



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 31 JULY 2023 at 7.01PM**

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
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 Arullantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Customer Innovation and Arts Ms. Brianna Alcock, Manager Governance Ms. Claire Benzie, Manager Family Health Support Services (via Zoom) Mr. Tim Bearup, Manager Community Strengthening (via Zoom) Ms. Danielle Watts, Manager Procurement, Property and Risk (via Zoom) Mr. Nathan Upson, Manager People and Culture Mr. Kegan Qiao, Senior Buildings Project Manager (via Zoom) Ms. Karen Wheeler, Coordinator Children's Services (via Zoom) Ms. Tenille Craig, Team Leader Governance Mr. Connor Rose, Desktop Support and Project Officer Mr. Josh Lacey, 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.....

<b>1. APOLOGIES .....</b>	<b>3</b>
<b>2. COUNCILLOR APPRECIATION AWARDS .....</b>	<b>3</b>
<b>3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>3</b>
Council Meeting No. CM9 held on 10 July 2023.....	3
<b>4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>3</b>
<b>5. PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>6. HEARING OF PUBLIC SUBMISSIONS .....</b>	<b>3</b>
<b>7. ITEMS BROUGHT FORWARD .....</b>	<b>3</b>
<b>8. PRESENTATIONS / AWARDS.....</b>	<b>4</b>
<b>9. PRESENTATION OF PETITIONS AND JOINT LETTERS .....</b>	<b>4</b>
<b>10. DELEGATES' REPORTS.....</b>	<b>4</b>
<b>ITEMS BROUGHT FORWARD.....</b>	<b>5</b>
12.9 Langwarrin Child & Family Centre and Response to Long Street Reserve Petition .....	5
<b>11. CONSIDERATION OF CITY PLANNING REPORTS .....</b>	<b>9</b>
<b>12. CONSIDERATION OF REPORTS OF OFFICERS .....</b>	<b>10</b>
12.1 Governance Matters Report for 31 July 2023 .....	10
12.2 Chief Executive Officer's Quarterly report - April - June 2023 period .....	11
12.3 Draft Boatshed and Bathing Box Policy .....	14
12.4 Adoption of Road Discontinuance Policy .....	15
12.5 Adoption of Waste Circularity Plan 2023-2030.....	16
12.6 Destination Event Attraction Program - Round 2 Recommendations.....	17
12.7 Electoral Structure Review .....	18
12.8 Frankston Skate Park Management .....	22
12.10 Award of Contract CN11104 - Overport Park Oval No 1 Reconstruction .....	23
12.11 Award of Contract CN11108 - Professional Engineering and Design Consultancy Services .....	24
<b>13. RESPONSE TO NOTICES OF MOTION .....</b>	<b>26</b>
<b>14. NOTICES OF MOTION.....</b>	<b>26</b>

**15. LATE REPORTS .....26**

**16. URGENT BUSINESS .....26**

**17. CONFIDENTIAL ITEMS .....27**

    C.1 Support Request From The Frankston District Netball  
        Association (FDNA) .....27

    C.2 CEO Employment and Remuneration Committee.....27

**18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS .....27**

    C.2 CEO Employment and Remuneration Committee.....27

**1. APOLOGIES**

Nil

**2. COUNCILLOR APPRECIATION AWARDS**

Nil

**3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Council Meeting No. CM9 held on 10 July 2023.**

**Council Decision**

**Moved: Councillor Tayler**

**Seconded: Councillor Harvey**

That the minutes of the Council Meeting No. CM9 held on 10 July 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**

Mr Phil Cantillon, Chief Executive Officer, made a verbal declaration of a conflict of interest on Item C.2 - CEO Employment and Remuneration Committee and declared that he will leave the Chambers during debate and voting on this Item.

**5. PUBLIC QUESTION TIME**

One (1) person submitted questions with notice to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery.

The questions received with notice and answers will be provided in the Minutes of the next Council Meeting.

**6. HEARING OF PUBLIC SUBMISSIONS**

The people listed below made a submission to Council regarding Item 12.9: Langwarrin Child & Family Centre and Response to Long Street Reserve Petition:

- Mr Neil Kinsey
- Ms Jessica Weissenfeld; and
- Mr Glenn Aitken.

**7. ITEMS BROUGHT FORWARD**

**Items Brought Forward**

**Council Decision**

**Moved: Councillor Tayler**

**Seconded: Councillor Baker**

That Item 12.9 - Langwarrin Child & Family Centre and Response to Long Street Reserve Petition be brought forward.

**Carried Unanimously**

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

That the items listed below be block resolved:

- 12.1: Governance Matters Report for 31 July 2023
- 12.3: Draft Boatshed and Bathing Box Policy
- 12.4: Adoption of Road Discontinuance Policy
- 12.5: Adoption of Waste Circularity Plan 2023-2030
- 12.10: Award of Contract CN11104 - Overport Park Oval No 1 Reconstruction
- 12.11: Award of Contract CN11108 - Professional Engineering and Design Consultancy Services

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

**8. PRESENTATIONS / AWARDS**

Councillor Tayler acknowledged the Top Tourism Town Awards, for which Frankston received the Bronze award.

Frankston City has once again been recognised as a top tourism destination, winning Bronze in the 2023 Victorian Top Tourism Town Awards for the second consecutive win. Congratulations to everyone who worked hard to gain this recognition.

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

Nil

**10. DELEGATES' REPORTS**

Nil

**ITEMS BROUGHT FORWARD****12.9 Langwarrin Child & Family Centre and Response to Long Street Reserve Petition***(CB Communities)***Recommendation (Director Communities)**

That Council:

1. Notes the engagement findings of the Langwarrin Child & Family Centre project at Long Street Reserve, including the strong community interest;
2. Notes the additional site investigations carried out in Langwarrin, including previous sites already investigated and those submitted by community, and notes the delay in response to the Long Street petition to investigate all possible options prior to a decision;
3. Notes the time limited additional funding offer from State Government for the Langwarrin Child & Family Centre and that this is subject to establishing a Building Blocks Partnership Agreement with State Government and maintaining the existing Long Street kindergarten for provision of kindergarten;
4. Subject to Ministerial approval and funding of \$6.75M, approves the Langwarrin Community Centre to be the location for the Langwarrin Child & Family Centre and for communication to be disseminated to community and stakeholders in August;
5. Approves officers to investigate the upgrade of Athol Reserve, including project scope of works and budget allocation, noting the upcoming increased utilisation of this reserve. A report is to be tabled with Council at the appropriate time;
6. Subject to the project being endorsed by the Minister, commits an allocation of \$75,000 to the Langwarrin Community Centre for the 2023-24 financial year to support the initial planning and transition to the new operational model, and for payment of a recurrent site management fee of the same amount (plus CPI) to be reviewed annually and subject to the standard annual budget planning processes;
7. Notes that additional interim financial support may be sought by the Langwarrin Community Centre to support their financial sustainability if it is found there is a period during the re-development of the facility that they are required to cease or significantly reduce their operations;
8. Subject to Ministerial approval (including a funding allocation of \$6.75M) of the Langwarrin Community Centre site, cease all planned work on the new Langwarrin Child and Family Centre Benzie at the Long Street Reserve in Langwarrin; and
9. Authorises Council officers to notify the Head Petitioner of the outcome of the petition.

**Motion****Moved: Councillor Tayler****Seconded: Councillor Harvey**

That Council:

1. Notes the engagement findings of the Langwarrin Child & Family Centre project at Long Street Reserve, including the strong community interest;
2. Notes the additional site investigations carried out in Langwarrin, including previous sites already investigated and those submitted by community, and notes the delay in response to the Long Street petition to investigate all possible options prior to a decision;

Chairperson's initials.....

3. Notes the time limited additional funding offer from State Government for the Langwarrin Child & Family Centre and that this is subject to establishing a Building Blocks Partnership Agreement with State Government and maintaining the existing Long Street kindergarten for provision of kindergarten;
4. Subject to Ministerial approval and funding of \$6.75M, approves the Langwarrin Community Centre to be the location for the Langwarrin Child & Family Centre and for communication to be disseminated to community and stakeholders in August;
5. Approves officers to investigate the upgrade of Athol Reserve, including project scope of works and budget allocation, noting the upcoming increased utilisation of this reserve. A report is to be tabled with Council at the appropriate time including repurpose any potential savings that may be derived from the eventual cost of the project for any future upgrade of Athol Reserve;
6. Directs the Chief Executive Officer to increase road safety and compliance education and enforcement, as necessary, along Warrandyte Road in the area of the Langwarrin Community Centre and, explore options to improve the safe flow of traffic along Warrandyte Road and Lang Road at peak school pick-up and drop off times, in response to concerns raised;
7. Subject to the project being endorsed by the Minister, commits an allocation of \$75,000 to the Langwarrin Community Centre for the 2023-24 financial year to support the initial planning and transition to the new operational model, and for payment of a recurrent site management fee of the same amount (plus CPI) to be reviewed annually and subject to the standard annual budget planning processes;
8. Notes that additional interim financial support may be sought by the Langwarrin Community Centre to support their financial sustainability if it is found there is a period during the re-development of the facility that they are required to cease or significantly reduce their operations;
9. Subject to Ministerial approval (including a funding allocation of \$6.75M) of the Langwarrin Community Centre site, cease all planned work on the new Langwarrin Child and Family Centre at the Long Street Reserve in Langwarrin; and
10. Authorises Council officers to notify the Head Petitioner of the outcome of the petition.

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

That Cr Hill be granted an extension of time.

**Carried Unanimously****Extension of Time****Moved: Councillor Harvey****Seconded: Councillor Bolam**

That Cr Asker be granted an extension of time.

**Carried Unanimously**



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

That Cr Steven Hughes be granted an extension of time.

**Carried Unanimously****Extension of Time****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Cr Bolam be granted an extension of time.

**Carried Unanimously****Council Decision****Moved: Councillor Tayler****Seconded: Councillor Harvey**

That Council:

1. Notes the engagement findings of the Langwarrin Child & Family Centre project at Long Street Reserve, including the strong community interest;
2. Notes the additional site investigations carried out in Langwarrin, including previous sites already investigated and those submitted by community, and notes the delay in response to the Long Street petition to investigate all possible options prior to a decision;
3. Notes the time limited additional funding offer from State Government for the Langwarrin Child & Family Centre and that this is subject to establishing a Building Blocks Partnership Agreement with State Government and maintaining the existing Long Street kindergarten for provision of kindergarten;
4. Subject to Ministerial approval and funding of \$6.75M, approves the Langwarrin Community Centre to be the location for the Langwarrin Child & Family Centre and for communication to be disseminated to community and stakeholders in August;
5. Approves officers to investigate the upgrade of Athol Reserve, including project scope of works and budget allocation, noting the upcoming increased utilisation of this reserve. A report is to be tabled with Council at the appropriate time including repurpose any potential savings that may be derived from the eventual cost of the project for any future upgrade of Athol Reserve;
6. Directs the Chief Executive Officer to increase road safety and compliance education and enforcement, as necessary, along Warrandyte Road in the area of the Langwarrin Community Centre and, explore options to improve the safe flow of traffic along Warrandyte Road and Lang Road at peak school pick-up and drop off times, in response to concerns raised;
7. Subject to the project being endorsed by the Minister, commits an allocation of \$75,000 to the Langwarrin Community Centre for the 2023-24 financial year to support the initial planning and transition to the new operational model, and for payment of a recurrent site management fee of the same amount (plus CPI) to be reviewed annually and subject to the standard annual budget planning processes;
8. Notes that additional interim financial support may be sought by the Langwarrin Community Centre to support their financial sustainability if it is found there is a period during the re-development of the facility that they are required to cease or significantly reduce their operations;
9. Subject to Ministerial approval (including a funding allocation of \$6.75M) of the Langwarrin Community Centre site, cease all planned work on the new

Chairperson's initials.....

Langwarrin Child and Family Centre at the Long Street Reserve in Langwarrin;  
and

10. Authorises Council officers to notify the Head Petitioner of the outcome of the petition.

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler (7)  
Against the Motion: Nil  
Abstained: Crs Liam Hughes and Steven Hughes (2)

*The Meeting was adjourned at 8.42pm*

**11. CONSIDERATION OF CITY PLANNING REPORTS**

Nil

Chairperson's initials.....

**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Governance Matters Report for 31 July 2023***(BA Corporate and Commercial Services)***Council Decision****Moved: Councillor Tayler****Seconded: Councillor Harvey**

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 31 July 2023;
  - b. Notes there are no open Urgent Business actions;
  - c. Notes there are two Notice of Motion actions reported as complete:
    - 2021/NOM8 - Humanitarian Support for Fiji
    - 2022/NOM11 - Exploration of the establishment of a South Eastern Councils Biodiversity Network
  - d. Notes since the Council Meeting, held on 10 July 2023, 2 resolution actions have been completed, as listed in the body of the report;
  - e. Notes there is one report delayed in its presentation Council:
    - Asset Management Policy, delayed to 10 September 2023 Council Meeting
  - f. Approves a minor correction in the minutes of the Council Meeting held on 15 August 2022, Item 16 - Urgent Business, to remove the name of Councillor Bolam from the voting division as he declared a conflict of interest in this item and was not present at the time of voting.
  - g. Resolves the Minutes to be amended with removing Cr Bolam as having voted for the matter;

**Audit and Risk Committee**

2. Receives the unconfirmed minutes of the Audit and Risk Committee meeting, held on 19 May 2023; and

**MAV State Council Meeting**

3. Notes the MAV State Council Meeting will be held in Melbourne on 13 October 2023 and there are no Motions proposed to be submitted by Council.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

Chairperson's initials.....

*Meeting resumed at 8.51pm*

## **12.2 Chief Executive Officer's Quarterly report - April - June 2023 period**

*(PC Chief Executive Office)*

### **Recommendation (Chief Executive Officer)**

That Council:

1. Notes the Chief Executive Officer's Report and any updates on outstanding actions provided within the report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period April to June 2023 (attachment A), which will be made available after this meeting through Council's website;
3. Notes the completion of the Accountability and Transparency Reform (ATR) item 39 and resolves for this to be closed from monitoring and reporting in future CEO quarterly reports;
4. Notes the further reduction of decisions being made in closed council, with a result of 1.92% in quarter four (4) and 2.34% in 2022-2023;
5. Notes its prior resolution at the 1 May 2023 Council Meeting, requiring that a future quarterly Chief Executive Officer report be provided on an indefinite basis, which for all intents and purposes has been a great success for its breadth and commentary of the substantial progress being made by Council, along with the integrity and wider transparency it provides of the Council and its operations; and
6. Resolves for attachment B (Confidential Chief Executive Officer's report for April to June 2023 period) to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local Government Act 2020, section 3(1) (a), (d), (e), (f), (g), (i), (j) and (h) and would, if prematurely released would reduce Council's ability to properly perform its functions.

### **Motion**

**Moved: Councillor Bolam**

**Seconded: Councillor Tayler**

That Council:

1. Notes the Chief Executive Officer's Report and any updates on outstanding actions provided within the report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period April to June 2023 (attachment A), which will be made available after this meeting through Council's website;
3. Notes the completion of the Accountability and Transparency Reform (ATR) item 39 and resolves for this to be closed from monitoring and reporting in future CEO quarterly reports;
4. Notes the further reduction of decisions being made in closed council, with a result of 1.92% in quarter four (4) and 2.34% in 2022-2023;
5. Notes its prior resolution at the 1 May 2023 Council Meeting, requiring that a future quarterly Chief Executive Officer report be provided on an indefinite basis, which for all intents and purposes has been a great success for its breadth and commentary of the substantial progress being made by Council, along with the integrity and wider transparency it provides of the Council and its operations;
6. Notes the previously adopted recommendation at the 31 January 2022 Council Meeting advocating funding from State government for major aesthetic upgrade to

Chairperson's initials.....

- the Beach Street/ McMahons Road underpass;
7. Notes the previous advocacy undertaken to State and Federal Governments, including a funding allocation of \$320,380 through the Federal Government's Black Spot program towards the installation of raised safety platform ramps on main approaches, with splitter islands, kerb outstands and lighting at the Beach Street and McMahons Road intersection;
  8. Notes preliminary concept designs developed by Council in 2022 that features the following initiatives:
    - Installation of new lighting under the Frankston Freeway bridge overpass
    - Removal of overgrown weeds and unwanted vegetation with possible new tree and vegetation planting
    - Replacement of existing sound barrier walls with new, improved and more visually appealing sound barrier walls
  9. Undertakes further advocacy to the State Government through State Member for Frankston and the State Minister for Roads and Road Safety, seeking a commitment towards precinct safety and revitalisation improvements as highlighted above, in addition to a commitment from the State Government for increased ongoing maintenance and responsiveness to requests in the precinct; and
  10. Resolves for attachment B (Confidential Chief Executive Officer's report for April to June 2023 period) to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local Government Act 2020, section 3(1) (a), (d), (e), (f), (g), (i), (j) and (h) and would, if prematurely released would reduce Council's ability to properly perform its functions.

### **Council Decision**

**Moved: Councillor Bolam**

**Seconded: Councillor Tayler**

That Council:

1. Notes the Chief Executive Officer's Report and any updates on outstanding actions provided within the report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period April to June 2023 (attachment A), which will be made available after this meeting through Council's website;
3. Notes the completion of the Accountability and Transparency Reform (ATR) item 39 and resolves for this to be closed from monitoring and reporting in future CEO quarterly reports;
4. Notes the further reduction of decisions being made in closed council, with a result of 1.92% in quarter four (4) and 2.34% in 2022-2023;
5. Notes its prior resolution at the 1 May 2023 Council Meeting, requiring that a future quarterly Chief Executive Officer report be provided on an indefinite basis, which for all intents and purposes has been a great success for its breadth and commentary of the substantial progress being made by Council, along with the integrity and wider transparency it provides of the Council and its operations;
6. Notes the previously adopted recommendation at the 31 January 2022 Council Meeting advocating funding from State government for major aesthetic upgrade to the Beach Street/ McMahons Road underpass;
7. Notes the previous advocacy undertaken to State and Federal Governments, including a funding allocation of \$320,380 through the Federal Government's

Chairperson's initials.....

- Black Spot program towards the installation of raised safety platform ramps on main approaches, with splitter islands, kerb outstands and lighting at the Beach Street and McMahons Road intersection;
- 8 Notes preliminary concept designs developed by Council in 2022 that features the following initiatives:
- Installation of new lighting under the Frankston Freeway bridge overpass
  - Removal of overgrown weeds and unwanted vegetation with possible new tree and vegetation planting
  - Replacement of existing sound barrier walls with new, improved and more visually appealing sound barrier walls;
- 9 Undertakes further advocacy to the State Government through State Member for Frankston and the State Minister for Roads and Road Safety, seeking a commitment towards precinct safety and revitalisation improvements as highlighted above, in addition to a commitment from the State Government for increased ongoing maintenance and responsiveness to requests in the precinct; and
10. Resolves for attachment B (Confidential Chief Executive Officer's report for April to June 2023 period) to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local Government Act 2020, section 3(1) (a), (d), (e), (f), (g), (i), (j) and (h) and would, if prematurely released would reduce Council's ability to properly perform its functions.

**Carried Unanimously**

**12.3 Draft Boatshed and Bathing Box Policy***(DW Corporate and Commercial Services)***Council Decision****Moved: Councillor Tayler****Seconded: Councillor Harvey**

That Council:

1. Notes the draft Boatshed and Bathing Box Policy;
2. Notes that targeted community engagement with priority stakeholders has already been undertaken to inform the draft policy;
3. Endorses the draft Boatshed and Bathing Box Policy to be publicly exhibited for a period of four weeks;
4. Notes that any submissions received in response to public exhibition of the draft Boatshed and Bathing Box Policy that are opposed to, or which suggest changes to the Policy, be considered as part of a report to Council for its consideration at a future meeting; and
5. Confirms that if no submissions are received, or if the only submissions received in response to the public exhibition of the draft Boatshed and Bathing Box Policy support the Policy without qualification, Council authorises the adoption of the Boatshed and Bathing Box Policy.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

Chairperson's initials.....



**12.4 Adoption of Road Discontinuance Policy**

*(DW Corporate and Commercial Services)*

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

That Council:

1. Notes the Draft Road Discontinuance Policy was publicly exhibited for four weeks and three submissions were received;
2. Notes the feedback received which resulted in minor amendments to the Policy; and
3. Adopts the Road Discontinuance Policy.

**Carried**For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes  
and Tayler (8)

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

Chairperson's initials.....

**12.5 Adoption of Waste Circularity Plan 2023-2030***(BH Corporate and Commercial Services)***Council Decision****Moved: Councillor Tayler****Seconded: Councillor Harvey**

That Council:

1. Notes the draft Waste Circularity Plan 2023-2030 was displayed for public exhibition between 23 May and 20 June 2023.
2. Notes both internal and external feedback received on the Action Plan strongly aligned with the existing provisions of the action plan, requiring only a few minor clarification and amendments.
3. Notes that in line with community sentiment additional provisions to support gender equity, diversity and inclusion have now been added to the plan principles, monitoring, and evaluation.
4. Adopts the Waste Circularity Plan 2023-2030; and
5. Notes Officers will notify the submitters of its decision accordingly.

**Carried**For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes  
and Tayler (8)

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

Chairperson's initials.....

**12.6 Destination Event Attraction Program - Round 2 Recommendations**

*(TB Customer Innovation and Arts)*

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

That Council:

1. Endorses the recommended funding of \$110,000 and in-kind support of \$17,000 for the successful event/s in Round 2 of the Destination Event Attraction Program, to a total value of \$127,000;
2. Authorises the public release of the business name/s only of the successful grant recipient/s at the conclusion of this Council Meeting; and
3. Resolves that Attachment A & B remain confidential indefinitely, on the grounds that they include 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 (Local Government Act 2020, s3(1)(g)). These grounds apply because the information is commercial information and would, if released, compromise Council's ability to obtain similar detailed information from tender applicants in the future.

**Carried Unanimously**

**12.7 Electoral Structure Review**

*(BA Corporate and Commercial Services)*

**Recommendation (Director Corporate and Commercial Services)**

That Council:

1. Notes as per Local Government Act 2020 (the Act), councils are required to have a single-councillor ward electoral structure and an independent Electoral Representation Advisory Panel (ERAP) has been appointed by the Minister for Local Government to review the electoral structure of Frankston City Council;
2. Notes that the Preliminary Report on the proposed new electoral structure was released by the ERAP, on 12 July 2023 for public consultation, who are seeking public submissions by 5pm Wednesday 2 August 2023;
3. Notes the three (3) models recommended for Frankston City Council by ERAP in the report:

**Proposed new electoral structure Model 1**

Frankston City Council has 8 councillors and is divided into 8 wards with one councillor per ward. Ward names: Banyan Ward, Boggy Creek Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Yamala Ward;

**Proposed new electoral structure Model 2**

Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Ward names: Coastal Ward, Crystal Park Ward, Lloyd Park Ward, Lyrebird Ward, Mount Grand Ward, Paratea Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward;

**Proposed new electoral structure Model 3**

Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Different boundaries to Model 2. Ward names: Banyan Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward, Yamala Ward;

4. Notes a brief community consultation was underway from 26 July until 30 July 2023 on its draft submission seeking feedback to inform its final submission;
5. Endorses its response submission on the proposed new electoral structure, noting the feedback from the community consultation may result in updating the below in its submission, which includes:
  - a. Preferred new electoral structure Model 3;
  - b. Supportive of ward boundaries in Model 3;
  - c. Request to change the proposed ward names in Model 3 to alternate new ward names: Lyrebird Ward, Langwarrin Ward, Elisabeth Murdoch Ward, Derinya Ward, Kananook Ward, Pines Ward, Wilton Ward, Ballam Ward and Sweetwater Ward; and
6. Authorises the Chief Executive Officer to submit Council's submission to the Electoral Representation Advisory Panel (ERAP) via the Victorian Electoral Commission (VEC) and nominates the Chief Executive Officer and/or a representative to speak in support of the submission at the public hearing on 9 August 2023.

Chairperson's initials.....

**Motion****Moved: Councillor Bolam****Seconded: Councillor Harvey**

That Council:

1. Notes as per Local Government Act 2020 (the Act), councils are required to have a single-councillor ward electoral structure and an independent Electoral Representation Advisory Panel (ERAP) has been appointed by the Minister for Local Government to review the electoral structure of Frankston City Council;
2. Notes that the Preliminary Report on the proposed new electoral structure was released by the ERAP, on 12 July 2023 for public consultation, who are seeking public submissions by 5pm Wednesday 2 August 2023;
3. Notes the three (3) models recommended for Frankston City Council by ERAP in the report:
  - Proposed new electoral structure Model 1**  
Frankston City Council has 8 councillors and is divided into 8 wards with one councillor per ward. Ward names: Banyan Ward, Boggy Creek Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Yamala Ward;
  - Proposed new electoral structure Model 2**  
Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Ward names: Coastal Ward, Crystal Park Ward, Lloyd Park Ward, Lyrebird Ward, Mount Grand Ward, Paratea Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward;
  - Proposed new electoral structure Model 3**  
Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Different boundaries to Model 2. Ward names: Banyan Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward, Yamala Ward;
4. Notes a brief community consultation was underway from 26 July until 30 July 2023 on its draft submission seeking feedback to inform its final submission;
5. Notes the feedback received from the community on its draft submission and includes this feedback in its final submission:
  - five (5) of the six (6) respondents supported Council's preferred proposed Model 3;
  - all respondents supported Council's proposed alternate ward names Langwarrin Ward, Elisabeth Murdoch Ward, Kananook Ward, Ballam Ward, Sweetwater Ward, Derinya Ward;
  - four (4) of the six (6) respondents supported Council's proposed alternate ward names Pines Ward and Wilton Ward;
  - five (5) of the six (6) respondents supported Council's proposed alternate ward name Lyrebird Ward;
6. Endorses its response submission on the proposed new electoral structure, noting the feedback from the community consultation may result in updating the below in its submission, which includes:
  - a. Preferred new electoral structure Model 3;
  - b. Supportive of ward boundaries in Model 3;
  - c. Request to change the proposed ward names in Model 3 to alternate new ward names: Lyrebird Ward, Langwarrin Ward, Elisabeth Murdoch Ward, Derinya Ward, Kananook Ward, Pines Ward, Wilton Ward, Ballam Ward and Sweetwater Ward; and
7. Authorises the Chief Executive Officer to submit Council's submission to the  
Chairperson's initials.....

Electoral Representation Advisory Panel (ERAP) via the Victorian Electoral Commission (VEC) and nominates the Chief Executive Officer and/or a representative to speak in support of the submission at the public hearing on 9 August 2023.

### **Council Decision**

**Moved: Councillor Bolam**

**Seconded: Councillor Harvey**

That Council:

1. Notes as per Local Government Act 2020 (the Act), councils are required to have a single-councillor ward electoral structure and an independent Electoral Representation Advisory Panel (ERAP) has been appointed by the Minister for Local Government to review the electoral structure of Frankston City Council;
2. Notes that the Preliminary Report on the proposed new electoral structure was released by the ERAP, on 12 July 2023 for public consultation, who are seeking public submissions by 5pm Wednesday 2 August 2023;
3. Notes the three (3) models recommended for Frankston City Council by ERAP in the report:
  - Proposed new electoral structure Model 1**  
Frankston City Council has 8 councillors and is divided into 8 wards with one councillor per ward. Ward names: Banyan Ward, Boggy Creek Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Yamala Ward;
  - Proposed new electoral structure Model 2**  
Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Ward names: Coastal Ward, Crystal Park Ward, Lloyd Park Ward, Lyrebird Ward, Mount Grand Ward, Paratea Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward;
  - Proposed new electoral structure Model 3**  
Frankston City Council has 9 councillors and is divided into 9 wards with one councillor per ward. Different boundaries to Model 2. Ward names: Banyan Ward, Lloyd Park Ward, Mount Grand Ward, Paratea Ward, Seaford Reserve Ward, Telopea Reserve Ward, Wilton Bushland Ward, Worland Park Ward, Yamala Ward;
4. Notes a brief community consultation was underway from 26 July until 30 July 2023 on its draft submission seeking feedback to inform its final submission;
5. Notes the feedback received from the community on its draft submission and includes this feedback in its final submission:
  - five (5) of the six (6) respondents supported Council's preferred proposed Model 3;
  - all respondents supported Council's proposed alternate ward names Langwarrin Ward, Elisabeth Murdoch Ward, Kananook Ward, Ballam Ward, Sweetwater Ward, Derinya Ward;
  - four (4) of the six (6) respondents supported Council's proposed alternate ward names Pines Ward and Wilton Ward;
  - five (5) of the six (6) respondents supported Council's proposed alternate ward name Lyrebird Ward;
6. Endorses its response submission on the proposed new electoral structure, noting the feedback from the community consultation may result in updating the below in its submission, which includes:
  - a. Preferred new electoral structure Model 3;
  - b. Supportive of ward boundaries in Model 3;

Chairperson's initials.....

- c. Request to change the proposed ward names in Model 3 to alternate new ward names: Lyrebird Ward, Langwarrin Ward, Elisabeth Murdoch Ward, Derinya Ward, Kananook Ward, Pines Ward, Wilton Ward, Ballam Ward and Sweetwater Ward; and
- 7. Authorises the Chief Executive Officer to submit Council's submission to the Electoral Representation Advisory Panel (ERAP) via the Victorian Electoral Commission (VEC) and nominates the Chief Executive Officer and/or a representative to speak in support of the submission at the public hearing on 9 August 2023.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Hill (1)

**12.8 Frankston Skate Park Management**

*(DW Corporate and Commercial Services)*

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

That Council:

1. Notes that, after a service review, it was identified there was an opportunity to achieve greater value in the management of Frankston Skate Park by leveraging the services provided by Peninsula Leisure Pty Ltd;
2. Notes Peninsula Leisure Pty Ltd is a company wholly owned by Council and charged with the management of Peninsula Aquatic Recreation Centre (PARC), which is adjacent to the Frankston Skate Park;
3. Enters into a licence agreement with Peninsula Leisure Pty Ltd for the management of Frankston Skate Park, for a period of five (5) years, with an estimated total value of \$1,076,185 ex GST;
4. Authorises the Chief Executive Officer to execute and sign the agreement; and
5. Resolves all attachments to this report be retained confidential indefinitely on the grounds they contain 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**

*Councillor Steven Hughes left the Chamber at 9.16pm  
and was not present in the 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  
Abstained: Cr Liam Hughes (1)

Chairperson's initials.....



**12.10 Award of Contract CN11104 - Overport Park Oval No 1 Reconstruction**

(DD Infrastructure and Operations)

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

That Council:

1. Awards contract CN11 Overport Park Oval No 1 Reconstruction to SJM Turf & Civil Pty Ltd (CAN 624 750 018) for \$1,339,432.25 GST exclusive;
2. Approves the contingency amount of \$134,567.75 exclusive of GST;
3. Authorises the Chief Executive Officer to sign the contract;
4. Delegates approval of contract variations to the Chief Executive Officer;
5. Notes a \$400,000 project budget shortfall to award this contract;
6. Commits \$400,000 towards Overport Park Oval Reconstruction No 1 in 2023/24 Annual Budget and defers \$400,000 from Frankston South Drainage Strategy - Drainage Upgrade - Warringa Rd catchment Stage 2 in 2023/24 Annual Budget to address the project budget shortfall; and
7. Resolves Attachments A 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, Liam Hughes and Tayler (8)

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

Chairperson's initials.....

**12.11 Award of Contract CN11108 - Professional Engineering and Design Consultancy Services**

*(DD Infrastructure and Operations)*

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

That Council:

- a. Appoints the following consultants to CN11108 - Professional Engineering Design and Consultancy Services Panel, for an initial three (3) year term with a provision of three (3) further two (2) year terms, with an estimated potential contract value of \$4.5M exclusive of GST;
  - a) AME Consulting Pty Ltd, ABN 37 609 456 546
  - b) BVY Pty Ltd, ABN 18 434 565 435
  - c) Civil Road Solutions Pty Ltd, ABN 13 151 174 104
  - d) CRE Consulting Engineers Pty Ltd, ABN 11 078 132 804
  - e) Coulthardshim Pty Ltd, ABN 62 372 050 254
  - f) Elite Engineering Pty Ltd, ABN 18 631 104 866
  - g) Engeny Australia Pty Ltd, ABN 70 656 040 961
  - h) FMG Engineering Pty Ltd, ABN 58 083 071 185
  - i) HDS Australia Pty Ltd, ABN 72 008 214 266
  - j) JCA Land Consultants Pty Ltd, ABN 75 083 816 915
  - k) JJ Ryan Pty Ltd, ABN 69 145 797 726
  - l) LR Pardo Pty Ltd, ABN 29 133 787 612
  - m) NEN Consulting Pty Ltd, ABN 73 638 046 894
  - n) O'Brien Traffic Pty Ltd, ABN 55 007 006 037
  - o) One Mile Grid Pty Ltd, ABN 79 168 115 679
  - p) PROCIVIL Consulting Pty Ltd, ABN 51 759 386 092
  - q) Sustainable Transport Surveys as trustee for St Surveys Unit Trust, ABN 76 150 090 207
  - r) Institute for Sensible Transport as trustee for Fishman Family Trust, ABN 78 504 466 884
  - s) Site Geotechnical Pty Ltd, ABN 23 114 166 997
  - t) SMEC Australia Pty Ltd, ABN 47 065 475 149
  - u) Stantec Australia Pty Ltd, ABN 17 007 820 322
  - v) Traffic Works Pty Ltd, ABN 59 125 488 977
  - w) Traffix Group Pty Ltd, ABN 32 100 481 570
  - x) Transafe Pty Ltd as trustee for Transafe Unit Trust, ABN 15 177 622 541
  - y) Water Technology, ABN 60 093 377 283
- b. Authorises the Chief Executive Officer to execute the contract(s);
- c. Authorises the Chief Executive Officer to approve any contract variations;
- d. Authorises the Director Infrastructure and Operations to approve the extensions of  
Chairperson's initials.....

- the contract(s) subject to the satisfactory performance of the contractor(s); and
- e. Resolves that Attachment A 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, Liam Hughes and Tayler (8)

Against the Motion: Nil

Abstained: Cr Steven Hughes (1)

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

**13. RESPONSE TO NOTICES OF MOTION**

Nil

**14. NOTICES OF MOTION**

Nil

**15. LATE REPORTS**

Nil

**16. URGENT BUSINESS**

Nil

The Mayor acknowledged the passing of Mr Warwick Exton, current Frankston City Council Citizen of the Year. The Mayor commented Mr Exton was a one hundred year old man who was passionate about the community and spent decades with Action Sweetwater. The Mayor commended the work undertaken by Mr Exton and commented that Council will lower the flags to half-mast on the day of his funeral in tribute to Mr Exton.

## 17. CONFIDENTIAL ITEMS

### Council Decision

**Moved: Councillor Harvey**

**Seconded: Councillor Baker**

That the 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 3(1)) of the Local Government Act 2020 on the following grounds:

#### **C.1 Support Request From The Frankston District Netball Association (FDNA)**

Agenda Item C.1 Support Request From The Frankston District Netball Association (FDNA) is designated confidential as it contains private commercial information, being provided by a business, commercial or financial undertaking that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage (s3(1) (g)).

#### **C.2 CEO Employment and Remuneration Committee**

Agenda Item C.2 CEO Employment and Remuneration Committee is designated confidential as it relates to private information being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (s3(1) (f)).

**Carried Unanimously**

## 18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS

*The Council considered Item C.2 in the closed meeting and passed the following resolution:*

### **C.2 CEO Employment and Remuneration Committee**

#### **Council Decision**

That Council:

1. Notes the current Chief Executive Officer (CEO) employment contract ends 15 September 2023;
2. Endorses the CEO Employment and Remuneration Committee's recommendation for the current CEO to be reappointed for 3 years at the completion of the current agreement;
3. Notes that the conditions and remuneration details will remain unchanged for the purpose of the contract of employment provided as part of the reappointment;
4. Notes any future alterations to remuneration or conditions will be presented to Council as a Committee recommendation following the annual performance review taking place in August 2023; and
5. Authorises the immediate release of the resolution (including in the public minutes of this meeting) but resolves that the report and attachments are to remain confidential indefinitely on the grounds that they contain personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (*Local Government Act 2020, s.3(1)(f)*).

Chairperson's initials.....

*The meeting was closed to the public at 9.28 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 Monday, 31 July 2023, confirmed on 21 August 2023.

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

Dated this

day of

2023

Chairperson's initials.....