



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 4 SEPTEMBER 2017 at 7PM**

PRESENT	Cr. Brian Cunial (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Colin Hampton Cr. Michael O'Reilly Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Dr. Gillian Kay, Director Communities Development Mr. Brad Hurren, Acting Director Community Assets Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Natalie Cincotta, Coordinator Communications Ms. Vera Roberts, Executive Assistant to Mayor
EXTERNAL REPRESENTATIVES:	Nil

**COUNCILLOR STATEMENT**

Councillor Mayer 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**

The Mayor, Councillor Brian Cunial read the Opening Prayer.

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

Councillor Bolam 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.



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THE MAYOR ACKNOWLEDGED FORMER COUNCILLOR, BRAD HILL AND THE SCOUT GROUP FROM MOUNT ELIZA TO THE GALLERY.

**1. PRESENTATION TO COMMUNITY GROUPS**

Nil

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

Ordinary Meeting No. OM305 held on 14 August 2017.

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Toms**

That the minutes of the Ordinary Meeting No. OM305 held on 14 August 2017 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

Special Meeting No. SP204 held on 28 August 2017.

**Council Decision**

**Moved: Councillor Toms**

**Seconded: Councillor Hampton**

That the minutes of the Special Meeting No. OM204 held on 28 August 2017 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

**3. APOLOGIES**

Nil

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

The Deputy Mayor, Cr Steve Toms declared a conflict of interest in Item C.2: Request to fund a Councillor's legal fees. Cr Toms advised that the report relates to a request for legal representation and his name is mentioned in the report and therefore will leave the chamber during discussion and voting.

**5. PUBLIC QUESTION TIME**

One (1) person submitted three questions to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. The Chief Executive Officer only answered the first question as the other two questions related to operations and will be answered by letter. The question and answer are contained in Appendix.

**6. HEARING OF PUBLIC SUBMISSIONS**

Mr. Steven Demis made a submission to Council regarding Item 11.1: Frankston Planning Scheme Amendment C111 – Report on the Review of Submissions to the Amendment and Progression to a Planning Panel;

Mr. Peter Anscombe made a submission to Council regarding Item 11.1: Frankston Planning Scheme Amendment C111 – Report on the Review of Submissions to the Amendment and Progression to a Planning Panel;

Ms. Hilary Poad made a submission to Council regarding Item 13.1: Response to NOM1245 – Frankston Volunteer Coastguard;

Ms. Jennifer Hassell on behalf of the Frankston Beach Association made a submission to Council regarding item 13.1: Response to NOM1245 – Frankston Volunteer Coastguard;

Ms Pat Bentley made a submission to Council regarding item 13.1: Response to NOM1245 – Frankston Volunteer Coastguard;

## 7. ITEMS BROUGHT FORWARD

### Items Brought Forward

#### Council Decision

**Moved: Councillor Aitken**

**Seconded: Councillor McCormack**

That Items 11.1: Frankston Planning Scheme Amendment C111 – Report on the Review of Submissions to the Amendment and Progression to a Planning Panel and 13.1: Response to NOM1245 – Frankston Volunteer Coastguard be brought forward.

**Carried Unanimously**

## 8. PRESENTATIONS / AWARDS

Nil

## 9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

**ITEMS BROUGHT FORWARD****11. CONSIDERATION OF TOWN PLANNING REPORTS****11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**

*(MP Community Development)*

**Council Decision****Moved: Councillor Hampton****Seconded: Councillor O'Connor**

It is recommended that Council:

1. Notes the submissions to Frankston Planning Scheme Amendment C111.
2. Continues to progress Planning Scheme Amendment C111.
3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C111.
4. Determines that the attractiveness of design of multi-storey carparks be one of the primary considerations in any application that is proposed.
5. Advises all submitters of Council's decision.

**Extension of Time****Moved: Councillor Mayer****Seconded: Councillor Toms**

That Cr Hampton be granted an extension of time.

**Carried Unanimously****The Motion was then Put  
and Carried**

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

Against the Motion: Cr McCormack

**13.1 Response to NOM 1245 - Frankston Volunteer Coastguard**

*(CA Corporate Development)*

**Recommendation (Director Corporate Development)**

That Council:

1. Notes that its August Ordinary Meeting it supported the need for a permanent mooring for the Coast Guard and resolved that a letter be written to the State Government seeking funding for up to \$10M for a new coastguard building and adequate breakwater facilities.
2. Allocate \$55K to the Capital Works budget 2018/19 for the geotechnical investigation and preparation of concept plans associated with the Coast Guard building
3. Notes a \$500K Federal Government grant application is pending to enable hydrological studies and development of concept plans together with part construction of the breakwater.

**Deferral Motion to another Council Meeting**

**Moved: Councillor Toms**

**Seconded: Councillor Aitken**

That the matter be deferred to the November Ordinary Meeting pending community consultation with relevant stakeholders.

**Carried**

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

Against the Motion: Crs Cunial, Hampton and O'Reilly

**10. DELEGATES' REPORTS****10.1 Delegates Report - National General Assembly, Canberra - June 2017***(KJ)***Recommendation**

That Council

1. Receives this Delegates report from the Deputy Mayor on his attendance at the National General Assembly of Local Government 2017.
2. Formally send letter of thanks to Mr Chris Crewther MP and his staff for their assistance in scheduling a comprehensive list of appointments.

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

That Council

1. Receives this Delegates report from the Deputy Mayor on his attendance at the National General Assembly of Local Government 2017.
2. Formally sends a letter of thanks to Mr Chris Crewther MP and the Honourable Mark Dreyfus QC and their staff for their assistance in scheduling a comprehensive list of appointments.
3. Writes to all politicians listed in this report seeking written reinforcement of (any) commitments provided.

**Carried Unanimously**

**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Committee Minutes**

*(DH Chief Executive Office)*

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

That the minutes of the following Committee be received:

- Frankston City News Editorial Committee Meeting – 20 December 2016;
- Frankston City News Editorial Committee Meeting – 7 March 2017;
- Heritage Advisory Committee Meeting – 11 April 2017;
- Heritage Advisory Committee Meeting – 11 May 2017;
- Frankston City News Editorial Committee Meeting – 15 May 2017;
- Heritage Advisory Committee Meeting – 8 June 2017;
- Frankston City News Editorial Committee Meeting – 5 July 2017; and
- Heritage Advisory Committee Meeting – 25 July 2017.

**Carried Unanimously**

**12.2 Flying of the Flags Policy - Civic Centre and Frankston War Memorial Site**

*(DH Chief Executive Office)*

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

That Council adopts the Flying of Flags Policy.

**Carried Unanimously**

**12.3 Council General Revaluation 2018**

*(KJ Corporate Development)*

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

That Council:

1. Pursuant to Sections 11 and 13H of the *Valuation of land Act 1960* resolves to cause a General Revaluation of all rateable land, and all non-rateable leviable land within the municipality, to be returned no later than 31 March 2018.
2. Pursuant to Section 6(1) of the *Valuation of Land Act 1960*, within one month of its resolution, notifies the Valuer-General and all other rating authorities interested in the valuation of its decision to cause a general valuation to be made.

**Carried Unanimously**

**12.4 Container Deposit Scheme - Benefits and Issues**

*(LU Corporate Development)*

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

That Council:

1. Receives and note this report.
2. Provides in-principle support for a Victoria-wide Container Deposit Scheme **(CDS)**.
3. Advocates to the Victorian Government for a Victoria-wide CDS.
4. Responds to Shire of Moorabool regarding Council's position on a Victoria-wide CDS.

**Carried Unanimously**

**12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff**  
(MC Corporate Development)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. In the exercise of the powers conferred by Section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the S6 - Instrument of Delegation to members of Council staff, attached as Attachment A to the Agenda, Council resolves that the powers, duties and functions be delegated to staff as detailed in the Instrument, subject to the conditions/limitations specified in the Instrument of Delegation.
2. The Instruments of Delegation referred to above:
  - (i) be signed and sealed;
  - (ii) come into force immediately the Common Seal of the Council is affixed to the Instrument; and
  - (iii) remain in force until Council determines to vary or revoke the Instrument.
3. The duties and functions set out in the Instruments of Delegation referred to in 1 above be performed and the powers, duties and functions set out in the Instruments be executed in accordance with any guidelines or policies of Council that Council may from time to time adopt.

**Carried Unanimously**

**12.6 Appointment and Authorisation of Council Staff**

*(MC Corporate Development)*

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

That:

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

**Carried Unanimously**

**12.7 Progress of Council Resolutions resulting from Notice of Motions***(MC Corporate Development)***Council Decision****Moved: Councillor Toms****Seconded: Councillor Aitken**

That Council:

1. Receives the Notice of Motion Report as at 4 September 2017.
2. Notes that the following Notices of Motion be archived from the Notice of Motion Report:
  - NOM 1232 - Additions to Domestic Animal Management Plan
  - NOM 1236 – Support to Traders CAA Development
  - NOM 1244 - Criminal Asset Forfeitures
  - NOM 1272 - Acknowledgement of Traditional Owners
  - NOM 1289 – Female Participation in Sports
  - NOM 1290 – New Closed Council Rules
  - NOM 1309 - New signature event for Frankston
  - NOM 1315 - Police Numbers in Frankston
  - NOM 1326 - Creation of Frankston Junior / Youth Mayor
  - NOM 1327 - Support for new and existing Planned Activity Groups
  - NOM 1337 - MAV Membership
  - NOM 1345 - Interim meal arrangements for City Life clients
  - NOM 1352 - Improved community consultation relating to Annual Budgets

**Carried Unanimously**

**12.8 MAV State Council Motions and Councillor Delegate**

*(DH Chief Executive Office)*

**Recommendation (Chief Executive Office)**

That:

1. Council adopts the proposed MAV State Council Motions and that the motions be forwarded to the MAV prior to the deadline date; and
2. The Mayor be appointed as the delegate, and a Councillor be appointed as the substitute delegate to the Municipal Association of Victoria (MAV) and that this appointment be reviewed annually at the Special Statutory Meeting.

**Council Decision**

**Moved: Councillor Bolam**

**Seconded: Councillor Aitken**

That:

1. Council adopts the proposed MAV State Council Motions and that the motions be forwarded to the MAV prior to the deadline date; and
2. The Mayor be appointed as the delegate, and Councillor Hampton be appointed as the substitute delegate to the Municipal Association of Victoria (MAV) and that this appointment be reviewed annually at the Special Statutory Meeting.
3. As per one of the proposed MAV State Council motions, Frankston City Council supports the retention of Australia Day as a national holiday.

**Carried Unanimously**

*The Mayor adjourned the meeting at 8.33 pm*

*The meeting resumed at 8.38 pm*

**10. RESPONSE TO NOTICES OF MOTION****13.2 Response to NOM 1277 - Strategy for advocacy for next State Election (Draft Advocacy Strategy 2017-2021)**

*(SJ Corporate Development)*

**Recommendation (Director Corporate Development)**

That Council:

1. Notes this report and the two Advocacy Sub-Committee meetings, and three Councillor briefings held to date.
2. Formally endorses the Draft Advocacy Strategy 2017-2021.

**Council Decision**

**Moved: Councillor Hampton**

**Seconded: Councillor Bolam**

That Council:

1. Notes this report and the two Advocacy Sub-Committee meetings, and three Councillor briefings held to date.
2. Formally endorses the Draft Advocacy Strategy 2017-2021.
3. Includes the duplication of Lathams Road as a priority project.

**Carried Unanimously**

**13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality**

*(LU Corporate Development)*

**Recommendation (Director Corporate Development)**

That Council:

1. Notes this report and its commitment to the audit program through the provision of \$240k per annum for defect inspections and \$150K per annum for condition audits.
2. Acknowledges the appropriateness of its current defect inspection regimen as specified within the Road Management Plan 2015 and maintains the current service standards for defect inspections and periodic condition audits; and,
3. Proceeds with the recommendations of its Road Management Plan Review 2017 and undertakes the amendment process.

**Council Decision**

**Moved: Councillor Bolam**

**Seconded: Councillor Aitken**

**Recommendation (Director Corporate Development)**

That Council:

1. Notes this report and its commitment to the audit program through the provision of \$240k per annum for defect inspections and \$150K per annum for condition audits.
2. Acknowledges the appropriateness of its current defect inspection regimen as specified within the Road Management Plan 2015 and maintains the current service standards for defect inspections and periodic condition audits; and,
3. Proceeds with the recommendations of its Road Management Plan Review 2017 and undertakes the amendment process
4. Requests the Chief Executive Officer to ensure that contractors and staff maintain OHS compliant work sites relative to the construction of both new roads and new footpaths.
5. Encourages residents and ratepayers via the 'What's On' advertisements, the 'My Frankston' app, the Frankston City Council website and Frankston City Council social media mediums – to report deficient/unsatisfactory footpaths, tracks and roads.
6. Requests that all major shopping centres in the municipality commit to a similar audit timetable relative to non-council / non-government tracks, footpaths and roads within their private holdings.

**Carried Unanimously**

**13.4 Response to NOM 1344 - Access Friendly Frankston**

*(LD Community Development)*

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

That Council:

1. Notes the report responding to NOM 1344.
2. Notes private properties are excluded from audit and potential works.
3. Advises preferred options noting costs for access audits and rectification works are unbudgeted.
4. Write to the State Government seeking information on available grants to support disability access improvements and should there be no assistance urge the State Government to establish a fund for Local Government to access
5. Should Council resolve to conduct the access audits on the foreshore refers \$12K to the 2017/18 mid-year budget review to fund audit costs enabling the audit recommendations to be included in the 2018/19 budget

**Carried Unanimously**

**11. NOTICES OF MOTION****14.1 NOM 1360 - Frankston CSR and Corporate Stewardship**

*(RJ Corporate Development)*

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

1. That the Chief Executive Officer (CEO) prepares, for Council consideration at the November Ordinary Meeting, the creation of a formal *Frankston City Council Corporate Social Responsibility (CSR) Policy and/or Strategy*. The intent of either the policy or strategy to encourage Frankston City Council staff to tangibly increase volunteerism in the Frankston community and to articulate Frankston City Council's dedication to 'corporate stewardship'. This proposed approach is consistent with other organisations and municipalities.

The CEO, in preparing the CSR, is to determine whether unsourced funds are required from Council to give the policy/strategy ample effectiveness; and

2. A separate report, also presented at the November Ordinary Meeting, is to be prepared in relation to increasing awareness of and commitment to 'corporate stewardship' practices by local businesses and industries. The intention of the report is to explore how to encourage more local businesses and industries to participate in worthy citywide cause (i.e. the Frankston Homelessness Fund and the Frankston Charitable Trust).

**Carried**

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

Against the Motion: Crs Cunial, Hampton, Mayer and O'Reilly

**14.2 NOM 1361 - Seaford Substation**

*(BH Community Development)*

*Councillor Toms left the Chamber at 9.12 pm*

*Councillor Toms returned to the Chamber at 9.14 pm*

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

That a report be provided to Council at the December Ordinary Meeting on the iconic Seaford Substation.

The report should consider:

1. The internal and external status of the Seaford Substation site;
2. Whether there is the presence of asbestos, signs of concrete cancer, concerns with the building's structural integrity; and
3. Future plans for the site, and the possible public use of the substation for community purposes (i.e. local museum, community hub etc).

**Carried**

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

Against the Motion: Cr Hampton

Abstained: The Mayor, Cr Cunial

**14.3 NOM 1362 - Refugee Welcome Banner**

*(EC Corporate Development)*

*Cr Bolam left the chamber at 9.19 pm*

*Cr McCormack left the Chamber at 9.20 pm*

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

1. That Council purchase a pop up "Welcome to Refugees" banner at the cost of \$320.10 (quote attached).
2. That Council display the "Welcome to Refugees" banner in the Civic Centre Foyer. This indicates that Frankston City Council has made a commitment in spirit, to welcome refugees into the community. It demonstrates our compassion for refugees by enhancing cultural and religious diversity in the community.

**Lost**

For the Motion: Crs Aitken, Mayer and Toms

Against the Motion: Crs Cunial, Hampton, O'Connor and O'Reilly

*Cr McCormack & Bolam were not present in the Chamber during voting*

**14.4 NOM 1363 - Orwil Street Community House Funding**

*(LD Community Development)*

*Cr Bolam returned to the Chamber at 9.26 pm*

*Cr McCormack returned to the Chamber at 9.28 pm*

**Councillor Recommendation**

1. That the Chief Executive Officer is directed to allocate \$5,000 within the existing 2017/2018 Frankston City Council Budget in the mid year budget review. The sourced amount is to be a contribution to the Orwil Street Community House for the purpose of upgrade works.
2. The \$5,000 contribution by Frankston City Council is to be allocated to the Orwil Street Community House on the proviso that the Federal Government provides extant funding - \$10,000 - for the aforementioned upgrade works.

**Council Decision****Moved: Councillor O'Connor****Seconded: Councillor Hampton**

1. That the Chief Executive Officer is directed to allocate \$5,000 to the 2017/2018 mid year budget for consideration. The sourced amount is to be a contribution to the Orwil Street Community House for the purpose of upgrade works.
2. The \$5,000 contribution by Frankston City Council is to be allocated to the Orwil Street Community House on the proviso that the Federal Government provides extant funding - \$10,000 - for the aforementioned upgrade works.

**Carried Unanimously**

**14.5 NOM 1364 - Duplication of Lathams Road**

*(BH Community Development)*

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

1. That Frankston City Council supports the duplication of Lathams Road between Frankston Dandenong Road and the M3 Freeway.
2. Councillors request the CEO to make available the most suitable qualified Council Officer to join in a working group comprising the Committee for Greater Frankston and VicRoads to scope the remodelling of Lathams Road and to develop costings for its duplication.
3. Once the costing have been established, Council vigorously lobby State Government to complete this project.
4. That the duplication of Lathams Road project is added to the Council Advocacy priorities for the upcoming State and Federal elections.

**Carried Unanimously**

**14.6 NOM 1365 - Victorian Wide EBA**

*(RJ Corporate Development)*

**Councillor Recommendation**

That an information sheet be produced and distributed to all MAV delegates prior to the May 2018 Conference. This information sheet is to outline the need for a single Victoria wide EBA agreement negotiated through the Fair Work Commission.

The EBA is to have three separate sections – Inner Metropolitan, Outer Metropolitan and Country.

**Council Decision**

**Moved: Councillor Hampton**

**Seconded: Councillor Aitken**

That an information sheet outlining the benefits of a single Victorian wide EBA be produced and distributed to all MAV delegates prior to the May 2018 Conference. This information sheet is to outline the need for a single Victoria wide EBA agreement negotiated through the Fair Work Commission.

The EBA is to have three separate sections – Inner Metropolitan, Outer Metropolitan and Country.

That a final draft be brought back to Council for approval.

**Carried**

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

Against the Motion: Cr McCormack

**14.7 NOM 1366 - Official Invitations to the Head of State, Victorian Vice Regal and Government Leaders**

*(CM Chief Executive Office)*

**Councillor Recommendation**

Given the electoral volatility of the state seat of Frankston, and the federal seat of Dunkley, the Council formally extends invitations to leaders from both levels of government to visit the Frankston municipality to discuss local issues of importance. This approach is consistent with council's state and federal advocacy efforts.

The following is to occur:

1. Individual invitations are to be extended to the Premier and Opposition Leader to formally visit Frankston and meet with the Frankston City Council;
2. Individual invitations are to be extended to the Prime Minister and Opposition Leader to formally visit Frankston and meet with the Frankston City Council; and
3. Individual invitations are to be extended to the Governor-General of Australia and the Governor of Victoria future openings of new public facilities (i.e. the soon-to-be former St Kilda FC facility, Frankston Basketball Stadium redevelopment etc).

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

Given the electoral volatility of the state seat of Frankston, and the federal seat of Dunkley, the Council formally extends invitations to leaders from both levels of government to visit the Frankston municipality to discuss local issues of importance. This approach is consistent with council's state and federal advocacy efforts.

The following is to occur:

1. Individual invitations are to be extended to the Premier and Opposition Leader to formally visit Frankston and meet with the Frankston City Council; and
2. Individual invitations are to be extended to the Prime Minister and Opposition Leader to formally visit Frankston and meet with the Frankston City Council.

**Carried Unanimously**

**14.8 NOM 1367 - Homelessness in Australia**

*(MT Chief Executive Office)*

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

That a letter be drafted for approval of Council with the intent to send a communication to the Federal Government and all Councils in Australia calling on the Federal Parliament to dedicate adequate resources and finance to satisfactorily deal with the issues of homelessness in our country.

**Carried Unanimously**

**14.9 NOM 1368 - "Thumbs Up" Policy**

*(MC Corporate Development)*

**Councillors Recommendation**

That all Councillors be provided with immediate information of any major building project, development or approach by major organisations or other major bodies or alternatively, a register be kept for Councillors perusal at their convenience.

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Bolam**

That all Councillors be provided as soon as practicable with information of any major building project, development or approach by major organisations or other major bodies (once it is established that contact is genuine) or alternatively, a register be kept for Councillors perusal at their convenience.

Council has a "no surprise" policy with future development and investment or approaches.

**Carried Unanimously**

**12. LATE REPORTS**

Nil.

**13. URGENT BUSINESS**

Nil.

**14. CONFIDENTIAL ITEMS****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

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 Sale of Council Land - Part of 1R Yuille Street Frankston (Relocation of the Frankston Tennis Club and Other Matters)**

Agenda Item C.1 Sale of Council Land - Part of 1R Yuille Street Frankston (Relocation of the Frankston Tennis Club and Other Matters) is designated confidential as it relates to contractual matters (s89 2d)

**C.2 Request to fund a Councillor's legal fees**

Agenda Item C.2 Request to fund a Councillor's legal fees is designated confidential as it relates to legal advice (s89 2f), and Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**Carried Unanimously**.....  
Signed by the CEO

**18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS****C.2 Request to fund a Councillor's legal fees**

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

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

1. Council determines that it is not appropriate for public funds to be used to settle or defend the foreshadowed defamation proceedings in relation to Councillor Steve Toms.
2. Council's resolution be released to the public with the minutes of this meeting, but the balance of this report remains confidential.

*The motion was put and Carried Unanimously*

*The meeting was closed to the public at 9.46 pm*

CONFIRMED THIS

DAY OF

2017

.....  
CHAIRPERSON

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Brian Cunial, 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 4 September 2017, confirmed on Monday 25 September 2017.

.....  
(Cr. Brian Cunial, Chairperson – Council Meeting)

Dated this

day of

2017