



## COUNCIL MEETING AGENDA

### 2021/CM3

### Monday 1 March 2021

In accordance with the Minister's Good Practice Guidelines, from 1 May 2020 until April 2021, Councils can conduct virtual meetings which must be streamed live through its website. Frankston City will continue to stream its Council Meetings.

During 1 May 2020 to April 2021, all meetings will be closed to the public. If circumstances change, updates will be provided.

## **Verbal Submissions**

If you have registered or intend to register to speak to an item on the Council Meeting Agenda, speakers now only have the option of making a verbal submission via telephone. Officers will make contact and the speaker will be greeted by the Chair who will invite the speaker to make their verbal submission.

There are no changes to the limit on speakers i.e. the limit is still a maximum of 10 speakers and it will be at the discretion of the Chair, if further speakers are permitted. Speakers still have 3 minutes to address Council, with the exception of S223 submitters who will receive 5 minutes.

## **Questions with/without notice**

If you wish to submit questions with or without notice, the same timeframes apply. It is strongly encouraged to submit questions via email or on-line by the specified timeframes. If you still prefer to submit these in person, a box will be placed at the front entrance in the Civic Centre only. It should be noted that the questions, including responses will not be read by the CEO at the Council Meeting. All questions will be taken on notice and a written response will be provided within 5-7 business days.

Live streaming is available from the below link:

<https://www.facebook.com/FrankstonCityCouncil>



# THE COUNCIL MEETING

## Welcome to this Meeting of the Frankston City Council

The Council appreciates residents, ratepayers and other visitors taking their places in the Public Gallery, as attendance demonstrates an interest in your Council and community affairs. Community spirit is encouraged.

This information sheet is designed to help you to understand the procedures of Council and help you to gain maximum value from your attendance.

The law regarding the conduct of Council meetings enables the public to observe the session. However, to ensure the manageability of Council meetings, opportunities for public participation are limited to Question Time and registered submissions in accordance with Council's guidelines, which are available from Council's Councillors Office (call 9768 1632) and on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au). It is not possible for any visitor to participate in any Council debate unless specifically requested by the Chairperson to do so.

If you would like to have contact with Councillors or Officers, arrangements can be made for you to do so separately to the meeting. Call the Councillors Office on 9768 1632 and ask for the person you would like to meet with, to arrange a time of mutual convenience.

## When are they held?

Generally speaking, the Council meets formally every three (3) weeks on a Monday and meetings start at 7.00 pm, unless advertised otherwise. **This Ordinary Meeting has been moved to the Frankston Arts Centre, Corner Young & Davey Streets, Frankston due to the COVID-19 crisis and to support the State/Federal Government directive to adhere to social distancing.**

Council meeting dates are posted in the Davey Street and Young Street entrances to the Civic Centre (upper level) and also on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

## **Frankston City Council Governance Rules (adopted 31 August 2020)**

### **25. Chair's Duty**

Any motion which is determined by the *Chair* to be:

- 25.1 *defamatory of or embarrassing to any Councillor, member of Council staff or other person;*
- 25.2 *abusive or objectionable in language or nature;*
- 25.3 *a direct negative of the question before the Chair;*
- 25.4 *vague or unclear in intention;*
- 25.5 *outside the powers of Council; or*
- 25.6 *irrelevant to the item of business on the agenda and has not been admitted as*

**79. Chair May Remove**

- 79.1 *The Chair may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 78.2, or cause the removal of any object or material that is deemed by the Chair as being objectionable or disrespectful.*
- 79.2 *Any person removed from the meeting under sub-Rule 79.1 must not return to the meeting without the approval of the Chair or Council.*

*It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.*

The Penalty for an offence under this clause is 2 penalty units which is \$200

**Live Streaming of Council Meetings**

Frankston City Council is now Live Streaming its Council Meetings.

**During the COVID-19 crisis, Council is strongly encouraging residents to view the meetings via the live streaming.**

Live Streaming allows you to watch and listen to the meeting in real time, giving you greater access to Council decision making and debate and improving openness and transparency.

There are three (3) fixed cameras in the Council Chambers and it is intended that the cameras will only provide vision of the Councillors who are present at the meeting.

Every care will be taken to maintain privacy and as far as practically possible, it is not intended that there be either live or recorded footage of the public or Media personnel, however, there might be incidental capture; for example footage of a person exiting the building depending on which camera is being used at the time, or audio recording of a person who interjects the meeting. Council officers who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

Archives of meetings will be published on Council's website generally within three (3) business days after the meeting date for the public's future reference. Council will make every reasonable effort to ensure that a live stream and recording is available. However technical difficulties may arise in relation to live streaming or access to Council's website.

Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded.

It is not intended that public speakers will be visible in a live stream of a meeting. Cameras are to be positioned so that these members of the public are not visible. If you do not wish to be recorded you will need to contact the Councillors Office on telephone (03) 9768 1632 or via email [councillors.office@frankston.vic.gov.au](mailto:councillors.office@frankston.vic.gov.au) to discuss alternative options prior to the meeting.

## **The Formal (Ordinary) Meeting Agenda**

The Council meeting agenda is available for public inspection immediately after it is prepared, which is normally on the Thursday afternoon four (4) clear days before the meeting. It is available from the Reception desk at the Civic Centre (upper level), on our website [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au) or a copy is also available for you in the chamber before the meeting.

The following information is a summary of the agenda and what each section means:-

- **Items Brought Forward**

These are items for discussion that have been requested to be brought forward by a person, or a group of people, who have a particular item on the Agenda and who are present in the Public Gallery.

- **Presentation of Written Questions from the Gallery**

Question Time forms are available from the Civic Centre and our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

“Questions with Notice” are to be submitted before 12 noon on the Friday before the relevant Ordinary Meeting either in person at the Frankston Civic Centre, online using the Question Time web form or via email to [questions@frankston.vic.gov.au](mailto:questions@frankston.vic.gov.au).

“Questions without Notice” are to be submitted between 12 noon on the Friday before the relevant Ordinary Meeting up until 4pm on the day of the relevant Ordinary Meeting either in person via the designated Question Time box located at the Frankston Civic Centre front reception or the after-hours mail box or via email to [questions@frankston.vic.gov.au](mailto:questions@frankston.vic.gov.au).

A maximum of 3 questions may be submitted by any one person at one meeting. There is no opportunity to enter into debate from the Gallery.

More detailed information about the procedures for Question Time is available from Council's Councillors Office (call 9768 1632) and on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

- **Presentation of Petitions and Joint Letters**

These are formal requests to the Council, signed by a number of people and drawing attention to matters of concern to the petitioners and seeking remedial action from the Council. Petitions received by Councillors and presented to a Council meeting are usually noted at the meeting, then a report is prepared for consideration at the next available meeting.

- **Presentation of Reports**

Matters requiring a Council decision are dealt with through officer reports brought before the Council for consideration. When dealing with each item, as with all formal meeting procedures, one Councillor will propose a motion and another Councillor will second the motion before a vote is taken. If the members of the public wish to clarify any of the items on the Agenda, please contact the relevant manager by phoning 1300 322 322.

- **Presentation of Delegate Reports**

A Councillor or member of Council staff who is a delegate may present to Council on the deliberations of the external body, association, group or working party in respect of which he or she is a delegate or an attendee at a Council approved conference / seminar.

- **Urgent Business**

These are matters that Councillors believe require attention and action by Council. Before an item can be discussed, there must be a decision, supported by the majority of Councillors present, for the matter to be admitted as “Urgent Business”.

- **Closed Meetings**

Because of the sensitive nature of some matters, such as personnel issues, contractual matters or possible legal action, these matters are dealt with confidentially at the end of the meeting.

### **Opportunity to address Council**

Any person who wishes to address Council must pre-register their intention to speak before 4.00pm on the day of the meeting, by telephoning Council's Councillors Office (call 9768 1632) or by submitting the online web form or by using the application form both available on the website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

The submissions process is conducted in accordance with guidelines which are available from Council's Councillors Office and on our website. All submissions will be limited to 3 minutes in duration, except for Section 223 submitters, who have a maximum of 5 minutes. No more than ten (10) members of the public are to be permitted to address the Council. Further speakers will be permitted to address the meeting at the discretion of the Chair. All speakers need to advise if they are speaking on behalf of an organisation and it is deemed that they have been appropriately authorised by that said organisation.

Public submissions and any subsequent discussion will be recorded as part of the meeting, and audio recordings of Council meetings will be made available to members of the public. If a submitter does not wish to be recorded, they must advise the Chair at the commencement of their public submission.

### **Disclosure of Conflict of Interest**

If a Councillor considers that they have, or might reasonably be perceived to have, a direct or indirect interest in a matter before the Council or a special committee of Council, they will declare their interest and clearly state its nature before the matter is considered. This will be done on every occasion that the matter is considered by the Council or special committee.

If a Councillor has an interest in a matter they will comply with the requirements of the Local Government Act, which may require that they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter.

If a Councillor does not intend to be at the meeting, he or she will disclose the nature of the interest to the Chief Executive Officer, Mayor or Chairperson prior to the meeting commencing.

### **MAYOR**





## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that a Council Meeting of the Council will be held at the Frankston Arts Centre, Davey Street, Frankston, on 1 March 2021 at 7.00pm.

### MAYOR STATEMENT

*This meeting is being live streamed for public viewing in accordance with section 66(3) of the Local Government Act 2020. In the event Council encounters technical issues with the streaming, the meeting will be adjourned for up to 30 minutes until the matter is resolved. If the matter cannot be resolved, the meeting will be postponed to another evening.*

### COUNCILLOR 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 in the debate or vote on the issue.*

### OPENING WITH PRAYER

*Almighty God, we ask for your blessing upon this Council. Direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of Frankston City. Amen.*

### ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

*We respectfully acknowledge that we are situated on the traditional land of the Boon Wurrung and Bunurong in this special place now known by its European name, Frankston. We recognise the contribution of all Aboriginal and Torres Strait Islander people to our community in the past, present and into the future.*

**BUSINESS****1. PRESENTATION TO COMMUNITY GROUPS**

Nil

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

Council Meeting No. CM2 held on 15 February 2021.

**3. APOLOGIES**

Nil

**4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST****5. PUBLIC QUESTIONS**

Nil

**6. HEARING OF SUBMISSIONS****7. ITEMS BROUGHT FORWARD****8. PRESENTATIONS / AWARDS****9. PRESENTATION OF PETITIONS AND JOINT LETTERS**

Nil

**10. DELEGATES' REPORTS**

Nil

**11. CONSIDERATION OF TOWN PLANNING REPORTS**

Nil

**12. CONSIDERATION OF REPORTS OF OFFICERS**

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Nil

**14. NOTICES OF MOTION**

Nil

**15. REPORTS NOT YET SUBMITTED**

Nil

**16. URGENT BUSINESS**



**17. CONFIDENTIAL ITEMS**

C.1 Nominations for the MAV President and Management Board .....43

Phil Cantillon

**CHIEF EXECUTIVE OFFICER**

25/02/2021



**Executive Summary****12.1 Council Resolution Status Update for 1 March 2021**

*Enquiries: (Brianna Alcock: Chief Financial Office)*

**Council Plan**

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

**Purpose**

To update and brief Council on the current status of resolutions.

**Recommendation (Chief Financial Officer)**

That Council:

1. Notes the Notice of Motion Status Update and Urgent Business Status Update will not be tabled at this meeting and that it will be provided at the next Council Meeting scheduled for 9 March 2021; and
2. Notes there is a further report that will not be presented at this Council Meeting:
  - Update on Coronavirus (COVID-19) – 1 March 2021

**Key Points / Issues**

- At its meeting on 19 December 2016, Council resolved:

*“That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council’s resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).”*
- Additionally, at its meeting on 22 July 2019, Council resolved that:

*“4. a) Includes in the attached monthly report (Notice of Motion Cost Summary), the number of Urgent business items per councillor*  
*b) Includes the updates of the status of Urgent Business items in the attached monthly report (Notice of Motion Report)”*
- The Notices of Motion Report and Urgent Business Status Update for 1 March 2021 has not been provided due to the Council Meeting being called as an additional meeting in the Annual Council Meeting Schedule.
- It is further noted that the Notice of Motion Status Update will be brought to Council one week later at its meeting scheduled for 9 March 2021.
- Due to various factors, it is sometimes not possible for reports to be brought back before Council in accordance with the time frames resolved. There is a further report that will not be presented at this Council Meeting.
  - Update on Coronavirus (COVID-19) – 1 March 2021

Due to this Council Meeting being called as an additional meeting in the Annual Council Meeting Schedule, an update will be provided the next Council Meeting, scheduled one week later on 9 March 2021.

**12.1 Council Resolution Status Update for 1 March 2021****Executive Summary****Financial Impact**

There are no financial implications associated with this report.

**Consultation****1. External Stakeholders**

Nil.

**2. Other Stakeholders**

Nil.

**Analysis (Environmental / Economic / Social Implications)**

Making the written records available may provide some confidence regarding transparency in decision making, and is in keeping with best practice advice from the Victorian Ombudsman.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

There are no legal implications associated with this report.

Policy Impacts

There is no impact on Council policies.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

There is no risk associated with this report.

**Conclusion**

The purpose of this report is to brief and update Council on the implementation and status of resolutions including Notices of Motion and Urgent Business items. Council Officers are continuously working to implement a range of Council resolutions and in addition to noting the work completed.

It is recommended that Council notes the Notices of Motion and Urgent Business Status Update reports will not be provided for this additional Council Meeting and instead provided to the next Council Meeting scheduled on 9 March 2021.

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**ATTACHMENTS**

Nil

**Executive Summary****12.2 Delegate Resignation from Committees**

*Enquiries: (Brianna Alcock: Chief Financial Office)*

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

**Purpose**

To brief Council on the resignation by Cr Steven Hughes from the Audit and Risk Committee, the Community Grants Committee of Management and the Miscellaneous Grants Program Committee and nominate a replacement for each committee.

**Recommendation (Chief Financial Officer)**

That Council:

1. Accepts the resignation by Cr Steven Hughes as delegate from the following Committees:
  - Audit & Risk Committee;
  - Community Grants Committee of Management;
  - Miscellaneous Grants Program Committee;
2. Nominates the Councillors listed below as Council's new delegate representatives on these Committees:
  - Cr Bolam, delegate for the Audit and Risk Committee;
  - Cr Tayler, delegate for the Community Grants Committee of Management;
  - Cr Tayler, delegate for the Miscellaneous Grants Program Committee; and
3. Updates the Councillor Delegates list for 2021 and makes it available for the community on Council's website.

**Key Points / Issues**

- At its Council Meeting on 23 November 2020, Council resolved to nominate Cr Steven Hughes as Council's representative to the Audit & Risk Committee, the Community Grants Committee of Management and the Miscellaneous Grants Program Committee:
  - *Item 12.10 – Delegates to External/Internal Organisations for 2021*
  - (B) *Council resolved that the following appointments to internal committees be made:*
    2. *Cr Steven Hughes and Cr Harvey be appointed as delegates to the Audit and Risk Committee and the Mayor be appointed as the substitute delegate.*
    4. *Cr Steven Hughes and Cr Baker be appointed as the delegates to the Community Grants Committee of Management.*
    13. *The Mayor and Cr Steven Hughes be appointed as delegates to the Miscellaneous Grants Program Committee.*

**12.2 Delegate Resignation from Committees****Executive Summary**

- On 17 February 2021, Cr Steven Hughes gave notice of his intention to resign his delegate positions on all Committees:
  - Audit and Risk Committee;
  - Community Grants Committee of Management; and
  - Miscellaneous Grants Program Committee.

**Financial Impact**

There are no financial implications associated with this report.

**Consultation****1. External Stakeholders**

Nil.

**2. Other Stakeholders**

Nil.

**Analysis (Environmental / Economic / Social Implications)**

Nil.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Nil.

Policy Impacts

There are no impact to Council Policies.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

Nil.

**Conclusion**

Upon receiving the notice of intention by Cr Steven Hughes' of his resignation as delegate from the Audit and Risk Committee, Community Grants Committee of Management and the Miscellaneous Grants Program Committee, it is recommended that Council resolves to accept the resignation and nominate replacement delegate representatives to each committee.

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**ATTACHMENTS**

Nil

## Executive Summary

### 12.3 Adoption of Community Engagement Policy

*Enquiries: (Elizabeth Holley: Business Innovation and Culture)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.2 Enhance a high performing culture

#### Purpose

To present the updated Community Engagement Policy to Council for adoption.

#### Recommendation (Director Business Innovation and Culture)

That Council:

1. Notes the Draft Community Engagement Policy (Policy) was placed on public exhibition for two weeks with twenty (20) written Community Submissions received and one (1) Submission to speak was heard at its 15 February 2021 Council Meeting;
2. Notes the Policy has been updated to include an addition of a sixth Engagement Principle; updated information on processes and strategic documents;
3. Notes the legislative requirement for the Policy to be adopted on or before 1 March 2021;
4. Adopts the updated Policy; and
5. Notes a strategic community engagement framework will be brought to Council for endorsement at 28 June 2021 Council meeting.

#### Key Points / Issues

- At the Council meeting on 27 January 2021, Council endorsed the Draft Community Engagement Policy (Policy) for a two week Public Exhibition.
- Public Exhibition commenced on 28 January 2021 and finished on 12 February 2021, with the Policy available on Frankston City Council Website, Have Your Say, Social Media posts and Emails sent to over 180 subscribers. Council received 20 submissions from the community.
- Overall, the feedback about the Policy was positive, with the community feedback as:
  - “closing the loop” on engagement activities and projects an identified gap in the Policy, with the community wanting to know “*what did we say we would do? what did we do? how can we do better?*”.
  - to see community engagement occur well before the "early stages of project DEVELOPMENT". It would be better to consult the community before any "development" work is done, to see if the community wants a project "concept" or has an alternative view to the "concept".
  - Engagement timelines need to be more flexible as each project has different engagement needs
  - Clear information to be provided to the community on level of engagement, timelines, and how engagement will influence the decision



**12.3 Adoption of Community Engagement Policy****Executive Summary**

- Importance on accountability, accessibility and transparency
  - Engagement to be more inclusive and representative of our community
  - The importance of feeling included in the making of decisions effecting the community
  - An emphasis on listening and hearing the community.
  - Inclusion in the Policy about engagement for Policies and strategic planning
- Once the Policy has been adopted, a comprehensive Framework and Toolkit will be developed. A more targeted and thorough engagement process, using both deliberative and consultative methods, will be undertaken with both community and Council during that time.

**Financial Impact**

There are financial costs, however, these costs can be accommodated within existing budgets.

**Consultation****1. External Stakeholders**

The Policy and the Community consultation process responds to a legislative and statutory requirement under the Local Government Act 2020 (the Act). Each of the submissions received were included in the report to Council at 15 February 2021 Council Meeting, at which the one (1) submission speaker was heard.

**2. Other Stakeholders**

The Executive Management Team has been consulted and endorse the Draft Policy to come to Council.

**Analysis (Environmental / Economic / Social Implications)**

There are positive social implications in the community from being engaged in this process.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

Council has a statutory and legislative obligation to implement a Community Engagement Policy in accordance with Section 55 of the Act, including community consultation, on or before 1 March 2021.

Policy Impacts

This Draft Policy will replace the Interim Community Engagement Policy adopted at the 21 September 2020 Council Meeting. It is also consistent with Council's Privacy Policy.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**12.3 Adoption of Community Engagement Policy****Executive Summary****Risk Mitigation**

Current standard operating procedures are robust and effective enough to ensure that risks in this process are able to be managed to within acceptable levels.

**Conclusion**

The Draft Community Engagement Policy (Policy) was out on Public Exhibition for two weeks, to which Council received 20 submissions. Overall the feedback has been positive, with the community addressing some gaps which they felt were required.

It is recommended that the Policy now be adopted. Once the Policy is adopted, a comprehensive process to develop the Framework and Toolkit will be established. Significant engagement and consultation will form part of that process at that time.

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**ATTACHMENTS**

Attachment A: [↓](#) Final Community engagement policy

# Community Engagement Policy

(A4400044)

## 1. Purpose and intent

Council is driven by the privilege of serving our community, and providing leadership and visionary thinking to ensure Frankston City is recognised as the Lifestyle Capital of Victoria.

This Policy is a formal expression of Council's commitment to engaging and collaborating with our diverse local communities, to understand and incorporate their different views, experiences and expertise.

The Policy sets the vision for a consistent and coordinated approach to Council's engagement with its community.

Council recognises that good community engagement is an essential foundation of an active and involved community. It promotes an exchange of information and ideas between Council and the community on issues and decisions that the community are affected by, and are interested in.

Council also recognises the importance of enabling a broad cross-section of the Frankston City community to be included in diverse and accessible engagement activities. Council is committed to genuinely listening, learning from and understanding community input, and enabling this input to directly influence Council's decisions and project outcomes.

Council understands that when the community are included in, and influence, decisions that affect them, Council's decisions can be better understood, mutually beneficial, more innovative, sustainable, and representative of the interests of the broader community.


Importantly, good community engagement also underpins strong governance. In particular the measurement, evaluation and reporting back on engagement activities ensures transparency, integrity and trust in Council decision-making and processes.

## 2. Scope

Council's approach to community engagement is consistent with the Act, and this Policy outlines Council's commitment, principles and values to ensuring community engagement is integrated into all Council activities.

This Policy applies to the planning, design, implementation and evaluation of community engagement activities as directed by Council, recommended by staff, or legislated by the Act.

The Policy also outlines the role that community members can reasonably expect to play in our planning and decision-making processes.



For the purpose of this Policy, Council identifies the community as anyone affected by Council's decisions. The Frankston community can be defined as individuals or groups who live, work, play, visit, study, invest in or pass through Frankston. They could share a geographical location; characteristic or interest. Each person within our community has the potential to be a stakeholder in Council's engagement activities.

The Policy will be supported by a comprehensive Community Engagement Framework and Toolkit, designed to guide Council officers in the effective planning, implementation, reporting and evaluation of community engagement activities.

### 3. Definitions

<b>Community members</b>	means people who live in the municipal district of the Council; people and bodies who are ratepayers of the Council; traditional owners of land in the municipal district of the Council; and people and bodies who conduct activities in the municipal district of the Council.
<b>Council</b>	means Frankston City Council.
<b>Deliberative Engagement</b>	means the deliberative engagement practices included in this Policy.
<b>The Act</b>	means the <i>Local Government Act 2020</i> .

### 4. Authorisation

This Policy is governed by the Manager Community Relations and is approved by Frankston City's Council's Mayor and Chief Executive Officer (CEO):

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Mayor, Frankston City

-----  
CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Council Meeting of xxxx.

## 5. Policy

### 5.1 Engagement principles:

- 5.1.1 Council's approach to community and stakeholder engagement is guided by the community engagement principles set out under Section 56 of the Act, as follows:
- A community engagement process must have a clearly defined purpose, objective and scope;
  - Participants in community engagement must have access to objective, relevant and timely information to inform their participation;
  - Participants in community engagement must be diverse and representative of the persons and groups affected by the matter that is the subject of the community engagement;
  - Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
  - Participants in community engagement are informed of the ways in which the community engagement process *will influence* Council decision making;
  - Participants in community engagement are informed of how their input *has influenced* Council decision making.

### 5.2 What is community engagement?

- 5.2.1 Community engagement:
- Offers opportunities for residents and key stakeholders to contribute to and influence decisions that directly affect their community;
  - Enables Council to strengthen relationships with our community;
  - Ensures that Council can make better, more informed decisions;
  - Builds greater trust and shared ownership between Council and the community for implementation of decisions;
  - Enhances accountability by creating direct links between Council, residents and key stakeholders;
  - Assists Council to deliver better services and deliver more value to the public; and
  - Helps form our advocacy agenda.
- 5.2.2 Community engagement can also involve Council learning more about issues that are important to groups within the community, so that Council can advocate to State and Federal governments and other bodies that have influence, and can apply funding, in our area.
- 5.2.3 It is essential that Council reports back to the community after engagement in a timely way, and continue to keep the community updated about its programs and services, to maintain transparency and an open dialogue.

- 5.2.4 It is essential that Council reports back to the community after engagement in a timely way, and continue to keep the community updated about its programs and services, to maintain transparency and an open dialogue.


### 5.3 Why do we engage?

- 5.3.1 Community engagement provides decision makers with better opportunities to make informed decisions. By engaging with the community, Council is better able to understand local issues and needs.
- 5.3.2 Community engagement can help Council to:
- Gather information, meaningful feedback and diverse points of view prior to making decisions;
  - Foster community partnerships;
  - Increase trust and community confidence;
  - Gather inputs from stakeholders who are impacted by Council decisions;
  - Identify risks and gather workable ways to manage the risks;
  - Meet its legislative requirements, and ensure the community's right to assist with democratic processes;
  - Build understanding of, and commitment to, projects and strategic decisions;
  - Provide valuable input into Council's future planning and service delivery activities; and
  - Improve accountability and transparency through open and genuine feedback on public participation outcomes.
- 5.3.3 The community also benefit from participating in engagement activities. Participating in engagement can:
- Create a sense of belonging and connection;
  - Increase community involvement;
  - Unite and empower individuals and communities; and
  - Lead to a greater community ownership and resilience.

### 5.4 Who do we engage with?

- 5.4.1 Community engagement is a planned process with the specific purpose of working with identified groups of people.
- 5.4.2 Council will engage with a broad range of people, all with differing interests, and inclusion and accessibility needs.
- 5.4.3 This includes individuals or groups identified but not limited to residents, ratepayers, business owners, customers, visitors, community groups, sporting





groups, youth, agencies, funding bodies, developers, internal stakeholders, and culturally and linguistically diverse groups.

- 5.4.4 When Council is planning an engagement process, Council will first identify the people and groups likely to be affected by the relevant decision, and we reach out to involve them in the process. Council recognises that some groups face barriers to engaging with us and Council commits to using methods that best enable and encourage their participation. Identifying who is impacted or interested in a decision, best methods of outreach and any barriers to participation will be guided by our internal stakeholder identification process.

## 5.5 When will we engage?

Council will:


- 5.5.1 Engage the community on most decisions that will impact and affect our community and other key stakeholders.
- 5.5.2 Commit to being transparent about the decisions that are negotiable, and to ensure the community has the opportunity to provide meaningful input on these decisions.
- 5.5.3 Commit to continue to undertake early consultation for strategic studies, which are required to underpin the development of policies and may become the basis of changes to the Frankston Planning Scheme, or alternatively, major strategies and masterplans that would also guide decisions for the future wellbeing of the community. The community will be included via various engagement methods, dependent on the subject matter and work being undertaken.

### Circumstances that trigger engagement:

- 5.5.4 Engagement will be undertaken to ensure we meet our statutory obligations, including the engagement requirements set out under the Act and other relevant Acts as listed in the supporting documents section of this policy.
- 5.5.5 Examples of the processes that Council will promote opportunities for the community to actively participate in include:
- Key issues of interest;
  - Proposed new or amendments to policy and strategy;
  - Planning scheme amendments;
  - Infrastructure and capital works projects;
  - Service delivery; and
  - Service delivery standards.

### Circumstances when engagement will be limited:

- 5.5.6 There are other mandated requirements that set out some specific consultations that must be undertaken for a range of other legislation. These include:

- 
- The setting of Councillor and Mayoral Allowances;
  - Making a local law;
  - Declaring a special rate or special charge;
  - Selling, exchanging or leasing land;
  - Deviating or discontinuing a road;
  - Making amendments to the planning scheme; and
  - Deliberating on planning applications.

#### **Engagement timelines and processes:**

- 5.5.7 Where possible, Council is committed to engage the community and key stakeholders about proposed projects, which will allow for genuine opportunities for the community to influence decisions and enable Council to properly understand opportunities and constraints early in the planning process of projects.
- 5.5.8 At times where projects and scope are non-negotiable, Council is committed to informing the community and key stakeholders during the early stages of a project of the timeline and key steps. Information will also be provided about the engagement plan, so that the community can understand how they can be involved, what is negotiable, and what they can influence.
- 5.5.9 Engagement timelines and methods will be identified through the engagement planning process, and will be tailored to the needs of the relevant community, project and legislation or other timeline and process. The engagement design will be driven based on the complexity of the project, which will be detailed in the project's Community Engagement Plan.

## **5.6 How will we engage?**

#### **Engagement planning:**

- 5.6.1 When planning engagement methods, we will reference our internal Community Engagement Framework and Toolkit, and the International Association of Public Participation (IAP2) Spectrum that supports this Policy. Council are also careful to adhere to our engagement principles, set clear engagement objectives, and to consider statutory processes, community interest, political sensitivity, time, resources and budget constraints.
- 5.6.2 Successful community engagement is well planned, inclusive and accessible to those people that may be affected by the decision. Effective engagement relies on Council:
- defining the scope and objective of the engagement,
  - identifying stakeholders;
  - defining the level of influence over the key stages and timelines;

- identifying how the stakeholders will be engaged including their respective roles and expectations throughout the engagement process; and
- reporting back on the outcomes

**Engagement evaluation and reporting:**






- 5.6.3 Council will undertake evaluation processes to continually improve our approach to community engagement. Evaluation of the engagement process is planned at the beginning of the project, so we are aware of what the outcome will be measured against.
- 5.6.4 The evaluation process will be tailored to the scale and complexity of the engagement and will consider a number of elements including:
- Engagement outcomes and objectives were met;
  - Participants were representative of the stakeholders identified based on impact/interest; and
  - Communications and engagement methods were appropriate.
- 5.6.5 Council will report back to participants and our community in a timely manner about how their input was considered and how it influenced the final outcome.
- 5.6.6 Where consent is provided, we will also use information provided by community engagement to advocate on behalf of our community to relevant parties.
- 5.6.7 Council will also report on the number of engagement activities undertaken by Council, and how effective they have been.

## 5.7 Types of community engagement

- 5.7.1 Council commits to ensuring that those who are affected by a decision will be given the opportunity to inform that decision.
- 5.7.2 Council determines the level of involvement in the decision and the methods based on the International Association of Public Participation (IAP2) Spectrum.
- 5.7.3 The IAP2 Spectrum identifies and defines each of the five levels of engagement, from 'inform' to 'empower'. It details our promise to the public for each level of engagement ensuring that both Council and the community have shared expectations. Decisions on the level of engagement will be made according to the scale and importance of projects.
- 5.7.4 Many projects will involve more than one level of engagement. This is because the community can have different levels of influence at different stages of the project and different groups within the community may be more directly impacted than others. Table 1 below describes the five levels of the spectrum and the roles of Council and community.

- 5.7.5 Council will support Council officers in using the IAP2 spectrum and in making decisions on the level of engagement with our internal Community Engagement Framework and Toolkit.

Table 1: IAP2's Public Participation Spectrum  
(IAP2 International Association for Public Participation)

Increasing level of public participation					
	Inform	Consult	Involve	Collaborate	Empower
					
Goal	To provide balanced and objective information to make our community aware of something that has happened or will happen.	To listen to our community's feedback on options or a potential decision and take their input into account.	To seek input to identify issues, concerns and aspirations to inform decision making and show how that input has informed the decision.	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process.	To build the capacity of our community to identify solutions and/or lead change.
Commitment to community	We will keep you informed.	We will listen to and acknowledge your concerns.	We will work with you to exchange information, ideas and concerns.	We will seek advice and innovation from amongst the various stakeholder groups.	We will work with you to implement agreed decisions.
Community role	Listen	Contribute	Participate	Partner	Partner or Lead
Example method	<ul style="list-style-type: none"> <li>Fact sheets</li> <li>Websites</li> <li>Open houses</li> </ul>	<ul style="list-style-type: none"> <li>Public comment</li> <li>Focus groups</li> <li>Surveys</li> <li>Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>Workshops</li> <li>Deliberative polling</li> </ul>	<ul style="list-style-type: none"> <li>Community advisory committees</li> <li>Consensus-building</li> <li>Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>Community panels</li> <li>Ballots</li> <li>Delegated decision</li> </ul>
Engagement Type	Consultative		Deliberative		

#### Consultative engagement:

- 5.7.6 Occurs when views, opinions or ideas are invited on a particular project, draft policy, plan or document. Participation at this level can encompass a broad range of community members and stakeholders.
- 5.7.7 Examples of consultative engagement include:
- Community meetings and/or forums, including on-line;
  - Community information meetings;
  - Resident discussion meetings
  - Submitter information sessions
  - Face to face questionnaires
  - Community panel (including deliberative engagement)
  - Social media
  - Showcase events
  - Face to face workshops
  - Public exhibitions of documentation

#### Deliberative engagement:

- 5.7.8 Council's approach to deliberative engagement is consistent with the Act.
- 5.7.9 Deliberative engagement is an approach which encourages community members to critically test, weigh up and consider a range of information, perspectives, inputs and evidence to reach a consensus or make recommendations to Council.

5.7.10 Deliberation can be scaled to suit a project based on its scope, complexity or impact and may require independent facilitation to ensure a fair and equitable process.

5.7.11 Examples of deliberative engagement include:

- Workshops
- Deliberative polling
- Community advisory committees / groups
- Consensus building
- Participatory decision making
- Community panels
- Ballots
- Delegated decision
- Online forums
- Online mapping
- Citizen juries

5.7.12 Section 55 (2(g)) of the Act specifies that a Community Engagement Policy is required to give effect to deliberative engagement practices capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan.

5.7.13 The key characteristics of deliberative engagement include:

- Authentic engagement with the community;
- Good representation of the community in engagement activities;
- Clear demonstration of how all views have been considered; and
- Accessible and relevant information available to the community to ensure the decision-making process and the community's level of influence is clear in each instance and that participants are fully informed.

## 6. Roles and responsibilities

Community engagement is the responsibility of Councillors, Council officers, contractors and consultants undertaking work on behalf of Council.

## 7. Policy non-compliance

Failure to comply with this Policy could result in legislative non-compliance, adverse impacts on the reputation of Council, and poorer outcomes for the community.



## 8. Related documents

- Charter of Human Rights and Responsibilities Act 2006
- Local Government Act 2020
- Subordinate Legislation Act 1994
- Policy and Planning Framework
- Community Engagement Framework
- Public Administration Act 2004
- Equal Opportunity Act 2010
- Planning and Environment Act 1987

## 9. Implementation of the Policy

Following adoption of this Policy (in conjunction with other Related Documents) it will be implemented and monitored, along with the subsequent adoption of the Community Engagement Framework and Toolkit.

## 10. Document History

Date approved	Change Type	Version	Next Review Date
TBC	Revised	3	xx



**Executive Summary****12.4 Response to Petition - Beckwith Grove Pedestrian Bridge, Seaford**

*Enquiries: (Vishal Gupta: Infrastructure and Operations)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.1 Community Infrastructure
Priority Action	1.1.6 Ensure community infrastructure and services match community need

**Purpose**

To respond to the petition regarding reinstatement of Beckwith Grove Pedestrian Bridge in Seaford.

**Recommendation (Director Infrastructure and Operations)**

That Council:

1. Notes historically the Beckwith Grove bridge previously provided access from a former caravan park (now Kananook Creek Reserve) to the beach;
2. Notes Frankston Police has indicated in the past that they do not recommend opening of the pedestrian bridge and associated walkway to general public due to significant safety and privacy concerns;
3. Notes alternate safe pedestrian access to the beach is available via Station Street Bridge (North) and Seaford Road Bridge (South);
4. Notes the location of the bridge is in a significantly constrained environment, attracts low usage and poses significant challenges in terms of reinstatement of the bridge from cost, community safety and constructability perspective;
5. Notes the estimated cost of the bridge including associated works such as DDA compliant pathways, services realignment and safety considerations was \$740,000 based on independent specialist consultant estimates in 2017, which is expected to be a higher figure in current day costs;
6. Notes Council has an active process currently underway to sell the land parcel at 6R Beckwith Grove, between Beckwith Grove and the former bridge location, identified as surplus to its requirements;
7. Upholds its previous decision made at Ordinary Meeting 307 on 25 September 2017 not to reconstruct the Beckwith Grove bridge; and
8. Notifies the Head Petitioner in writing of its decision.

**Key Points / Issues**

- At its meeting on 15 February 2021, a petition was tabled by Cr Steven Hughes containing 20 signatures. This petition sought;  
*“Council removed the aged bridge on Beckwith Grove, Seaford with the promise of reinstating it. The bridge is an important link to walking tracks and proposed Kananook Creek arboretum. It offers possible safe evacuation across the creek from fire. If we are to promote a healthy, active community, reinstatement of the bridge is a step in the right direction.”*

**12.4 Response to Petition - Beckwith Grove Pedestrian Bridge, Seaford****Executive Summary**

- In 2015, Council closed the small timber pedestrian bridge over Kananook Creek at Beckwith Grove, Seaford, due to safety concerns highlighted by Council's structural bridge consultant. The bridge was later demolished to mitigate the safety risk to the community following repeated illegal access through the security fencing.
- In January 2016, Council wrote to local residents advising that the tender process had commenced in order to engage a contractor to reconstruct the bridge 'like-for-like'. Some residents responded to this letter advising Council that they would prefer that the bridge not be replaced. Given the differing views more extensive consultation was undertaken in March 2016.
- Multiple reports were presented to Council in 2016 and 2017 covering range of matters related to Beckwith Grove including outcome of a community consultation process, options for bridge replacement, construction challenges, alternate options and costings.
- At its meeting on 25 September 2017 (OM307), in reviewing a project to reconstruct the former Beckwith Grove bridge, Council resolved:

*"That Council:*

- 1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.*
  - 2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.*
  - 3. Resolves not to reconstruct the bridge.*
  - 4. Writes to all residents within immediate proximity to the former Beckwith Bridge explaining Council's recent decision. The letter is to explain why the Council has overturned the previous decision of Council on this matter – i.e. modern disability access requirements, escalating construction costs etc.*
  - 5. Instructs the CEO to install a checks and-balances process to prevent the expenditure of public monies on conceptual designs that do not take into account the full scope of required works (ie. disability access, public safety, statutory specifications etc). Upon the implementation of this new checks-and-balances process, the new procedure is to be articulated in a report to Council in January 2018."*
- Report presented to Council on 25 September 2017 (OM307) highlighted a number of the complexities and issues associated with the location such as:
    - Constructing the bridge within its confined access and complex alignment;
    - Providing safe all abilities access on the pathways leading to the bridge and across the bridge;
    - Vegetation issues and the need for a vegetation plan along with a cultural heritage plan and native vegetation offsets; and
    - Additional community safety requirements to meet Crime Prevention through Environmental Design (CPTED) requirements.

Refer to attached report as per Attachment A.

**12.4 Response to Petition - Beckwith Grove Pedestrian Bridge, Seaford****Executive Summary**

- Joint CPTED assessment by Frankston City Council Community Safety Team and Frankston Police in 2017 recommended that the walkway and the footbridge should not be opened to general public due to significant community safety issues, privacy issues and location prone to antisocial behaviour.
- CPTED Assessment also noted that much safer public routes for foot traffic are available via Seaford Road Bridge (south) and Station Street Bridge (north). Refer to CPTED report as per Attachment B.
- A Consultant's report analysing the different type of structures which could be deployed to the site. This report also provided a preliminary 'Order of Magnitude' cost estimate comparison for a steel bridge which amounted to a total of \$740,000 (2017 estimate).

The estimated bridge cost also made provisions for the ancillary infrastructure works including all access abilities pathway to the bridge approaches, lighting, gate and CCTV to address the community safety CPTED requirements and necessary cultural heritage and environmental assessments.

- Additionally, Council is currently in the process of considering the sale of land parcel, located at 6R Beckwith Grove, Seaford. This land parcel previously provided an approximately 1.5 metre wide pedestrian link from Beckwith Grove to the eastern side of the Kananook Creek Reserve, via the former Beckwith pedestrian bridge which was removed at the late 2015/early 2016. A separate report relating to the proposed sale of the above parcel is being tabled for Council to consider at its March ordinary meeting.

**Financial Impact**

There is no budget allocation in the current 10 Year Long Term Infrastructure Plan for the provision of a pedestrian bridge across the Kananook Creek at Beckwith Grove.

**Consultation****1. External Stakeholders**

Wider Community, Police, Kananook Creek Association and the Disability Access Inclusion Committee have been consulted in the past (2016/2017). No recent consultation process has taken place.

The Head Petitioner was advised that a response to petition will be considered by Council at its 9 March 2021 ordinary meeting.

**2. Other Stakeholders**

Council's Property Team and Community Safety Team have been consulted in this matter.

**Analysis (Environmental / Economic / Social Implications)**

Pedestrian access to the Seaford foreshore/beach is available via Seaford Road Bridge and Station Street Bridge, both of which are located less than 500 metres from the location of Beckwith Grove Bridge. Despite the alternative safe pedestrian access available, local residents have petitioned to have the bridge reinstated.

**12.4 Response to Petition - Beckwith Grove Pedestrian Bridge, Seaford****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Council has no legal requirement to reinstate Beckwith Grove pedestrian bridge.

Policy Impacts

No policy impact associated with this report.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

Demolition of original bridge in late 2015 addressed safety concerns previously highlighted by Council's structural bridge consultant.

**Conclusion**

A number of project update reports have been presented to Council regarding Beckwith Grove pedestrian bridge in 2016 and 2017. These reports included details of the outcome of community consultation, engineering assessment on available options to replace the bridge including consideration for a 'like to like' bridge and costings.

It has been noted and highlighted that the location of the bridge is in a constrained environment, would attract low usage and poses significant challenges in terms of reinstatement of the bridge from a cost, community safety and constructability perspective.

It is recommended that Council uphold the previous Council decision not to reconstruct the bridge at Beckwith Grove and advise the Head Petitioner accordingly.

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**ATTACHMENTS**

Attachment A: [↓](#) Council Report - OM307 - 25 Sept 2017

Attachment B: [↓](#) CPTED Assessment

**ORDINARY MEETING MINUTES**

**7**

**25 September 2017  
OM307**

**12.8 Beckwith Grove Bridge Project Update**

*(GK Community Development)*

**Recommendation (Director Community Development)**

That Council:

1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.
2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.
3. Resolves to:
  - 3a Reconstruct the bridge as a prefabricated steel I beam bridge with disability access and with additional safety measures as recommended by the CPTED safety Audit
  - Or
  - 3b reconstruct the bridge as a prefabricated steel I beam bridge without disability access and with additional safety measures as recommended by the CPTED safety Audit
  - Or
  - 3c. Do not reconstruct the bridge

**Council Decision**


**Moved: Councillor Bolam**

**Seconded: Councillor Toms**

That Council:

1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.
2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.
3. Resolves not to reconstruct the bridge.
4. Writes to all residents within immediate proximity to the former Beckwith Bridge explaining Council's recent decision. The letter is to explain why the Council has overturned the previous decision of Council on this matter – i.e. modern disability access requirements, escalating construction costs etc.
5. Instructs the CEO to install a checks and-balances process to prevent the expenditure of public monies on conceptual designs that do not take into account the full scope of required works (ie. disability access, public safety, statutory specifications etc). Upon the implementation of this new checks-and-balances process, the new procedure is to be articulated in a report to Council in January 2018.

**Carried Unanimously**

Chairperson's initials 

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## Executive Summary

### 12.8 Beckwith Grove Bridge Project Update

Enquiries: (Gillian Kay: Community Development)

#### Council Plan

Community Outcome: 1. Planned City  
Strategy: 1.1 Community Infrastructure  
Priority Action: 1.1.6 Ensure community infrastructure and services match community need

#### Purpose

To brief Council on the comparison of alternative materials as provided by an external bridge contractor enabling Council to determine the future project to build Beckwith Grove Bridge.

#### Recommendation (Director Community Development)

That Council:

1. Receives an external report at Attachment A outlining a comparison of alternative materials that could be considered for the construction of Beckwith Grove Bridge.
2. Notes receipt of legal advice which outlines Council's legal obligations and the completion of an Access Audit and recommendations which enables Council to resolve to build the bridge with either with disability access or without disability access based on 'justifiable hardship'.
3. Resolves to:
  - 3a Reconstruct the bridge as a prefabricated steel I beam bridge with disability access and with additional safety measures as recommended by the CPTED safety Audit
  - Or
  - 3b reconstruct the bridge as a prefabricated steel I beam bridge without disability access and with additional safety measures as recommended by the CPTED safety Audit
  - Or
  - 3c. Do not reconstruct the bridge

#### Key Points / Issues

- At the Ordinary Meeting 14<sup>th</sup> August 2017 Council deferred the Beckwith Grove Bridge item:

*"That the matter be deferred pending the full exploration of cost effective alternative materials costs. Once these costs have been ascertained, the report returns to Council for consideration. The report is to return at the second September ordinary meeting with a view to making a formal decision on this matter."*



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<b>12.8 Beckwith Grove Bridge Project Update</b> <b>Executive Summary</b>		

- Previously Council resolved at its Ordinary Meeting 8 August 2016:  
“That:  
  - Council notes its resolution made at Ordinary Meeting 290 on 18 July 2016:  
‘That this Council resolves to support the reconstruction of the Beckwith Grove bridge like for like aesthetically and requests that it be referred to in the 2016/17 mid-year budget review and if not funded included in the 2017/18 Capital Works Program.’
  - Council amends its resolution made at Ordinary Meeting 290 on 18 July 2016 and resolves to complete the reconstruction of the Beckwith Grove bridge like for like aesthetically this financial year.
  - The head petitioner be advised of this council decision.  
Further, Council at its Ordinary Meeting 20 February 2017 deferred a decision on the construction of the bridge until a meeting with the abutting neighbours of the walk way had occurred.”
- The planned reconstruction of the Beckwith Grove pedestrian bridge has been complex with a number of issues to consider including the increased costs due to:  
  - The constructability of the bridge with its confined access.
  - The need for a decision to determine disability access of the pathways leading to the bridge and the bridge itself.
  - Vegetation issues and need for an environmental plan and potentially and cultural heritage plan.
  - Additional safety requirements as recommended by a Crime Prevention Through Environmental Design (CPTED) audit.
  - Additional earth, pipe and fencing works dependent upon Council's decision to reconstruct the bridge.
- To respond thoroughly to the resolution of the 14<sup>th</sup> August to explore costs of alternative materials officers engaged an experienced bridge contractor referred based on the construction of the Koala Bridge. The brief was to review the comparative costs of alternative materials suitable for Beckwith Grove Bridge.
- A summary table of the comparative costs are outlined below. Based on the resolution to build a cranked bridge (like for like) and clad with timber the steel I beam construction method represents the lowest cost.

	Single span	Design Intent	Straight	Cranked	Curved	Prefabrication	Cost Comparison Plus GST
Steel I Beam	Yes	Yes	Yes	Yes	Yes	Yes	\$200K
Timber Laminated	Yes	Yes	Yes	No	Yes	Yes	\$308K
Concrete	Yes	No	Yes	No	No	Yes	\$308K
Composite	Yes	No	Yes	No	No	Yes	\$352K

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12.8 Beckwith Grove Bridge Project Update

Executive Summary

- However, it should be noted that the above costs relate to the bridge only and do not include other work that will be required to completed the project including earth, pipe and fencing work on the western side of the creek, an Environmental Management Plan and recurrent costs for vegetation offsets, a Cultural Heritage Management Plan for the eastern side of the creek and any resulting costs together with the additional safety measures as recommended in the CPTED Audit. A breakdown of the add on costs are available in the confidential attachment. Importantly, to enable the project to progress Council is requested to resolve the following options:

Noting the legal advice outlining Council's obligations to consider disability access and the Access Audit resolve to either

- Reconstruct the bridge and pathways for people with disabilities; or
- Reconstruct the bridge without accessibility for people with disabilities.

Endorse inclusion of the additional safety measures in the project scope including: lighting, CCTV and lockable gates as per the CPTED audit recommendations.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

After additional design considerations further investigative work the cost of the bridge has increased to cover a number of additional requirements detailed by both statutory and community stakeholder requirements. This information has previously been presented to Councillors as part of a briefing. The cost of alternative materials is included in this report. The estimated cost of the bridge construction is supported by an external comparative materials report at Attachment A and a more detailed breakdown at confidential Attachment B which are to remain confidential pending the tendering process. Notwithstanding this, the tender process will attract a range of submissions which ideally would identify options to reduce the costs, ensuring design codes and Melbourne Water's requirements would still be met.

**Consultation**

1. External S takeholders

Following the presentation by residents of Beckwith Grove to Council at its Ordinary Meeting 20 February 2017, it was decided to defer the item pending a meeting with the neighbours abutting the walk way and obtaining a formal report a Police Safety report. The meeting, attended by Cr O'Connor, the CEO, Director Community Development, Manager Infrastructure and both neighbours, occurred 9 March 2017 to enable a visual understanding of the challenges as presented.

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## 12.8 Beckwith Grove Bridge Project Update

### Executive Summary

Regular communication has been maintained when required with the property owners abutting the laneway and the head petitioner's family seeking the reconstruction of the bridge. Most recently this occurred following the onsite meeting 9 March, following the Councillors Agenda Review meeting to update stakeholders and the head petitioner and also to discuss the impact of widening the path with the neighbours abutting the walk way. They subsequently requested a meeting with the ward councillors.

The Police were consulted and undertook the CPTED audit. The view was that ideally the bridge would not be rebuilt, however, supported the bridge with the additional safety measures recommended in the CPTED report.

The Kananook Creek Association and the Disability Access Inclusion Committee has also been consulted.

An external contractor has been consulted with regard to alternative materials.

#### 2. Other Stakeholders

Meetings have taken place with internal subject matter experts in:

- Construction
- Environment
- Risk / insurance
- Safety
- Disability access
- Public Realm and Landscaping.

Numerous meetings and / or communication has taken place with residents, the head petitioner and internal subject matter experts in construction, the environment, safety, disability access and landscaping.

Melbourne Water - Melbourne Water is an approval authority, as Kananook Creek is a Melbourne Water Asset. The ability or not of constructing in or near the creek and its banks will be examined, together with environmental protections and controls as part of the detailed design process and during and post construction and for the ongoing use of the structure and site.

Cultural Heritage - Archaeological assessment for potential Aboriginal and European archaeological remains has not been undertaken. Should Council resolve to build the bridge to cater for people with disabilities this assessment and technical expertise to examine and assess the site will be required.

The Department of Environment Land Water and Planning - It is understood that DELWP will be a stakeholder for consultation/approval together with Environmental Protection Authority.

#### Analysis (Environmental / Economic / Social Implications)

While pedestrian access to the Seaford foreshore, shops and train station is available via Nepean Highway, local residents have petitioned to have the bridge reinstated.

#### Legal / Policy / Council Plan Impact

##### Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

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#### Legal

There are legal requirements in relation to the construction of this bridge as outlined above and legal advice discussed in confidential Attachment A.

#### Policy Impacts

Council has embedded the requirements of the Disability Action Plan into its Municipal Health and Wellbeing plan

#### Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

#### **Risk Mitigation**

Cost escalation, disability access, legal obligations, environmental management and personal safety issues have all been raised in reports and briefings to councillors with respect to Beckwith Grove Bridge.

Mitigation is primarily reliant on ensuring the bridge and its accesses are safe and compliant and the reserve's vegetation is protected as much as reasonably possible. To this end a series of reports from technical experts is listed in this report to guide and minimise risk events.

An Access Audit was undertaken in July 2017 with a subsequent report received outlining recommendations and the case for 'unjustifiable hardship' should the Council resolve the bridge be constructed without access for people with disabilities and a complaint of discrimination be lodged.

#### **Conclusion**

Consideration of alternative building materials has been attached to this report for Council's consideration of the construction of the Beckwith Grove Bridge.

Construction and materials has taken into account the engineering design standards and controls, Melbourne Water's requirements as the referral authority.

A key consideration to rebuild the bridge prior to tendering the work is whether to apply best practice and build it with access for people with disabilities or alternatively, without access for people with disabilities.

The secondkey consideration is the adoption of the recommendations of the CPTED Audit to include the safety measures of lighting, CCTV and lockable gates into the project scope. This is recommended.

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#### **ATTACHMENTS**

Attachment A: Beckwith Bridge Analysis

Attachment B: Preliminary Cost Estimates - Confidential (*Under Separate Cover*)



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# GR DESIGN AND CONSTRUCT

## BECKWITH GROVE BRIDGE ANALYSIS





GR Design & Construct Pty Ltd ABN 52 132 285 511  
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### Steel I-beam Construction – Timber clad



- Clear span achievable
- Cranked, curved and truss options available
- Multiple handrail options
- Prefabricated off site / sections joined on site
- Flexibility in materials: decking, joists, handrail, cladding
- Installed in single crane lift
- 10 – 12 week lead time
- Cost estimate: \$9 – 10k per lineal metre allowance at the Beckwith Grove Location





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### Laminated Timber Beam Construction



- Clear span achievable
- Straight or curved options available
- Multiple handrail options
- Limited clearance to underside of beams
- Cranked option available only with additional piers
- Prefabricated off site
- Installed in single crane lift
- Flexibility with handrail design and decking materials
- Limited manufacturing capability – specialty construction
- Increase in transportation costs – single member spans
- Additional maintenance required
- 20+ week lead time
- Cost Estimate: \$13 – 15k per lineal metre allowance at the Beckwith Bridge Location



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## Concrete Construction



- Clear span achievable
- Straight or curved options available
- Cranked option available only with additional piers
- Will not match pre-existing Beckwith Grove Bridge
- Prefabricated off site
- Installed in single crane lift
- Flexibility with handrail design
- Limited manufacturing capability – specialty construction
- Increase in transportation costs – single member spans / weight
- Additional cost in crane installation - weight
- 14 - 16 week lead time
- Cost Estimate: \$12 - 15k per lineal metre allowance at the Beckwith Bridge Location



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## Composite Material Construction



- Clear span achievable
- Straight option only as clear span
- Cranked option available only with additional piers
- Will not match pre-existing Beckwith Grove Bridge
- Prefabricated off site
- Installed in single crane lift
- Limited handrail / balustrade options
- Multiple decking options available
- Limited manufacturing capability – specialty construction
- Increase in transportation costs – single member spans
- 14 - 16 week lead time
- Cost Estimate: \$16 - 18k per lineal metre allowance at the Beckwith Bridge Location

Reports of Officers 12.8 Beckwith Grove Bridge Project Update Attachment A: Beckwith Bridge Analysis	658	25 September 2017 OM307
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## Summary

	Single Span	Design Intent	Straight	Cranked	Curved	Prefabrication	Cost Comparison
Steel I-beam	✓	✓	✓	✓	✓	✓	Low
Timber Lam	✓	✓	✓	x	✓	✓	High
Concrete	✓	x	✓	x	x	✓	Medium
Composite	✓	x	✓	x	x	✓	High

GRDC has been to site with a number of required contractors and understands the projects requirements and complexities. Discussion has been held with piling contractors, crane operators and the GR Project Management Team. We understand the site constraints in regards to access from the eastern bank and feel in our preliminary work we have addressed that. Further, we understand that it is a Melbourne Water Asset and a Permit to Work will be required. We feel our steel preliminary design will satisfy MW requirements for the location.

### Steel I-beam Construction:

The timber-clad steel I-beam bridge option has the flexibility in design and construction to achieve the best overall outcome for the project. Aesthetically the bridge will be similar to the pre-existing timber bridge without the need of piers in the waterway. Oiled or painted timbers can be used to clad the structure to replicate the bridges at Beach St and Flocchi Ave. Construction cost and time are reduced in this option due to the availability of materials and simplicity of the construction method. Maintenance will be required for oiling/painting.

### Laminated Timber Construction:

The span required for a laminated timber beam bridge is approaching the maximum allowable for such construction within the site constraints. The timber beams be will in the region of 800mm in height and require ongoing maintenance to ensure that the structure performs well for the life span of the structure. Handrail design options will be compromised by the height of the timber beams with minimal resemblance to the pre-existing structure. To achieve an acceptable clearance to the river a cranked option is more suitable although this will require two sets of piers in the water way. Lead times are extended to allow for the fabrication of the laminated members with costs also escalating for specialty construction and transportation costs.

Reports of Officers	659	25 September 2017 OM307
12.8 Beckwith Grove Bridge Project Update		
Attachment A: Beckwith Bridge Analysis		



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### Concrete Construction:

Concrete construction whilst having an increased expected life span has limited variations available in terms of finishes. The structure can be dressed with timber to improve the aesthetics of the bridge however it will not resemble the previous bridge structure. Further as the concrete structure will come as a 'complete' structure the logistics involved in transportation and installation make this option the least desirable due to the added costs. We feel that the concrete option is cost prohibitive and not suited given the scope of the project.

### Composite Bridge Construction:

The composite structure option can only be installed as a straight beam or truss arrangement. Without additional sets of piers in the waterway, this construction material is not a viable option. To gain adequate clearance from the underside of the bridge beams, the span will need to be increased significantly affecting the cost dramatically. As there are major constraints on the eastern bank of the creek increased clearance is not possible as a single span. The overall cost of the installation of a composite material bridge will be the highest of all four options.

### Recommendation:

In consideration to the project scope, location and constraints, GRDC is recommending a timber clad steel I-beam bridge. This option is best suited to the project for the following reasons:

- Design intent – similarity to pre-existing structure
- Cost – most cost effective
- Prefabrication off site
- Increased clearance to underside – cranked option
- Ease of onsite installation



## Crime Prevention through Environmental Design Audit

### Beckwith Foot Bridge

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TO: [REDACTED] – Director Community Development

FROM: [REDACTED] – Coordinator Compliance & Safety  
[REDACTED] – Senior Sergeant OIC Frankston Police.

REF: A3318835

DATE: 17<sup>th</sup> March, 2017

RE: CPTED Assessment – Beckwith Foot Bridge Seaford.

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#### **Situation:**

Crime Prevention through Environmental Design (CPTED) Audit assessment requested for the Frankston City Council walkway and foot bridge, located in Beckwith Grove Seaford near Brodie Street. This request is as a result of concerns by neighbours about the reopening of the walkway and Foot Bridge and the impact on their personal safety, particularly during the night.

#### **Location:**

The Frankston City Council owned walkway once operated as a walk through connecting Beckwith Grove and the eastern side of Kananook Creek Reserve via a footbridge that crosses the creek itself. Neighbours to the walkway estimate that when the bridge was in service it was utilised by up to 20 pedestrians per day. Public access is available via Beckwith Grove and is isolated and generally out of sight from the general community. The entry from Beckwith Grove is consealed by vegetation leading to a walk way that is 1.3 Meters wide and 61 Meters to the Creek.

There is currently no public access and no indication of infrastructure such as CCTV or lighting other than one street light at the corner of Beckwith Grove and Brodie Street.

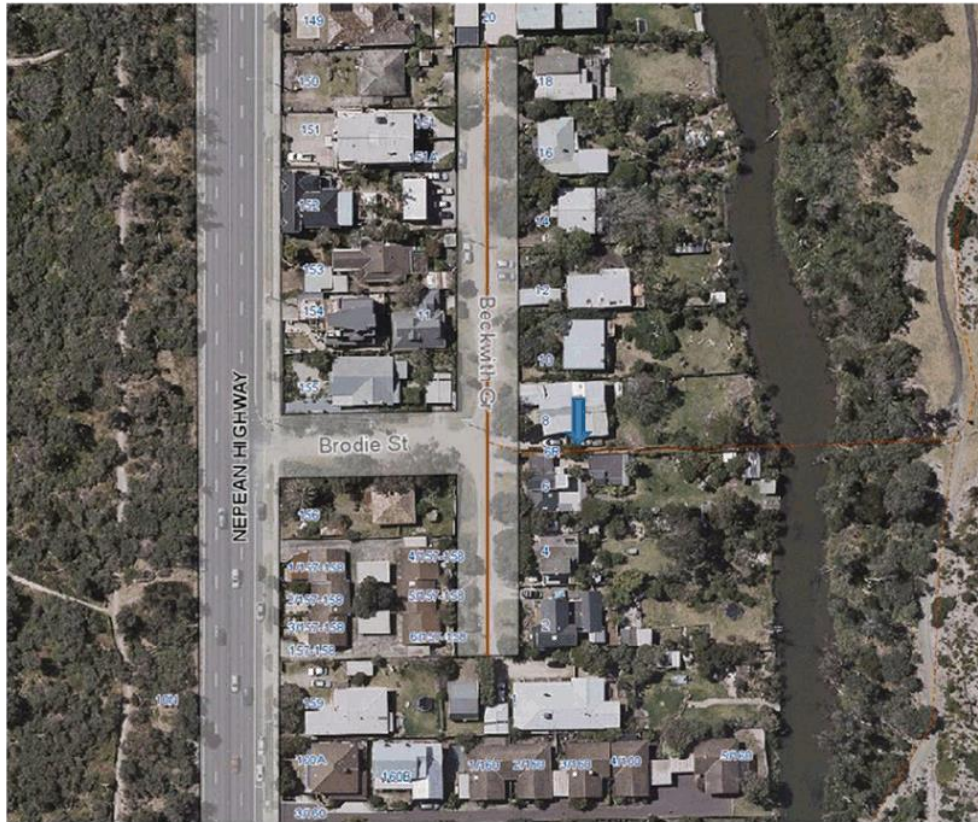
The walk way is fenced both sides by high wooden fences that are currently broken and leaning inward to the pathway.

No public car parking is provided on site or near the location of the walkway the area is accessed by gravel roads that service 18 properties.



Photo 1 below –

Indicates overview of location at Beckworth Grove, Seaford as described.



**Area Demographic / Topography:**

Beckworth Grove is located on the outer perimeter of the Seaford Shopping District, and between the Nepean Hwy and Kananook Creek. The general locality comprises residential, light commercial business and retail. The residential properties vary from single establishment to multiple unit type developments with a recent increase noticed with town house type developments. Housing statistics indicate a high proportion of the housing is used for rental with above 28% of resident families falling into the low income bracket.

**Comments Regarding Security.**

**Access/Egress**

- Entrance and egress – entrances and exits to the walkway / foot bridge are concealed from public surveillance and view.
- Infrastructure – No relevant infrastructure was observed, including CCTV or public lighting.
- The entry / exit on the eastern side of Kananook Creek split to 3 exits and has no significant infrastructure.



### Perimeter Security

- Entries are current closed to the public with cyclone type fencing
- Boundary fencing is of good height however is currently in a state of disrepair and allows for the public to view in to private property from the foot bridge entries

Photo 2 shows Boundary Fencing adjoining 8 & 6 Beckwith Grove.



### Surveillance

- The area is not fitted with exterior fixed CCTV camera systems.
- The area is not in open space allowing public surveillance.
- The Walkway is only 1.3 Meters wide not allowing foot traffic to pass each other.

Photo 3 - Highlights the width of the path and the inability to allow pedestrians to pass each other.



**NOTE:** Graffiti on fences when the walkway was on to the general public.



One Street Light in area



Vegetation allowing for offenders to hide.





Current entry from Beckwith



Creek Crossing point

### Recommendations

After a CPTED evaluation we make the following comments and recommendations regarding the general level of public safety in the event that this walkway is reopened to the general public.


It is recommended to not reopen the walk way without the following

- Adequate CCTV be installed that feeds back to the Frankston Police Complex  
(Note that due to the width of the walkway this may not be possible)
- No CCTV is to view private property  
(Note that due to the width of the walkway this may not be possible)
- Adequate public lighting to be installed.  
(Note that due to the width of the walkway this may not be possible)
- Walkway be locked and closed to the general public after dusk every night.
- Vegetation surround walkway be removed and uplifted to allow for public surveillance.

Whilst the above may be achieved with significant costs and works, the walkway is only 1.3 Meters wide this is considered a significant danger as a person has no clear exit away from an offender that may be approaching this is considered significantly worse for people with prams pushing children and people in wheel chairs. It would also be difficult to block public view of private property resulting in privacy concerns for the neighbouring property. It would be expected that the area would be subject to antisocial behaviour due to its location as a walkway through from the beach to Seaford rail station.

It is also noted that the Seaford Road Bridge is within 280 meters and offers a much safer public route for foot traffic, as does the Station Street Bridge 418 meters to the north.

It is for these reasons we do not recommend that this walkway and foot bridge be reopened to the general public.

  
  
Coordinator Compliance & Safety  
Frankston City Council

  
Senior Sergeant  
Frankston Police

**17. CONFIDENTIAL ITEMS**

Section 3(1) of the Local Government Act 2020 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Council business information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) Security information that is likely to endanger the security of Council property or the safety of any person;
- (c) Land use planning information;
- (d) Law enforcement information;
- (e) Legal privileged information;
- (f) Personal information;
- (g) Private commercial information;
- (h) Internal arbitration information;
- (i) Councillor conduct panel information
- (j) Information prescribed by the regulations to be confidential information for the purposes of this definition;
- (k) Information that was confidential information for the purposes of section 77 of the Local Government Act 2020
- (l) A resolution to close the meeting to members of the public pursuant to section 66(2)(a).

**Recommendation**

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 (the Act) on the following grounds:

**C.1 Nominations for the MAV President and Management Board**

This document and all relevant attachments have been designated by me, the Chief Executive Officer, as confidential information under Section 3(1) of the Local Government Act 2020:

- on the grounds that it contains Information that was confidential information for the purposes of section 77 of the Local Government Act 2020; and
- these grounds apply because the information that is detailed within the report contains matters, if prematurely released, would impact the reputation of Councillors and Council.

.....  
Signed by the CEO