



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 10 MAY 2023 at 6.30PM**

PRESENT	Cr. Nathan Conroy (Mayor) Cr. Liam Hughes (Deputy Mayor) (by Zoom joined at 7.00pm) Cr. David Asker Cr. Sue Baker Cr. Kris Bolam Cr. Claire Harvey Cr. Brad Hill Cr. Steven Hughes (by Zoom joined at 7.15pm) Cr. Suzette Tayler
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Director Corporate and Commercial Services Ms. Angela Hughes, Director Communities Mr. Cam Arullanantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Customer Innovation and Arts Ms. Brianna Alcock, Manager Governance Ms. Caroline Reidy, Manager Financial and Integrated Planning Ms. Carla Lopez, Coordinator Integrated Planning and Reporting Ms. Vera Roberts, Executive Support Officer Mrs. Melissa Ritter, Councillor and Events Officer Mr. Ric Rais, Systems Support Officer Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Technician
EXTERNAL REPRESENTATIVES:	Nil.

COUNCILLOR STATEMENT

Councillor Suzette Tayler 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

At the request of the Mayor, Councillor Suzette Tayler read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Suzette Tayler 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

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM5 held on 1 May 2023.

Council Decision

Moved: Councillor Tayler

Seconded: Councillor Harvey

That the minutes of the Council Meeting No. CM5 held on 1 May 2023 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

Nil

5. PUBLIC QUESTION TIME

One (1) person submitted questions with notice which dealt with the subject matter already answered and were disallowed under Rule 57.8 of the Council's Governance Rules.

There were two (2) people who submitted questions without notice. Those questions were taken on notice. The CEO 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

The following people made a submission to Council regarding Item 7.1: Hearing of Submitters - Proposed 2023-2027 Budget (including year 3 2023-2024 Council Plan initiatives):

- Mr Michael Tellesson (submission under section 223)
- Ms Kerry Gardeniers (submission under section 223)
- Mr Russell Kerr (submission under section 223)
- Mr Dave Bolton (submission under section 223)

Due to technical issues, the meeting adjourned at 7.19pm.

The meeting resumed at 7.27pm.

- Mr Robert Thurley

Deputy Mayor Cr Liam Hughes left the meeting at 7.33pm and did not return

Cr Steven Hughes left the meeting at 7.37pm and did not return

Chairperson's initials

7. CONSIDERATION OF REPORTS OF OFFICERS**7.1 Hearing of Submitters - Proposed 2023-2027 Budget (including year 3 2023-2024 Council Plan initiatives)**

(CR Corporate and Commercial Services)

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

That Council:

1. Hears and considers the public submissions relating to the proposed 2023-2027 budget (including 2023-2024 Council Plan Initiatives);
2. Notes the proposed 2023-2027 budget (including 2023-2024 Council Plan Initiatives) was on public exhibition for a period of 29 days, and that fourteen (14) written submissions were received;
3. Notes four (4) people have registered to speak at this meeting in support of their written submission; and
4. Notes a report to formally adopt the 2023-2027 budget (including 2023-2024 Council Plan Initiatives) will be presented to Council at its meeting on 22 May 2023.

Carried Unanimously

8. URGENT BUSINESS

Nil

Chairperson's initials

9. CONFIDENTIAL ITEMS

Nil

Chairperson's initials

QUESTION TIME

The following questions with notice were presented at the Council Meeting 2023/CM05 – 1 May 2023. The questions and answers were read out publicly. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published below:

Question received with Notice**Manfred Berger****Question**

Following the announcement of the results of Council's 2023-2024 Budget Prioritisation Survey, which show that the No. 1 (highest) priority selected by the residents of Frankston is "Getting Back to Nature", including the subheading "Improve opportunities to .. experience native flora and fauna", will Council now reconsider its decision to build a new Child and Family Centre at the Long Street Reserve in Langwarrin?

A decision that would result in the loss of significant native flora that also supports native fauna in the Langwarrin area, and the consequent result of a significant reduction in the "opportunities for (Langwarrin) residents to experience native flora and fauna", which contradicts the stated aim of the budget priority to improve such opportunities, as well as the stated aims of Frankston City Council in its Council Plan Outcome 3: Sustainable Environment, wherein one of its six initiatives is to "Increase opportunities to experience native flora and fauna".

Response

The matter will come back to the June Council meeting for consideration, noting that there are multiple endorsed priorities within the recently adopted Community Infrastructure Plan and Municipal Early Years Plan.

Diane Larke**Question 1**

Will Frankston City Council release the number of submissions that were not objections, and the number of objections received, as part of the report regarding the construction of proposed kindergarten on Long Street Reserve?

Response

As per clause 57.8.4 of the Governance Rules, this question was disallowed by the Chief Executive Officer.

Question 2

How many objections will it take to stop FCC to stop this proposal?

Response

As per clause 57.8.4 of the Governance Rules, this question was disallowed by the Chief Executive Officer.

Question 3

Have you included the 1751 approved signatories for the petition submitted to FCC against this proposal?

Response

The petition submitted, which includes the 1751 signatories, will be noted in the full engagement report being developed.

Sasa Simeunovic**Question 1**

Have Council considered cost involved in recycling solar panels and batteries at the end of their lifetime? If yes, what percentage of solar panels/batteries can be successfully recycled? And what would be the Council action to protect environment from material (solar panels/batteries) that cannot be recycled?

Response

As per clause 57.4 of the Governance Rules, only the first two parts of this question was considered.

Council has investigated costs associated with recycling solar panels and batteries, however, no outcome has been determined. There are industry operators that offer recycling services for solar panels and batteries that protect the environment from unnecessary waste, however, it should be noted that currently all of Council's solar PV systems are operational and none have reached the end of their asset lifecycle and need to be replaced.

Question 2

Can Council fully commit that will not enforce in any shape or form owners, landlords and affected residents to conduct any "energy efficiency improvement projects" on their already built dwellings?

Response

Council will not enforce energy efficiency improvement projects on existing dwellings. However, if an existing dwelling requests to undertake work that requires a planning permit, that work would need to meet any new planning scheme requirements including Environmentally Sustainable Design elements.

Question 3

As renewable electricity (100%) is provided from Bald Hills Farm, can Council commit that in case of days/weeks of no wind or any other wind farm failure/maintenance, will not retrieve to "dirty" fossil fuel energy source and consequently seize their operations until "green clean energy" is back again?

Response

The power purchase agreement with Alinta Energy is fully covered as GreenPower. All electricity purchased under this agreement must be obtained from renewable sources. There are firming arrangements to cover no wind or down time of the windfarm, so that the retailer must supply electricity from a GreenPower accredited source.

Kerry Gardeniers**Question 1**

Considering McClelland Gallery was dismissed without explanation as an alternative site for the for the New Kindergarten for Langwarrin, and that McClelland Gallery is STILL very keen to have the kindergarten built on its site, and is also STILL very willing to be flexible and work with council regarding land lease or purchase terms, why can't McClelland Gallery be reconsidered for the Langwarrin kindergarten build?

Response

Council considered a number of sites in deciding to pursue the Long Street Reserve as the site for the new Langwarrin Child and Family Centre. McClelland Gallery was one of the considered site, which was not pursued for a number of reasons. This matter is coming to the June Council Meeting and that report will include an assessment of other sites suggested as part of the recent community engagement on the Langwarrin Child and Family Centre.

Question 2

In line with the State Government's "Open Space For Everyone" strategy, and in line with Frankston City Councils own Urban Forest Action and Biodiversity Action Plans , policies and promises and considering the recent results of the "shaping Budget Feedback" prioritizing "Getting back to nature" AS ITS NUMBER ONE PRIORITY, does Council recognize it has a duty of care to follow these policies and protect Long Street Reserve from ANY development that requires removal of ANY extant old growth indigenous trees affecting climate change and fauna survival?

Response

The matter will come back to the June Council meeting for consideration, noting that there are multiple endorsed priorities including the recently adopted Community Infrastructure Plan and Municipal Early Years Plan.

Bill Gardeniers**Question 1**

Now that Frankston City Council has adopted the "Climate Change Strategy" as posted on its Facebook page last week, in line with the fourth theme "PROTECT AND ADAPT NATURAL ENVIRONMENT AND OPEN SPACES" Will Council now abandon plans to build on Long Reserve and find a more appropriate site for the New Kindergarten for Langwarrin proposal?

Response

The matter will come back to the June Council meeting for consideration, noting that there are multiple endorsed priorities including the recently adopted Community Infrastructure Plan and Municipal Early Years Plan.

Question 2

Considering Bayview Kindergarten is less than three kilometres from the existing Long Street Kindergarten and is closer to a Cranbourne Road bus stop than Long Reserve and considering there are no plans for its expansion in the foreseeable future, and it has a Council owned adjoining block of land large enough to accommodate a two room extension without the removal of extant old growth indigenous trees why has this site not been considered for the 99 place kinder?

Response

The Council owned land next to the Bayview Kindergarten is Willow Reserve. Council will shortly undertake works to this Reserve to improve it as a play space for the local area. (Expected to begin in July 2023). This follows community engagement and design which occurred last year.

Bruce Finlayson**Question**

In light of the newly adopted Climate Change Strategy 2023-2030 can Council enlighten members of the public and particularly those of the Save Long Street Reserve group how destroying the Long Street Reserve to build a Kindergarten and Maternal Health Centre

meets point number 4 in the stated commitment to delivering a thriving environment. I.E. PROTECT AND ADAPT NATURAL ENVIRONMENT AND OPEN SPACE.

Response

The matter will come back to the June Council meeting for consideration, noting that there are multiple endorsed priorities including the recently adopted Community Infrastructure Plan and Municipal Early Years Plan.

Sandy Riley

Question 1

As per clause 57.8.5 of the Governance Rules, part of this question was disallowed and has been redacted because it was objectionable in language.

Why do Council have the CEO read out the public's Questions at Question time?

Response

As per Council's Governance Rules Chair or CEO can read the questions during public question time.

Question 2

According to your Governance rules, we the people are not allowed to debate any of Councils replies. We would like to debate with Council on many topics. Will you consider having a public debate on issues that are of public concern? If not, why not?

Response

The primary purpose of the Council meetings is to have robust discussion and make considered decisions. Governance Rules provides the procedure to ensure that these meetings are conducted in an orderly, efficient and equitable manner. To ensure the manageability of Council meetings, opportunities for public participation are limited to Question Time and registered submissions in accordance with Council's Governance Rules. Public debate on the matters discussed at the meeting is not permitted. However, community can provide their feedback on issues of concern through our existing communication channels, such as Engage Frankston Website.

Question 3

As per clause 57.8.3 of the Governance Rules, this question was disallowed by the Chief Executive Officer.

Question received without Notice

The following question without notice was submitted for the Council Meeting 2023/CM05 – 1 May 2023. The question was 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:

Rhonda McInnes

Question

On the 20th March, 2023, Forty two hand written letters containing questions were hand delivered to the Frankston Service Centre in Langwarrin, in regard to the Long Street Reserve proposal. This endeavour was undertaken as a number of our residents are either not computer literate or do not have computer access. Only those letters delivered on the 20th March that contained an email address have been responded to. But my hand delivered written question (delivered on the 23rd March) was replied to by letter (which I thank you for).

Chairperson's initials

BUT - Council has not replied to the letters delivered on the 20th March that did not have an email address. Can I ask why? and when they are likely to receive a response. Thank you!

Response

Responses to the 42 letters have now been provided. There may be a delay in postage due to the recent public holiday. A response was provided via email where an email address was available and the remainder were posted.

The meeting was closed to the public at 7.43 pm

CONFIRMED THIS

22nd

DAY OF

May

2023

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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 Wednesday, 10 May 2023, confirmed on Monday, 22 May 2023.

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

Dated this

22nd

day of

May

2023

Chairperson's initials