is used primarily for the purposes of a commercial land including developed and vacant land.

## 2.1.3.5 Farm Land (Attachment E)

Any land which is primary used for the purposes of farming.

## 2.1.3.6 Industrial Land (Attachment F)

Any land which is used primarily for the purposes of an industrial land including developed and vacant land.

## 2.1.3.7 Vacant Residential Land (Attachment G)

Any land which is zoned residential under the relevant Planning Scheme and on which there is no building that is occupied or adapted for occupation.

## 2.1.3.8 Other Land (Attachment H)

Any land which does not have the characteristics of Derelict, Retirement Village, Acacia Heath, Commercial, Industrial, Vacant Residential or Farm Land.

## 2.2 Differential Rates

Resolves that each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in paragraph 2.3 of this Resolution) by the relevant percentages indicated in the following table:

- A general rate of 0.199259% for all rateable Other Land;
- A general rate of 0.149444% for all rateable Retirement Village Land;
- A general rate of 0.249074% for all rateable Commercial Land;
- A general rate of 0.249074% for all rateable Industrial Land;
- A general rate of 0.199259% for all rateable Acacia Heath Properties <sup>(1)</sup>;
- A general rate of 0.249074% for all rateable Vacant Residential Land;
- A general rate of 0.159407% for all rateable Farm Land; and
- A general rate of 0.597777% for all rateable Derelict Land.

<sup>(1)</sup> Council supports the application of the general rate of Other Land to the Acacia Heath Properties for the 2023-2024 financial year.

## 2.3 Resolves to record that Council considers that each differential rate will contribute

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to the equitable and efficient carrying out of Council functions, and that:

- 2.3.1 The respective objectives of each differential rate be those specified in the attachments;
- 2.3.2 The respective types or classes of land which are subject to each differential rate be those defined in the attachments;
- 2.3.3 The respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the attachments; and
- 2.3.4 The relevant:
  - (a) uses of;
  - (b) geographical locations of;
  - (c) planning scheme zonings of; and
  - (d) types of buildings on the respective types or classes of land be those identified in the attachments.
- 2.4 Declares a municipal charge of \$177.85 in respect of the 2023-2024 financial year.
- 2.5 Declares an annual service charge in respect of the 2023-2024 financial year for the collection and disposal of refuse.
- 2.6 Resolves that the annual service charge be in the sum of, and be based on the criteria specified below:
  - \$466.80 for rateable and non-rateable land where a waste collection service with a 120 litre mobile garbage bin is applicable;
  - \$371.80 for rateable and non-rateable land where a waste collection service with an 80 litre mobile garbage bin is applicable;
  - \$437.20 for rateable and non-rateable land where a fortnightly waste collection service with a 120 litre mobile garbage bin is applicable;
  - \$342.20 for rateable and non-rateable land where a fortnightly waste collection service with an 80 litre mobile garbage bin is applicable;
  - \$466.80 for rateable and non-rateable commercial land where a waste collection service with a 120 litre mobile garbage bin is applicable;
  - \$371.80 for rateable and non-rateable commercial land where a waste collection service with an 80 litre mobile garbage bin is applicable;
  - \$249.60 for rateable and non-rateable commercial land where a recycling collection service mobile garbage bin is applicable;
  - Where additional bins are supplied, an additional \$466.80 for each 120 litre mobile garbage bin and \$371.80 for each 80 litre mobile garbage bin is applicable;
  - \$163.80 for rateable and non-rateable land where a weekly green waste collection service is provided; and
  - \$702.70 for rateable and non-rateable land where a waste collection service with a 240 litre mobile garbage bin is applicable.

## 2.7 **Rebates & Concessions**

Notes that:

- Council has entered into agreements with the Ministry of Housing to assess

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50% of the general rate for certain purpose built units for older persons.

- Council has entered into agreements with the Baxter Village to assess 52.5% of the general rate for certain purpose built units for older persons.
- Council also provides concessions of 40%, 60%, 70% and 75% of the relevant rate for qualifying properties under the Cultural and Recreational Lands Act.

## 2.8 Fees and charges

Adopts the fees and charges that are included in the budget which may be subject to change as fees and charges are based on information available at the time of publishing and may vary during the financial year as a result of changes in Council's policy or legislation.

## 2.9 Incentives

Resolves that no incentive be declared for early payment of the general rates and annual service charge previously declared.

## 2.10 Consequential

2.14.1 Resolves to record that any person is required to pay interest on any amount of rates and charges which:

2.14.1.1 that person is liable to pay; and

2.14.1.2 has not been paid by the date specified for their payment.

2.14.2 Authorises the Chief Executive Officer to levy and recover the general rates and annual service charge in accordance with the Local Government Act (1989).

## Council Decision

**Moved: Councillor Bolam**

**Seconded: Councillor Hill**

That Council:

1. That Council:
1. Adopts the 2023-2027 budget (including 2023-2024 Council Plan Initiatives) as publicly displayed and includes the following amendments:
- 1.1 **Other matters not included in the budget**

Notes that the following capital items not included in the budget, will be subsequently adjusted and the CEO will re-prioritise the Budget 2023-2024 to fund these items to re-establish the capital work program to remain at \$78.422 million.

- a. Ballam Park Lighting design-only, Ballam Park History Trail design-only and Cranbourne Road Retaining Wall design-only - \$60,000 one-off
- b. Pines Pool Entrance Landscaping design-only - \$25,000 one-off
- c. Native Vegetation Offset Site fencing works noting the commitment at Council Meeting held on 20 February 2023 - \$130,000 one-off
- d. Public Arts & Renewal program for Electric Box Beautification Renewal - \$5,000 ongoing
- e. Frankston North Entry Points project additions - \$20,000 one-off.

Notes that the following operating items not included in the budget, will be subsequently adjusted and the CEO will re-prioritise the Budget 2023-2024 to fund these items to re-establish the operating surplus to remain at \$27.988 million.

Animal Pound Services initiatives noting the commitment at Council Meeting held on 1 May 2023 of \$52,482.80 comprising of:

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- \$18,000 per annum for the Pet Sanctuary
- \$9,000 per annum to double the number of animals adopted under Council’s free animal adoption program
- \$21,960 per annum in lost pet registration, as a result of Council’s free pet adoption program being doubled
- \$1,522.80 per annum so that Council may pay a levy to the State Government per additional pet adopted under Council’s free pet adoption program
- \$2,000 per annum capped in reimbursement to dog owners who undertake dog obedience training.

**1.2 Budget Submissions**

Having complied with the requirements of the Local Government Act (2020), and having considered, at a meeting held on 10 May 2023, fifteen (15) written submissions received on the draft 2023-2027 budget (including 2023-2024 Council Plan Initiatives), resolves to adopt the budget with the following amendment noting that the following capital item not included in the budget, will be subsequently adjusted and the CEO will re-prioritise the Budget 2023-2024 to fund this item to re-establish the capital work program to remain at \$78.422 million:

- Funding of \$100,000 to Long Island Tennis Club fencing replacement. \$30,000 of this funding will come from the carry forward of unspent budget of Long Island Tennis club redevelopment project from the 2022-2023 budget; the remaining \$70,000 will be found in a re-prioritisation of the 2023-2024 capital works program.

1.3 Directs that submitters be advised in writing of its decision in relation to their submissions on the proposed 2023-2027 budget (including 2023-2024 Council Plan Initiatives).

**2. Declaration of Rates and Charges**

Declares the following rates and charges:

- An amount of \$144,999,819 (or such other amount as is lawfully raised as a consequence of this Resolution) be declared as the amount which Council intends to raise by general rates and the annual service charge (described later in this Resolution), which amount is calculated as follows:
 

a) General Rates (excludes supplementary rates)	\$100,059,259
b) Annual Service Charges	\$44,940,559

**2.1 General Rates**

2.1.1 A general rate be declared in respect of the 2023-2024 Financial Year.

2.1.2 It be further declared that the general rate be raised by the application of differential rates.

2.1.3 A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:

2.1.3.1 Derelict Land (Attachment A)

Derelict land, being land on which a dwelling or building is erected and is in a dilapidated state, and any other Council guidelines which may be in operation from time to time).

2.1.3.2 Retirement Village Land (Attachment B)

Land in retirement villages on which a flat or unit has been constructed.



## 2.1.3.3 Acacia Heath Land (Attachment C)

Land located in the Acacia Estate at 560-600 McClelland Drive (consisting of 110 lots in plans of subdivision 446669/70, 448786/7/8, 512750 531862/63, 537447 and 546857/58).

## 2.1.3.4 Commercial Land (Attachment D)

Any land which is used primarily for the purposes of a commercial land including developed and vacant land.

## 2.1.3.5 Farm Land (Attachment E)

Any land which is primary used for the purposes of farming.

## 2.1.3.6 Industrial Land (Attachment F)

Any land which is used primarily for the purposes of an industrial land including developed and vacant land.

## 2.1.3.7 Vacant Residential Land (Attachment G)

Any land which is zoned residential under the relevant Planning Scheme and on which there is no building that is occupied or adapted for occupation.

## 2.1.3.8 Other Land (Attachment H)

Any land which does not have the characteristics of Derelict, Retirement Village, Acacia Heath, Commercial, Industrial, Vacant Residential or Farm Land.

## 2.2 Differential Rates

Resolves that each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in paragraph 2.3 of this Resolution) by the relevant percentages indicated in the following table:

- A general rate of 0.199259% for all rateable Other Land;
- A general rate of 0.149444% for all rateable Retirement Village Land;
- A general rate of 0.249074% for all rateable Commercial Land;
- A general rate of 0.249074% for all rateable Industrial Land;
- A general rate of 0.199259% for all rateable Acacia Heath Properties <sup>(1)</sup>;
- A general rate of 0.249074% for all rateable Vacant Residential Land;
- A general rate of 0.159407% for all rateable Farm Land; and
- A general rate of 0.597777% for all rateable Derelict Land.

<sup>(1)</sup> Council supports the application of the general rate of Other Land to the Acacia Heath Properties for the 2023-2024 financial year.

## 2.3 Resolves to record that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:

- 2.3.1 The respective objectives of each differential rate be those specified in the attachments;
- 2.3.2 The respective types or classes of land which are subject to each differential rate be those defined in the attachments;
- 2.3.3 The respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the attachments; and

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2.3.4 The relevant:

- (a) uses of;
- (b) geographical locations of;
- (c) planning scheme zonings of; and
- (d) types of buildings on the respective types or classes of land be those identified in the attachments.

2.4 Declares a municipal charge of \$177.85 in respect of the 2023-2024 financial year.

2.5 Declares an annual service charge in respect of the 2023-2024 financial year for the collection and disposal of refuse.

2.6 Resolves that the annual service charge be in the sum of, and be based on the criteria specified below:

- \$466.80 for rateable and non-rateable land where a waste collection service with a 120 litre mobile garbage bin is applicable;
- \$371.80 for rateable and non-rateable land where a waste collection service with an 80 litre mobile garbage bin is applicable;
- \$437.20 for rateable and non-rateable land where a fortnightly waste collection service with a 120 litre mobile garbage bin is applicable;
- \$342.20 for rateable and non-rateable land where a fortnightly waste collection service with an 80 litre mobile garbage bin is applicable;
- \$466.80 for rateable and non-rateable commercial land where a waste collection service with a 120 litre mobile garbage bin is applicable;
- \$371.80 for rateable and non-rateable commercial land where a waste collection service with an 80 litre mobile garbage bin is applicable;
- \$249.60 for rateable and non-rateable commercial land where a recycling collection service mobile garbage bin is applicable;
- Where additional bins are supplied, an additional \$466.80 for each 120 litre mobile garbage bin and \$371.80 for each 80 litre mobile garbage bin is applicable;
- \$163.80 for rateable and non-rateable land where a weekly green waste collection service is provided; and
- \$702.70 for rateable and non-rateable land where a waste collection service with a 240 litre mobile garbage bin is applicable.

## 2.7 **Rebates & Concessions**

Notes that:

- Council has entered into agreements with the Ministry of Housing to assess 50% of the general rate for certain purpose built units for older persons.
- Council has entered into agreements with the Baxter Village to assess 52.5% of the general rate for certain purpose built units for older persons.
- Council also provides concessions of 40%, 60%, 70% and 75% of the relevant rate for qualifying properties under the Cultural and Recreational Lands Act.

## 2.8 **Fees and charges**

Adopts the fees and charges that are included in the budget which may be subject

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to change as fees and charges are based on information available at the time of publishing and may vary during the financial year as a result of changes in Council's policy or legislation.

## 2.9 Incentives

Resolves that no incentive be declared for early payment of the general rates and annual service charge previously declared.

## 2.10 Consequential

2.10.1 Resolves to record that any person is required to pay interest on any amount of rates and charges which:

2.10.1.1 that person is liable to pay; and

2.10.1.2 has not been paid by the date specified for their payment.

2.10.2 Authorises the Chief Executive Officer to levy and recover the general rates and annual service charge in accordance with the Local Government Act (1989).

### Extension of Time

**Moved: Councillor Harvey**

**Seconded: Councillor Hill**

That Cr Bolam be granted an extension of time.

**Carried Unanimously**

### Extension of Time

**Moved: Councillor Bolam**

**Seconded: Councillor Harvey**

That Cr Asker be granted an extension of time.

**Carried Unanimously**

**The motion was put and**

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey and Hill (6)

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

**12.7 Community Grants Allocations***(TB Communities)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Notes the total allocation of \$794,382.52 to the Community Grants program in the 2023 -2024 annual budget (inclusive of items 2 and 3 below);
2. Approves increasing the grant allocation to seniors groups from \$500 to \$1000 (plus CPI) in 2023-2024 within the allocated community grants budget of \$794,382.52;
3. Approves adding the following 11 eligible seniors groups as additional Partnership Grant recipients (making a total of 21 recipients) in the 2023-2024 annual budget:
  - a. Australian Multicultural Seniors Support Group
  - b. Frankston Combined Probus
  - c. Frankston Ladies Probus Club
  - d. Frankston North Senior Citizens Club
  - e. Kalenka Inc
  - f. Langwarrin Ladies Probus Club
  - g. Peninsula Activity Group
  - h. Probus Club of Frankston
  - i. Probus Club of Langwarrin Combined
  - j. Seaford Probus Club
  - k. South American Senior Citizens Club of Frankston & Mornington Peninsula;
4. Approves allocations to be made from the Urgent Grants category beyond the existing \$1000 ceiling in exceptional circumstances (remaining within approved budget parameters);
5. Authorises Director Communities to approve expenditure of any projected or actual under-expenditure within the total allocated Community Grants budget each year to support eligible community groups to continue their community strengthening activities;
6. Approves \$15,000 to be re-directed from the 2022-2023 Community Grants program to Life-Gate Inc. to support its current security needs as it continues its valuable work within the Frankston City community.

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Liam Hughes  
Against the Motion: Nil  
Abstained: Cr Steven Hughes

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

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**12.8 Award of Contract CN10971 - Kevin Collopy Pavilion Redevelopment**

(VG Infrastructure and Operations)

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

That Council:

1. Awards Contract CN10971 for the Kevin Collopy Pavilion Redevelopment to More Building Group Pty Ltd (ABN: 614 44 992 933 & ACN: 44 992 933) for a total lump sum of \$3,848,000 excluding GST;
2. Notes that the project has received \$3,000,000 through the State Government Community Sports Infrastructure Loans Scheme (CSILS);
3. Notes the current ongoing annual maintenance costs for existing pavilion facility will likely increase to an estimated cost of around \$28,000 excluding GST per annum, and as such will require necessary adjustment in 24/25 operating budget for Facilities Management;
4. Authorises the Chief Executive Officer to sign the Contract;
5. Delegates approval of contract variations within the contingency amount outlined in the confidential attachment to the Chief Executive Officer; and
6. Resolves Attachments A and B to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.9 Award of Contract CN11011 - Traffic Management Services***(BH Infrastructure and Operations)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Awards contract CN11011 – Traffic Management Services to ADTM (Vic) Pty Ltd, ACN 638 166 033 for an initial two (2) year term with the provision for three (3) further two (2) year extension options at council's sole discretion, with a total potential contract value of up to an estimated \$1,020,287.00 GST exclusive;
2. Authorises the Chief Executive Officer to execute and sign the contract;
3. Authorises the Chief Executive Officer to approve contract variations;
4. Authorises the Director Infrastructure and Operations to approve the extensions of the contract subject to the satisfactory performance of the contractor; and
5. Resolves Attachments A and B to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.10 Award of Contract CN11021 - Irrigation Maintenance and Minor Works Panel**

(BH Infrastructure and Operations)

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

That Council:

1. Awards contract CN11021 Irrigation Maintenance and Minor Works Panel to the following tenderers for an initial two (2) year term with the provision for two (2) further two (2) year extension options at council's sole discretion, with a total potential contract value of up to an estimated \$3,741,052.00 GST exclusive:
  - A. Category 1 - Irrigation Maintenance to Marsh Developments Pty Ltd trading as Superior Green; ACN 095 305 918; and
  - B. Category 2 - Irrigation Minor Works to Aqualines Irrigation Pty Ltd; ACN 005 985 508; and Marsh Developments Pty Ltd trading as Superior Green; ACN 095 305 918;
2. Authorises the Chief Executive Officer to execute and sign the contract;
3. Authorises the Chief Executive Officer to approve contract variations;
4. Authorises the Director Infrastructure and Operations to approve the extensions of the contract subject to the satisfactory performance of the contractor(s); and
5. Resolves Attachments A and B to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**12.11 Award of Contract CN11023 - Storm Water Access Covers, Surrounds and Grates**  
(BH Infrastructure and Operations)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Awards contract CN11023 to the following tenderers across three categories for an initial two (2) year term with the provision of three (3) further two (2) year extension options at Council's sole discretion, with a total potential contract value of up to an estimated \$2,196,295.04 GST exclusive;

**Category 1 – Precast Concrete Products**

- A. SVC Products Pty Ltd, ACN 004 279 458; and
- B. Straightmark Nominees trading as Road Safety Grating, ACN 005 269 750.

**Category 2 – Steel or Ductile Iron Grates**

- A. Straightmark Nominees trading as Road Safety Grating, ACN 005 269 750.

**Category 3 – Polymeric (lightweight) Materials**

- A. Terra Firma Industries Pty Ltd, ACN 129 115 484;
  - B. Straightmark Nominees trading as Road Safety Grating, ACN 005 269 750; and
  - C. SVC Products Pty Ltd, ACN 004 279 458.
2. Authorises the Chief Executive Officer to execute and sign the contract;
  3. Authorises the Chief Executive Officer to approve contract variations;
  4. Authorises the Director Infrastructure and Operations to approve the extensions of the contract subject to the satisfactory performance of the contractor(s);
  5. Resolves Attachments A and B to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes

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

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**13. RESPONSE TO NOTICES OF MOTION**

Nil

**14. NOTICES OF MOTION****14.1 2023/NOM3 - Hall of Fame Revival**

*(FM Customer Innovation and Arts)*

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

That a report be provided to Council to determine if the 'Frankston Hall of Fame' (HoF) be reinstated to recognise individuals and organisations that have significantly impacted and contributed to the Frankston municipality. The report will be presented for consideration to the August 2023 Council Meeting.

The report to include focus on:

- The viability of reinstating the HoF program;
- The nomination and assessment process including regularity of awards;
- Identify capacity of the new HoF location for additional plaques or determine possible location options to display new inductee plaques;
- Costings and staff resourcing associated with the new iteration of HoF including associated costs in regards to plaques, ceremony, and administration of the program.

**Carried**

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

Against the Motion: Cr Steven Hughes (1)

**15. LATE REPORTS**

Nil

**16. URGENT BUSINESS**

Nil

**17. CONFIDENTIAL ITEMS**

Nil

**QUESTION TIME****Question received with Notice**

*The following questions with notice were received for the Council Meeting 2023/CM06 – 10 May 2023. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published below:*

**Kerry Gardeniers****Question 1**

Considering the extension of Bayview Kindergarten, with its wide streets and Council owned, adjoining reserve that would not require the removal of any trees to develop, would it not be a wise and responsible decision for Council to review current plans to build a playground, to building a two room extension incorporating a public playground on the site, therefore avoiding the loss of old growth and Indigenous trees in Long Reserve and preserving the valuable tree canopy for our suburb and City in line with Council's acknowledged that we are in a climate emergency and such should be protected as an utmost priority?

**Response**

*This question dealt with the subject matter already answered and was disallowed by the Chief Executive Officer as per clause 57.8 of the Council's Governance Rules.*

**Question 2**

On March 20th, 42 handwritten letters containing questions for council were delivered to Langwarrin Council Shop, writers are wondering why, to date most people are yet to receive replies, especially those ratepayers who did not supply an email address as they don't have internet access or computer skills?

**Response**

*This question dealt with the subject matter already answered and was disallowed by the Chief Executive Officer as per clause 57.8 of the Council's Governance Rules.*

**Question received without Notice**

*The following questions without notice were submitted for the Council Meeting 2023/CM06 – 10 May 2023. The questions were taken on notice and answers were provided to the submitter in writing following the Council Meeting. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published below:*

**Miranda Brash-Brenan****Question 1**

Why has council planted exotic species -- Jacaranda and Evergreen Ash -- along the Heatherhill Rd area, when it has committed to improving biodiversity and habitat?

**Response**

Species diversity is important in managing risks of pest and disease occurrence and helps ensure the tree population is resilient to climate conditions.

Whilst locally indigenous species may be the most appropriate for local environmental conditions, the growing conditions within the urban environment are often now very different, particularly in a street situation. When selecting tree species, Council must ensure the right tree is selected for the location.

Trees will be selected to increase diversity and tree population resilience with consideration given to selecting species based on performance, quality of stock and availability, neighbourhood character (including wildlife corridors) and heritage values, suitability of growth and habit attributes and other site requirements such as sight lines, utility services, space and surrounding uses.

### **Question 2**

Do all -- or is it only select -- council departments follow the environmental strategies and policies eg. Biodiversity, Urban Forest, Climate Change?

### **Response**

Strategies and policies are adopted by Council for the whole organisation.

### **Question 3**

Would council consider amalgamating the street tree planting and nature strip garden planting under one department and program, so that the two more effectively address & support biodiversity in our neighbourhoods?

### **Response**

Council departments work collaboratively to prepare relevant Strategies and Plans which inform the delivery of programs. In this example of the Street Tree Planting and the Nature Strip Planting Programs, the policies and strategies are prepared by the Environment Policy and Planning Teams, with the delivery of these programs completed by the Parks and Vegetation Team.

## **David Burgess**

### **Question**

Is the council serious about our local environment and biodiversity?

Council reports such as the Urban Forest Action Plan 2020-2040, the Biodiversity Action plan 2021- 2036, the 2040 Community Vision and the Climate Change Strategy 2023-2030, all put a priority on using indigenous and Australian native plants and list the many benefits . Council recently consulted the community on their Budget priorities for 2023/2024. The No. 1 response was "Getting back to nature. Improve water management and opportunities to experience native flora and fauna."

Why are Council choosing so many exotic plant species for Frankston's streets, park and gardens?

This contradictory to community sentiment and councils own plans and policies.

### **Response**

Trees planted within the City are primarily indigenous and native species. Over 8,000 Indigenous trees will be planted this planting season.

Last year we saw more than 20,000 planted across our streetscapes, natural bushland and Coastal areas and open space. Of these trees, over 84% were native/indigenous trees. The volume of native species Council plants significantly outweighs the ornamental/native species planted with the 2023 planting program containing <10% exotic species. Whilst it is desirable to ensure indigenous species are planted throughout the municipality to expand our natural areas, create connectivity and provide habitat value, there is also a place in urban environments for diversity.

*The meeting was closed at 8.20 pm*

**CONFIRMED THIS**

14<sup>th</sup>

**DAY OF**

June

**2023**

.....  
**CHAIRPERSON**

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Nathan Conroy, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday, 22 May 2023, confirmed on Wednesday, 14 June 2023.

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

Dated this

14<sup>th</sup>

day of

June

2023

Chairperson's initials .....