



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 1 OCTOBER 2018 at 7.00PM**

PRESENT	Cr. Colin Hampton (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Brian Cunial Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Cr. Michael O'Reilly
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. David Barker, Acting Director Corporate Development Mr. Brad Hurren, Acting Director Communities Development Mr. Phil Cantillon, Director Community Assets Mr. Michael Papageorgiou, Manager Planning & Environment Mr. Oliver Rees, Practice Leader Statutory Planning Ms. Mandy Hay, Communications Officer - Corporate Ms. Michelle Tipton, Coordinator Council Business Support Ms. Vera Roberts, Executive Assistant to Mayor Ms. Tenille Craig, Councillor Support Officer
EXTERNAL REPRESENTATIVES:	Ms. Prue Digby, Municipal Monitor

### COUNCILLOR STATEMENT

Councillor McCormack made the following statement:

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

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

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

Chairperson's initials

**PRAYER**

At the request of the Mayor, Councillor Mayer read the Opening Prayer.

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

Chairperson’s initials

A handwritten signature in black ink, appearing to read 'C. Hampton', written over a horizontal line.

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**1. PRESENTATION TO COMMUNITY GROUPS**

Nil

**2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Ordinary Meeting No. OM11 held on 10 September 2018.

**Recommendation**

That the minutes of the Ordinary Meeting No. OM11 held on 10 September 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Mayer**

That the minutes of the Ordinary Meeting No. OM11 held on 10 September 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted with an amendment to *C5 – Kerbside Hardwaste and Bundled Green Waste Collection Contract* to include an additional dot point in the resolution to affix the common seal in order to execute the contract .

**Carried Unanimously**

**3. APOLOGIES****Council Decision**

**Moved: Councillor Mayer**

**Seconded: Councillor O'Connor**

That the apology be received and Councillor O'Reilly be granted leave from the meeting.

**Carried Unanimously**

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

Nil

**5. PUBLIC QUESTION TIME**

One (1) person submitted questions with notice to Council. At the request of the Mayor, the Chief Executive Officer took the questions on notice and a written response will be provided within seven (7) business days. The questions and answers are contained in Appendix.

Two (2) people submitted questions without notice to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. A written response will be provided within seven (7) business days.

**6. HEARING OF PUBLIC SUBMISSIONS**

Ms Julie Roy made a submission to Council regarding Item 14.2: 2018/NOM59 – Discretionary provision of commercial rate-payer parking permits.

Chairperson's initials



**7. ITEMS BROUGHT FORWARD****Council Decision****Moved: Councillor Cunial****Seconded: Councillor McCormack**

That Items 14.2 2018/NOM59 – Discretionary provision of commercial rate-payer parking permits be brought forward.

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

That Item 14.3: 2018/NOM60 – Artwork for Frankston Train Station be brought forward.

**Carried**

For the Motion: Crs Aitken, Bolam, Hampton, Mayer, McCormack and Toms

Against the Motion: Crs Cunial and O'Connor

**8. PRESENTATIONS / AWARDS**

Mayor presented an award received from Langwarrin Fire Brigade thanking the Council for the ongoing support to the volunteers.

Mayor presented the gift received from the Mayor of Susono, Japan – symbol of the Rugby World Championships that will be held in Japan 2019 after his attendance the Australian Fair in Susono in September 2018.

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

Nil

**10. DELEGATES' REPORTS**

Nil

**ITEMS BROUGHT FORWARD****14.2 2018/NOM59 - Discretionary provision of commercial rate-payer parking permits**

*(MT Chief Executive Office)*

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

That a report be prepared for the November 2018 meeting of Council in relation to the potential for discretionary provision of commercial rate-payer parking permits.

**Carried**

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack and Toms

Against the Motion: Crs Hampton and O'Connor

Chairperson's initials



**14.3 2018/NOM60 - Artwork for Frankston Train Station**

(MT Chief Executive Office)

**Councillor Recommendation**

That Council writes to the State Member for Frankston, Mr Paul Edbrooke MP and the Chief Executive Officer for the Level Crossing Removal Authority, Mr Kevin Devlin advocating for artwork or a sculpture as part of the new Frankston Train Station precinct and that the Frankston Arts Board be consulted on this matter. A report is to come back to the 10 December 2018 Council meeting on any findings.

*Cr Toms sought leave of Council to amend his Notice of Motion.*

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

That Council writes to the State Member for Frankston, Mr Paul Edbrooke MP and the Chief Executive Officer for the Level Crossing Removal Authority, Mr Kevin Devlin advocating for artwork or a sculpture as part of the new Frankston Train Station precinct and offering the services of the Frankston Arts Board on this matter and that a report come back to the 10 December 2018 Council meeting on any findings.

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

That Cr Toms be granted an extension of time.

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

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

Against the Motion: Cr O'Connor

Chairperson's initials



**11. CONSIDERATION OF TOWN PLANNING REPORTS****11.1 Planning Application 570/2017/P - 1/19 Shaxton Circle, Frankston - Use of land for the sale and consumption of liquor associated with an existing cafe**

*(MP Community Development)*

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

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 570/2017/P for use of the land at 1/19 Shaxton Circle, Frankston South for the sale and consumption of liquor associated with a food and drinks premises (café) subject to the following conditions:

**Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
  - (a) Amended plans showing the seating arrangement within the café component (30 people maximum) and the outdoor seating area (16 people maximum).

**No Alterations**

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

**Patron Numbers**

3. A maximum of 46 patrons (30 patrons within the indoor café area and 16 within the designated outdoor area) shall be permitted at any one time unless with the prior written consent of the Responsible Authority.

**Liquor Licence Requirements**

4. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place within the approved red line plan and at the premises during the following hours:
  - On any day other than Good Friday and ANZAC Day between 11am and 11pm.
  - ANZAC Day between 12noon and 11pm.

**Amenity**

5. The amenity of the area must not be detrimentally affected by the use and development through the:
  - a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin; others as appropriate; or
  - e) In any other way.

Chairperson's initials



6. Noise levels emanating from the premises must not exceed those required to be met under State Environment protection Policy (Control of Music Noise from Public Premises), No. N-2.

#### **Satisfactorily Completed**

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

#### **Permit Expiry**

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

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

#### **Notes**

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

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

- C. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.

**Carried Unanimously**

**11.2 August 2018 Town Planning Progress Report**  
(MP Community Development)

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Cunial**

That Council receives and notes the August 2018 Town Planning Progress Report.

**Carried Unanimously**

Chairperson's initials



**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Resolution Progress Update**

*(MT Chief Executive Office)*

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

That Council:

1. Receives the Notices of Motion Report as at 1 October 2018.
2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
  - 2018/NOM25 - Investment in CCTV
  - 2018/NOM48 - Public Safety Reference Committee
  - 2018/NOM51 - Prospective land acquisitions (Part 1)
3. Notes that, since 28 August 2018, 20 resolutions have been completed, as detailed in the body of the report.
4. Notes that the reports listed below will not be presented back to Council by their advised dates and that a detailed explanation is provided in the body of the report.
  - Procurement Policy 2018/19

**Carried Unanimously**

Chairperson's initials



**12.2 Adoption of Governance Local Law 2018**

*(BA Corporate Development)*

**Recommendation (Director Corporate Development)**

That:

1. Having complied with the requirements of the *Local Government Act* 1989 and with no submissions having been received, Council resolves to make Governance Local Law No. 1 of 2018 (as in Attachment A);
2. Governance Local Law No. 1 of 2018 be signed and sealed;
3. Notice of the making of Governance Local Law No. 1 of 2018 be published in the Victoria Government Gazette; and
4. A copy of Governance Local Law No. 1 of 2018 be forwarded to the Minister for Local Government.

**Deferral Motion to another Council Meeting**

**Moved: Councillor McCormack**

**Seconded: Councillor Aitken**

That the matter be deferred to the next Council meeting to allow for further additions to be made to the Governance Local Law.

**Carried Unanimously**

Chairperson's initials



**12.3 Appointment and Authorisation of Council Staff**

*(BA Corporate Development)*

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

That:

1. Pursuant to the provisions of Section 147 (4) of the *Planning and Environment Act 1987* (Act) and Section 232 of the *Local Government Act 1989* (The Act), Council appoints the officer listed in the Instrument of Appointment and Authorisations. This is attached under separate cover for the purpose and regulation of the Acts.
2. The Instrument of Appointment and Authorisation be signed and sealed.

**Carried Unanimously**

Chairperson's initials



**12.4 Proposed discontinuance of unused government road - corner North and Aldershot Roads, Langwarrin**

(BA Corporate Development)

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

That:

1. Council, in accordance with Clause 3, Schedule 10 of the Local Government Act 1989, having considered the written and verbal submissions made in response to the proposed discontinuance, and being of the opinion that the section of unused government road at the corner of North and Aldershot Roads in Langwarrin, shown hatched on the plans attached to this report, is not reasonably required as a road for public use, hereby resolves that the road be discontinued.
2. Melbourne Water continues to have rights over the section of the discontinued road shown as E1 (water supply) on survey plan OP124292.
3. South East Water continues to have rights over the section of the discontinued road shown as E2 (drainage and sewerage) on survey plan OP124292.
4. NBN Co Ltd continues to have rights over the in-service cable/duct/trench and the pit/manhole in the section of discontinued road.
5. Existing rights of TPG Telecom Ltd over pipe networks in the section of discontinued road be preserved.
6. Existing rights of Telstra over any assets that may exist in the section of discontinued road be preserved.
7. In accordance with Clause 3(a), Schedule 10 of the Local Government Act 1989, notice of the discontinuance be published in the Victoria Government Gazette.
8. The submitters be notified in writing of Council's decision to discontinue the road, and of the reasons for that decision.
9. The Department of Treasury and Finance be advised of the completion of the discontinuance.

**Carried**

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

Against the Motion: Cr Aitken

Chairperson's initials



**12.5 Permanent Home for Scouts Victoria**

*(GK Community Development)*

*Councillor Bolam left the chamber at 8:11 pm.*

*Councillor Bolam returned to the chamber at 8:12 pm.*

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

That Council:

1. Notes that Council issued a Notice to Vacate in 2016 to the Scouts Victoria (Carrum Downs Scout Group) to enable the redevelopment of the recreation reserve;
2. Notes the proposal from Scouts Victoria, which seeks a \$250K contribution towards the purchase of a warehouse in Carrum Downs to relocate the Carrum Downs Scout Group;
3.
  - a. Awaits the recommendations of the external Property Review, which includes the scouts and guides facilities on Council land; and
  - b. Subject to the recommendation of the Property Review, considers an interim Licence agreement to the Carrum Downs Scout Group for a facility to be erected at Banyan Reserve at Scouts Victoria's cost.
4. Monitors the current lease agreement and the Carrum Downs Recreation Reserve and provides an extension to enable relocation within a reasonable timeframe.
5. Advises Scouts Victoria of Council's decision.

**Carried Unanimously**

Chairperson's initials



**12.6 Election Signs and Events Policy**

*(BA Corporate Development)*

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

That:

1. The Election Signs and Events Policy at Attachment A be adopted; and
2. Council authorises the Mayor to sign and send the letter at Attachment B to all applicable elected representatives and candidates.

**Carried Unanimously**

Chairperson's initials



**13. RESPONSE TO NOTICES OF MOTION****13.1 Response to 2018/NOM4 - Emergency Grants - Additional Community Grants**

*(LD Community Development)*

**Recommendation (Director Community Development)**

That Council:

1. Notes research undertaken into grants programs offered by Wyndham; Melville; Casey and Logan City Councils;
2. Notes that whilst new grants programs can be delivered at no additional net cost to Council increased grants administration requires an additional resource;
3. Commits \$17,000 to the mid-year budget review for an additional 0.2EFT to administer grants programs; and
4. Approves Option 1, subject to additional administrative resource, to deliver two new grants programs as part of the Miscellaneous Grants Program offset by \$5,000 program reduction in both Youth Action and Community Sponsorship Drive Grants programs as follows:
  - a. Neighbourhood Grants total pool \$5,000; maximum grant \$100
  - b. Environmental Sustainability Grants program pool \$5,000; maximum grant \$1,000.

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

That Council:

1. Notes research undertaken into grants programs offered by Wyndham; Melville; Casey and Logan City Councils;
2. Notes that whilst new grants programs can be delivered at no additional net cost to Council increased grants administration requires an additional resource;
3. Commits \$17,000 to the mid-year budget review for an additional 0.2EFT to administer grants programs; and
4. Approves Option 1, subject to additional administrative resource, to deliver two new grants programs as part of the Miscellaneous Grants Program offset by \$5,000 program reduction in both Youth Action and Community Sponsorship Drive Grants programs as follows:
  - a. Neighbourhood Grants total pool \$5,000; maximum grant \$250
  - b. Environmental Sustainability Grants program pool \$5,000; maximum grant \$1,000.

**Carried**

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

Against the Motion: Cr Hampton

Chairperson's initials



**14. NOTICES OF MOTION****14.1 2018/NOM56 - Notice of Rescission - Tree Removal Matter**

*(MT Chief Executive Office)*

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

That the decision of Council made at Ordinary Meeting 2018/OM11 held on Monday 10 September 2018 regarding parts 1 and 4 of Notice of Motion 2018/NOM54 – Tree Removal be rescinded:

1. That Council immediately cease all tree and vegetation removal and planning for tree and vegetation removal across the municipality, including for proposed boulevard plantings.
4. That any future intention for the removal of native trees and vegetation be specifically brought before Council with full information for endorsement prior to any works being undertaken.

**Carried**

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

Against the Motion: Crs Aitken, McCormack and Toms

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

That Council requires a report by November 2018 outlining the community consultation, options, risks, costs and recommendations for all planned future projects or works that require substantial removal or bulk planting of all trees and/or native vegetation.

**Carried**

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

Against the Motion: Nil

Abstained: Cr McCormack

**15. LATE REPORTS**

Nil.

**16. URGENT BUSINESS**

Nil.

Chairperson's initials

A handwritten signature in black ink, appearing to read "C. Hampton", written over a horizontal line.

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

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

**C.1 Award of Contract - Tractor Based Mowing Services**

Agenda Item C.1 Award of Contract - Tractor Based Mowing Services is designated confidential as it relates to contractual matters (s89 2d)

**C.2 PLOS Musical Productions Rebate Request**

Agenda Item C.2 PLOS Musical Productions Rebate Request is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.3 2018/NOM61 - Proposal for laneway from Stiebel Place to Frankston Train Station**

Agenda Item C.3 2018/NOM61 - Proposal for laneway from Stiebel Place to Frankston Train Station is designated confidential as it relates to proposed developments (s89 2e)

**Carried Unanimously**

.....  
Signed by the CEO

Chairperson's initials



**18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS****C.7 Award of Contract - Open Space & Roadside Lawn Maintenance Service  
(considered at OM9 on 23 July 2018)**

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

**Council Decision****Moved: Councillor O'Reilly****Seconded: Councillor Aitken**

That:

1. Council approves the acceptance of the tender from Skyline Landscape Services (VIC) Pty Ltd for the *Open Space & Roadside Lawn Maintenance Service* for a 2 year fixed term with a 2 year extension option;
2. Council notes that the funding allocated in the annual operating budget is sufficient to engage this contractor at the lump sum price quoted;
3. The Chief Executive Officer be authorised to sign and seal the contract;
4. Council delegates authorisation of extension options as available in this contract to the Chief Executive Officer;
5. Council also delegates approval of variations to the Chief Executive Officer, providing no individual variation and that the cumulative value of the variations does not exceed more than 20% of the Contract Sum; this is to include engagement under Schedule of Rates for non-programed works.
6. The recommendation (without commercially sensitive information) is released at the next open meeting of Council.

*The motion was put and Carried*

**C.2 RF Miles Reserve (considered at SP3 on 27 August 2018)**

*In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (e) 'Proposed Developments'.*

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

That Council:

1. Supports the Site Opportunities Plan prepared for RF Miles Reserve that illustrates the preferred layout of the reserve and its improvements.
2. Notes that some of the works comprising the Site Opportunities Plan are being delivered by the LXRA as a part of its Level Crossing Removal works.
3. Notes the anticipated funding gap of \$8.2M to fully realise the features outlined in the Site Opportunities Plan.
4. Increases its overall funding contribution from \$347,000 to \$3.347M with \$1M of this increase allocated in the 2019/20 Capital Works budget and \$2M in the 2020/21 Capital Works budget, as part of a 'call to action' to the State and Federal Governments to invest in RF Miles reserve.
5. Notes that given the precipitous and sudden request by the Seaford Football and Netball Club (SFNC) and Seaford Cricket Club to remain at the RF Miles Reserve, and the significant costs that this will attract, the respective sport clubs are to be reminded that it is incumbent on them to undertake a significant proportion of advocacy to the State and Federal governments to match Council's funding pledge by providing \$2.6M each towards the project. It is to be made abundantly clear to the respective clubs that the project will only commence once funding from State and Federal Government is secured.
6. Officers are to work with the respective clubs on the need for a monetary contribution from both clubs.
7. Releases this recommendation immediately following the Council meeting with the report to remain confidential.

*The motion was put and Carried*

**C.3 South East Country Regional Cricket Hub - Jubilee Park Frankston (considered at SP3 on 27 August 2018)**

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

**Deferral Motion to another Council Meeting****Moved: Councillor Cunial****Seconded: Councillor Bolam**

That the matter be deferred to the 10 September 2018 Council Meeting

*The motion was put and Carried*

**C.4 Award of Contract - Weed Management (considered at SP3 on 27 August 2018)**

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

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

That Council:

1. Notes the legal and safety advice regarding safe use of glyphosate at attachments B and C of this report.
2. Authorises the Mayor to sign a letter (see Attachment D of this report) to the Municipal Association of Victoria (MAV) requesting an investigation into the appropriateness of glyphosate as a weed management agent and effective, safe alternatives for use by Councils in the best interest of the community and staff.
3. Officers prepare motions for relevant MAV and Australian Local Government Association (ALGA) conferences requesting respective government departments to undertake health and safety audits of herbicides which include products that contain glyphosate.
4. Resolves that the community be made aware of the tender outcome (within appropriate confidentiality parameters), Council initiated trials and State/Federal advocacy in the form of a media release.
5. Approves Option 2a which includes:
  - a) the acceptance of the weed management tender from the trustee for Chynoweth Family Trust trading as Felix Botanica for a 2 year contract with a 2 year extension option which must be approved by Council; and
  - b) a 6 month controlled trial of Acetic Acid and Metsulfuron Methyl of 10 playgrounds within the municipality be undertaken by suitably qualified contractor and that officers report back to Council the results of the trial at the end of the first year of the contract; and
  - c) a 6 month controlled trial using BioWeed herbicide at the golf course and compare results of all controlled weed applications.
6. Notes funding allocated in the annual operating budget is sufficient to engage this contractor at the tendered lump sum price;
7. The Chief Executive Officer be authorised to sign and seal the contract.
8. Delegates approval of variations to the Chief Executive Officer, providing no individual variation and that the cumulative value of the variations does not exceed more than 20% of the Contract Sum; and this is to include engagement under a Schedule of Rates for non-programed works.
9. The recommendation (without commercially sensitive information) is released at the next open meeting of Council.

*The motion was put and Carried*

**C.1 Outcome of the Expression Of Interest for the Commercial Activities in Public Open Space Protocol (considered at OM11 on 10 September 2018)**

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

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

That Council:

1. Notes this report.
2. Notes that five businesses have signed agreements to trade in approved locations over the next two years.
3. Endorses the Officers offer to Mr Osborne of \$3,850 fee as a fair and reasonable amount based on his application.
4. Notes that a report will be produced to update Council, at the conclusion of the current agreements.
5. As per the previous resolution of Council, Officers are to undertake an expression of interest (EOI) process specifically seeking vendor/s at Ballam Park that provide:
  - a) food options (up to two vendors)
  - b) ice-cream van (maximum of one, if one or less food vendors as per Item a))

The outcome of the EOI process is to relayed to Councillors in the form of a Memorandum no later than January Ordinary Meeting.

6. Endorses the release of this report the meeting minutes, but retains the attachments as confidential due to the commercial in confidence information included.

*The motion was put and Carried*

**C.2 New Signature Event for Frankston City (considered at OM11 on 10 September 2018)**

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

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

That Council:

1. Notes the expression of interest process undertaken to secure a Signature Event for Frankston City.
2. Notes the four submissions for the Signature Event category failed to demonstrate their ability to achieve the outcomes and objectives sought from a signature event.
3. Notes that The Big Picture Fest wasn't a submission within the 2018-2019 Tourism Event Attraction program.
4. Endorses The Big Picture Fest as the successful event in the 2018-2019 Tourism Event Attraction Program; Signature Event category.
5. Endorses the amendment of the program of disbursement of the Signature Event funding to maximise the existing funding sources, while supporting the ongoing growth and marketability of the event:
  - a. Year One (2018-2019) - \$60,000 – to be noted at mid-year budget review
  - b. Year Two (2019-2020) - \$70,000 – to be incorporated in the 2019-2020 annual budget process
  - c. Year Three (2020-2021) - \$50,000 – to be incorporated in the 2020-2021 annual budget process
  - d. Year Four (2021-2022) - \$20,000 – no change.
6. Notes that Officers are incorporating current and future street art into arts, culture and heritage tours (including a self-guided online program) to enhance our visitor experience.
7. Endorses Officers exploring with regional and state stakeholders the establishment of a street art trail throughout Melbourne / Victoria – incorporating Frankston.
8. Notes that this event replaces Sand Sculpting Australia as a signature event, but does not add an additional signature event as per the intent of the original Council Resolution.
9. Requires that Officers provide a report to Council to the November meeting that provides:
  - a) Evaluation of an event attraction program which targets specific events versus an expression of interest in the event market
  - b) Funding required to establish an additional Signature Event from 2019/2020
10. A report is to be provided to Council in January 2019 on any future funding commitment from the State Government in relation to The Big Picture Fest Festival. The report is to also consider the proposed location of the street art for the 2019/2020 event.
11. Endorses the release of the recommendations of this report with the meeting minutes.

*The motion was put and Carried*

Chairperson's initials



**C.3 Standing Grants 2018-2019 (considered at OM11 on 10 September 2018)**

*In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (h) 'Any other matter which the Council or special committee considers would prejudice the Council or any person'.*

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

That Council:

1. Notes its resolution of OM9 in relation to provision of \$26,300 cash grant to Impact Volunteering which should have been \$23,600;
2. Resolves to write to Impact Volunteering to apologise for the error;
3. Resolves to support Impact Volunteering through:
  - a. Continued provision of .6EFT Coordinator role;
  - b. Cash grant of \$23,600 for 2018/19 financial year, and
4. Releases this recommendation immediately following the Council Meeting.

*The motion was put and Carried*

**C.4 South East Country Regional Cricket Hub - Jubilee Park Frankston (considered at OM11 on 10 September 2018)**

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

**Council Decision****Moved: Councillor O'Reilly****Seconded: Councillor Bolam**

That Council:

1. Notes OM 13 March 2018 resolved to support the proposal for a South East Country Regional Cricket Hub at Jubilee Park, Frankston and also notes the facilities are shared with the Frankston Senior YCW Football / Netball Club and the Frankston YCW Junior Football Club and include 2 sets of change rooms and lights.
2. Notes that Council's \$500K funding application to Sport and Recreation Victoria (SRV) towards this redevelopment was unsuccessful. In addition, no indication of funding support has yet been received from the Federal Member for Dunkley for the additional \$400K requested.
3. Approves the attached letter to the Frankston Peninsula Cricket Club and the Frankston Senior YCW Football / Netball Club and the Frankston YCW Junior Football Club seeking joint media messaging and strong advocacy in support of the project together with a financial contribution of \$25K from the football clubs and \$25K from the cricket club towards the project.
4. Notes that Frankston has this year missed out on hosting two national women's cricket games due to no female friendly facilities at Jubilee Park and this event has moved to Casey Fields.
5. Notes the revised project estimate of \$1.9M following further investigations.
6. Notes the current involvement of the State Member for Frankston to secure \$900K for the project provided Council resolves to fund the gap in the project cost of \$950K and a further \$50K contribution from the Frankston Peninsula Cricket Club and the Frankston Senior YCW Football / Netball Club and the Frankston YCW Junior Football Club.
7. Increases its funding commitment to the project to \$950K which requires an additional \$550K to be allocated in the 2019/20 Capital Works budget.
8. Continues to pursue federal funding through advocacy to Chris Crewther MP and Peta Murphy with Council's maximum contribution of \$950K to be offset by any federal funding received.
9. Notes that the recommendation be released as part of the public minutes of this meeting.

*The motion was put and Carried*

**C.8 Chief Executive Officer Leave Request (considered at OM11 on 10 September 2018)**

*In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (h) 'Any other matter which the Council or special committee considers would prejudice the Council or any person'.*

**Council Decision****Moved: Councillor O'Reilly****Seconded: Councillor Aitken**

That:

1. Council approves the Chief Executive Officer's application for Study Leave on 24, 25 and 26 September 2018, in accordance with the CEO Leave Policy.
2. The resolution only be released as part of the minutes of this meeting.

*The motion was put and Carried*

**C.9 Chief Executive Officer Performance Review Outcomes and Key Performance Indicators for 2018/19 (considered at OM11 on 10 September 2018)**

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

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

That Council:

1. Accepts the review of the Chief Executive Officer (CEO) Performance Review Sub-Committee that the CEO's performance for the 2017/2018 year is considered satisfactory in the context of the CEO's employment contract which is set out in Clause 12.1 and the Local Government Act;
2. Approves an increase to the CEO's total remuneration package of 2%, to be effective from 1 July 2018;
3. Endorses the Chief Executive Officer's Key Performance Indicators and measures for 2018/2019;
4. Notes that the resolution only will be released as part of the Minutes of this meeting.

*The motion was put and Carried*

*The meeting was closed to the public at 8.51 pm*

CONFIRMED THIS

DAY OF

2018

.....  
CHAIRPERSON

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Colin Hampton, 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 1 October 2018, confirmed on Monday 22 October 2018.

.....  
(Cr. Colin Hampton, Chairperson – Council Meeting)

Dated this

day of

2018