



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 10 JULY 2023 at 7.02 PM**

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 Cr. Suzette Tayler (via Zoom)
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Director Corporate and Commercial Services Mr. Cam Arullanantham, Director Infrastructure and Operations (via Zoom) Ms. Shweta Babbar, Director Customer Innovation and Arts Ms. Claire Benzie, Acting Director Communities Ms. Brianna Alcock, Manager Governance Mr. Sam Clements, Manager Development Services (via Zoom) Ms. Caroline Reidy, Manager Financial and Integrated Planning (via Zoom) Ms. Tammy Beauchamp, Manager City Futures (via Zoom) Ms. Karen Wheeler (via Zoom) Ms. Nathalie Nunn (via Zoom) Ms. Brooke Whatmough (via Zoom) Mr. Stuart Caldwell (via Zoom) Mr. Justine Aldersey (via Zoom) Ms. Rachna Gupta Singh, Coordinator Governance Ms. Poonam Kothari, Governance Officer Mr. Connor Rose, Desktop Support and Project Officer Mr. Glen Parry, Supervising Technician Mr. Jeremy O'Rourke, Technician
EXTERNAL REPRESENTATIVES:	Nil

Chairperson's initials.....

COUNCILLOR STATEMENT

Deputy Mayor, Councillor Liam Hughes made the following statement:

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

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

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

PRAYER

Deputy Mayor, Councillor Liam Hughes read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

Chairperson’s initials.....

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The Mayor expressed deepest condolence on behalf of Council to the sad demise of Mr Simon Crean on 25 June, 2023. He acknowledged his contribution as a former Labor Leader for the Federal Government, Chairman of McClelland Gallery located at McClelland Drive, Langwarrin and Director of GSEM, which is a southeast advocacy group. He was involved in the development of Frankston and the southeast as a better place to live and built the infrastructure as needed.

1. APOLOGIES

Nil

2. COUNCILLOR APPRECIATION AWARDS

Nil

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM8 held on 14 June 2023.

Council Decision

Moved: Councillor Tayler

Seconded: Councillor Hill

That the minutes of the Council Meeting No. CM8 held on 14 June 2023 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Mr Phil Cantillon, Chief Executive Officer, acknowledged receipt of a question from 'Council Watch', which could not be accepted as a Public question in accordance with Council's Public Submission and Question Time Policy and will be allocated to the relevant Director for a response.

No other questions were received for the council meeting.

6. HEARING OF PUBLIC SUBMISSIONS

Nil

7. ITEMS BROUGHT FORWARD

Nil

Block Motion**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

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

- 11.1 Statutory Planning Progress Report – May 2023
- 12.1 Governance Matters Report for 10 July 2023
- 12.2 Municipal Early Years Plan (MEYP) Annual Progress Update Report
- 12.7 Award of Contract CN10829 - FRRRC Green Waste Processing

Carried Unanimously

8. PRESENTATIONS / AWARDS

Councillor Baker informed that she attended NAIDOC Maskerade Dinner Dance/Awards Night 2023 at Mornington Racecourse on Saturday 1 July 2023 to celebrate NAIDOC week. Council was again a Platinum Sponsor for this event. She presented the Council-sponsored non-indigenous award to Stephanie Raike, a Health and Well-being teacher at Elisabeth Murdoch College. Raike oversees 45 Aboriginal and Torres Strait islander students and is dedicated to connecting the students to their culture and both Nair Marr Djamaba and Willum Warrain.

She further informed that at this event, Council received a number of awards that she accepted on Council's behalf including a shield, Platinum and Gold Sponsorship Certificate, and a Certificate of Appreciation from Jarrod West Chairperson Nairm Marr Djambana for the work Council does to support them.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

11. CONSIDERATION OF CITY PLANNING REPORTS**11.1 Statutory Planning Progress Report - May 2023**

(SC Communities)

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

That Council:

1. Receives the Statutory Planning Progress Report for the month of May 2023;
2. Notes that in May, 84% of applications determined were within the statutory timeframe, above the target of 70%;
3. Notes substantive progress has been made on reducing the outstanding volume of applications and this will support timeframe achievement into the future; and
4. Resolves that Attachment B (Major Development Updates) remain confidential indefinitely on the grounds that it contains land use planning information and private commercial information (*Local Government Act 2023, s.3(1)(c) and (g)*). These grounds apply because it contains private information and would, if prematurely released, impact the reputation of Councillors and Council.

Carried Unanimously

Note: Refer to page 5 of these Minutes where this item was Block Resolved.

Chairperson's initials.....

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Governance Matters Report for 10 July 2023**

(BA Corporate and Commercial Services)

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

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 10 July 2023;
 - b. Notes there are no open Urgent Business actions;
 - c. Notes there are no Notice of Motion actions reported as complete; and
 - d. Notes since the Council Meeting held on 14 June 2023, 30 resolutions have been completed, as listed in the body of the report

Frankston Cemetery Trust Meeting

2. a. Notes the Frankston Cemetery Trust Meeting held on 17 May 2023 was livestreamed to the community, with Mayor Cr Conroy, Cr Bolam and Cr Asker in attendance as Councillor delegates; and
 - b. Receives and adopts the Minutes of the Frankston Cemetery Trust meeting held on 17 May 2023.
3. Resolves that Attachment C to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h).

Carried Unanimously**Note:** Refer to page 5 of these Minutes where this item was Block Resolved.

Chairperson's initials.....

12.2 Municipal Early Years Plan (MEYP) Annual Progress Update Report
(CB Communities)

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That Council:

1. Notes the progress of the Municipal Early Years Plan (MEYP) 2021-2025; and
2. Supports officers to continue implementing the MEYP actions over the next 2 years.

Carried Unanimously

Note: Refer to page 5 of these Minutes where this item was Block Resolved.

12.3 Frankston Arts Advisory Committee - Minutes 20 June 2023

(TB Customer Innovation and Arts)

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

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee meeting held on 20 June 2023, and
2. Notes that all leased sculpture sites have a replacement sculpture approved and ready to be installed prior to leases expiring and can be accommodated within existing budget.

Carried

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

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

12.4 Community Satisfaction Survey 2023

(CR Corporate and Commercial Services)

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

That Council:

1. Notes the Local Government Community Satisfaction Survey results for 2023 with Frankston City achieving an overall community satisfaction rate of 7.0, compared with a metro average of 7.0;
2. Notes overall community satisfaction is consolidating well above the long term average;
3. Notes that broad areas to improve this year were, customer service (up 6%), planning and development (up 3%), governance and leadership (up 2%) and services and facilities (up 1%); and
4. Releases the results to the community, via various social media channels, on the Council's website, in e-news, in the next available issue of the Frankston City News (FCN) and through media releases.

Carried

In accordance with Governance Rules 79.3, the Chair called to remove the Councillor Steven Hughes from the Chamber for a period of 15 minutes at 7:35 pm.

Cr Steven Hughes left the Chamber 7:35 pm and was not present in Chamber at the time of voting for this item.

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler (7)
Against the Motion: Nil
Abstain: Cr Liam Hughes (1)

Chairperson's initials.....

12.5 Frankston City Housing Strategy - Discussion Paper*(TB Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Notes the *Frankston City Housing Strategy – Discussion Paper* (July 2023), the *Neighbourhood Character Review* (March 2023) and the *Frankston City Housing Strategy Background Analysis* (March 2023);
2. Authorises officers to commence community engagement of the *Frankston City Housing Strategy – Discussion Paper* (July 2023), the *Neighbourhood Character Review* (March 2023) and the *Frankston City Housing Strategy Background Analysis* (March 2023) for a period of six (6) weeks;
3. Notes that the outcomes from the community engagement of the *Frankston City Housing Strategy – Discussion Paper* (July 2023), *Neighbourhood Character Review* (March 2023) and *Frankston City Housing Strategy Background Analysis* (March 2023) will be presented to Council in late 2023 and will inform the development of the draft *Frankston City Housing Strategy*, including the Framework Plan, Neighbourhood and Landscape Character; and
4. Resolves to call an additional Council Meeting on Wednesday, 1 November 2023 at 7pm to provide submitters an opportunity to speak to their written submission to the *Frankston City Housing Strategy – Discussion Paper* (July 2023), *Neighbourhood Character Review* (March 2023) and *Frankston City Housing Strategy Background Analysis* (March 2023).

Carried Unanimously

12.6 Update on Community Consultation on Dandenong Road East Shared User Path (DD Infrastructure and Operations)

Recommendation (Director Infrastructure and Operations)

That Council:

1. Notes the outcome of the recently completed follow on community consultation for the proposed shared user path (SUP) along Dandenong Road East between Beach Street and Cricklewood Avenue in Frankston;
2. Notes the proposed SUP is a missing link in a much longer cycling network, connecting Melbourne to the Mornington Peninsula, via Frankston;
3. Notes the extensive community consultation that occurred with the local community during the design development of the proposed SUP since November 2022;
4. Notes two options for SUP alignment developed for community feedback showing impacts to native and indigenous vegetation and parking spaces for each option;
5. Supports Option 2 for the SUP alignment, including the removal of 30 marked and 46 unmarked car parks, minimising the impact on vegetation subject to planning permits issued for this option;
6. Notes additional trees will be planted at a suitable location to offset any loss of vegetation in addition to the statutory offset necessary in obtaining Planning Permit for the proposed works; and
7. Notes further ongoing consultation with residents and property owners directly abutting the proposed SUP will occur during the construction stage of this project.

Motion

Moved: Councillor Hill

Seconded: Councillor Baker

That Council:

1. Notes the outcome of the recently completed follow on community consultation for the proposed shared user path (SUP) along Dandenong Road East between Beach Street and Cricklewood Avenue in Frankston;
2. Notes the proposed SUP is a missing link in a much longer cycling network, connecting Melbourne to the Mornington Peninsula, via Frankston;
3. Notes the extensive community consultation that occurred with the local community during the design development of the proposed SUP since November 2022;
4. Notes two options for SUP alignment developed for community feedback showing impacts to native and indigenous vegetation and parking spaces for each option;
5. Supports Option 2 for the SUP alignment, including the removal of 30 marked and 46 unmarked car parks, minimising the impact on vegetation subject to planning permits issued for this option;
6. Notes additional trees will be planted at a suitable location to offset any loss of vegetation in addition to the statutory offset necessary in obtaining Planning Permit for the proposed works;
7. Notes the project is funded, and will now proceed to detailed design stage before going out to public tender for construction; and
8. Notes further ongoing consultation with residents and property owners directly

Chairperson's initials.....

abutting the proposed SUP will occur during the construction stage of this project.

Motion was moved and carried.

Councillor Steven Hughes returned to the chamber at 7:54 pm before the voting for this item.

Council Decision

Moved: Councillor Hill

Seconded: Councillor Baker

That Council:

1. Notes the outcome of the recently completed follow on community consultation for the proposed shared user path (SUP) along Dandenong Road East between Beach Street and Cricklewood Avenue in Frankston;
2. Notes the proposed SUP is a missing link in a much longer cycling network, connecting Melbourne to the Mornington Peninsula, via Frankston;
3. Notes the extensive community consultation that occurred with the local community during the design development of the proposed SUP since November 2022;
4. Notes two options for SUP alignment developed for community feedback showing impacts to native and indigenous vegetation and parking spaces for each option;
5. Supports Option 2 for the SUP alignment, including the removal of 30 marked and 46 unmarked car parks, minimising the impact on vegetation subject to planning permits issued for this option;
6. Notes additional trees will be planted at a suitable location to offset any loss of vegetation in addition to the statutory offset necessary in obtaining Planning Permit for the proposed works;
7. Notes the project is funded, and will now proceed to detailed design stage before going out to public tender for construction; and
8. Notes further ongoing consultation with residents and property owners directly abutting the proposed SUP will occur during the construction stage of this project.

Carried Unanimously

Chairperson's initials.....

12.7 Award of Contract CN10829 - FRRRC Green Waste Processing

(SB Corporate and Commercial Services)

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

That Council:

1. Awards contract CN10829 - FRRRC Green Waste Processing to REPURPOSE-IT PTY LTD (ABN 85 617 095 413 & ACN 617 095 413) for the estimated sum of \$3,200,000, GST exclusive, based on Schedule of Rates for the total term of 10 years with an initial 2-year term and the discretionary provision for a further 4 x 2 year options to extend;
2. Authorises the Chief Executive Officer to sign the contract;
3. Authorises the Chief Executive Officer to approve contract variations;
4. Authorises the Director of Corporate and Commercial Services to approve any extensions of the contract, subject to the satisfactory performance of the contractor; and
5. Resolves that Attachment A and B to this report be retained confidential on the grounds that they contain
 - a. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
 - b. Private commercial information, being information provided by a business, commercial or financial undertaking that
 - i. Relates to trade secrets; or
 - ii. If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage,pursuant to the *Local Government Act 2020 s3(1)(a) and s3(1)(g)*.

Carried Unanimously**Note:** Refer to page 5 of these Minutes where this item was Block Resolved.

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13. RESPONSE TO NOTICES OF MOTION**13.1 Response to 2022/NOM11 - Exploration of the establishment of a South Eastern Councils Biodiversity Network**

(TB Communities)

Recommendation (Director Communities)

That Council:

1. Notes the ongoing discussions with the South Eastern Councils to determine the most suitable framework and interest in the establishment of a South Eastern Council's biodiversity network;
2. Writes to Bayside City Council providing in-principle support of the establishment of a South Eastern Council's biodiversity network and request further details on the proposed governance framework noting that a financial and resource commitment will be required by Council that is currently unbudgeted; and
3. Receives a report back to Council at its meeting on 2 October 2023 with the proposed modelling for consideration (pending a response from Bayside City Council).

Motion

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

1. Notes the ongoing discussions with the South Eastern Councils to determine the most suitable framework and interest in the establishment of a South Eastern Council's biodiversity network;
2. Writes to Bayside City Council providing in-principle support of the establishment of a South Eastern Council's biodiversity network and request further details on the proposed governance framework noting that a financial and resource commitment will be required by Council that is currently unbudgeted;
3. Receives a report back to Council at its meeting on 2 October 2023 with the proposed modelling for consideration (pending a response from Bayside City Council), and most importantly, an assessment of the value that being a member of the network would provide to the Council and its community; and
4. Highlights that if the proposed modelling referred to in No.3 of this resolution proposes additional cost/s to South Eastern Councils, then the group is encouraged to explore option/s which do not impose cost/s to South Eastern Councils other than officer time, which is seen as vital for a future involvement of Council.

Motion was moved and carried.

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

That Council:

1. Notes the ongoing discussions with the South Eastern Councils to determine the most suitable framework and interest in the establishment of a South Eastern Council's biodiversity network;
2. Writes to Bayside City Council providing in-principle support of the establishment of a South Eastern Council's biodiversity network and request further details on the proposed governance framework noting that a financial and resource commitment will be required by Council that is currently unbudgeted;
3. Receives a report back to Council at its meeting on 2 October 2023 with the proposed modelling for consideration (pending a response from Bayside City Council), and most importantly, an assessment of the value that being a member of the network would provide to the Council and its community; and
4. Highlights that if the proposed modelling referred to in No.3 of this resolution proposes additional cost/s to South Eastern Councils, then the group is encouraged to explore option/s which do not impose cost/s to South Eastern Councils other than officer time, which is seen as vital for a future involvement of Council.

CarriedFor the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes
and Steven Hughes (8)

Against the Motion: Cr Tayler (1)

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14. NOTICES OF MOTION**14.1 2023/NOM4 - Nat's Track***(AH Communities)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Tayler**

That Council:

1. Commemorates the 30th Anniversary of when the late Frankston residents, Natalie Russell, Elizabeth Stevens and Deborah Fream were tragically taken from their families, friends and schoolmates in June and July 1993;
2. Sends letters of appreciation under the Mayor's signature to the external members of the Nat's Track Working Party who coordinated the 2022 beautification works at this important local track that was dedicated to Natalie's memory:
 - Thomas Cain (Assistant Principal - Monterey Secondary College)
 - Susan Bollard (VCAL Teacher - Monterey Secondary College)
 - Amir Gabriel (Maintenance - Monterey Secondary College)
 - Brendan Day (Course Superintendent - Peninsula Kingswood Country Golf Club)
 - Craig Judkins (Deputy Principal Wellbeing - John Paul College)
 - Simon Page (Superintendent – Long Island, The National Golf Club)
3. Notes the \$300,000 contributed by Council and the \$65,000 contributed by State Government through the support of MP Paul Edbrooke towards the Nat's Track beautification; and
4. Notes Council's standing commitment to continue the maintenance and upkeep of Nat's Track in memory of Natalie Russell.

Carried Unanimously

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

17. CONFIDENTIAL ITEMS

Nil

Chairperson's initials.....

QUESTION TIME**Questions received with Notice**

The following questions with notice were received for the Council Meeting 2023/CM08 – 14 June 2023. In accordance with the Public Submissions and Question Time Policy, the questions and responses are published below:

Stephen Wall**Question 1**

Parking on a nature strip is illegal. This rule is set by the State Government, however each Council is responsible for enforcing this law. This rule was introduced to:

- Protect nature strips
- Protect the infrastructure located beneath the nature strip and for the safety of pedestrians and motorists when exiting driveways.

Why does Frankston Council not enforce this State Government Law?

Response

Council has established enforcement guidelines for parking on nature strips and a Compliance & Enforcement Policy. Council officers work within the scope of these documents which can be found on Council's website.

Question 2

Why are road rules in Frankston not administered equally across the city, when fines are issued for traffic infringements within the CBD but not in suburban streets?

Response

Council has an established Compliance & Enforcement Policy, which guides the manner in which we enforce parking across the municipality.

Question 3

Will the council look at requiring developers to make roads in new subdivisions, wide enough to allow parking on the road and require new homes to have adequate off street parking to accommodate vehicles parked at their property?

Response

The standards for design of roads and provision of on-street parking provision have been set by the State Government and reflect common requirements across all municipalities. For minor streets providing local residential access, the standards generally require a 5.5 metre wide street with one hard stand space per 2 lots, or parking on one side of the road only. New dwellings also require car parking to be provided in accordance with the state standard requirements – minimum one space for a 2 bedroom dwelling and minimum two spaces for a 3 bedroom dwelling.

Robert Graham**Question 1**

Re Olivers Hill car park upgrade. What steps has been taken to talk with any of the local residents of their opinion of the good & bad features re the upgrade?

Response

Council is currently undertaking preliminary community engagement regarding the Nepean Vision, which includes potential future improvements to the Olivers Hill lookouts. Council is

encouraging the community to share their thoughts and feedback on the vision through the Engage Frankston website. <https://engage.frankston.vic.gov.au/nepean-boulevard-vision>

The feedback will be considered through development of a Nepean Boulevard Master Plan with further community engagement planned late 2023.

The vision also responds to community feedback received as part of the Community Vision 2040 and Coastal and Marine Management Plan.

Question 2

Does Council have any knowledge of the topography of Olivers Hill in engineering footpath widening & construction of guard rails in the parking area proposed in respect to the Selwyn Fault danger in the area.

Response

Through the Nepean Boulevard Master Plan process, Council will liaise further with relevant State Government Agencies (Department of Transport and Department of Energy, Environment and Climate Action) to ensure the Master Plan addresses existing conditions as well as anticipated future change.

The meeting was closed to the public at 8.12 pm

CONFIRMED THIS

DAY OF

2023

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Nathan Conroy, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on 10 July 2023, confirmed on _____.

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

Dated this

day of

2023

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