



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 1 MARCH 2021 at 7.02PM**

PRESENT	Cr. Kris Bolam (Mayor) Cr. Nathan Conroy Cr. David Asker Cr. Sue Baker Cr. Claire Harvey Cr. Brad Hill Cr. Liam Hughes Cr. Steven Hughes Cr. Suzette Tayler
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Chief Financial Officer Dr. Gillian Kay, Director Communities Mr. Cam Arullanantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Business Innovation and Culture Ms. Brianna Alcock, Manager Governance and Information Ms. Michelle Tipton, Coordinator Governance Ms. Tenille Craig, Councillor Support Officer Mr. Peter Gent, System Support Officer Mr. Damian Clarkson, Supervising Technician Mr. Glenn Parry, Supervising Technician
EXTERNAL REPRESENTATIVES:	Nil

MAYOR'S 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

Councillor Conroy 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:

Chairperson's initials

- *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

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Conroy 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.

Frankston City

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Mr Phil Cantillon, Chief Executive Officer, made a statement advising that Council Meetings will be open to the public from the 9 March 2021 Council Meeting.

1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM2 held on 15 February 2021.

Council Decision

Moved: Councillor Hill

Seconded: Councillor Harvey

That the minutes of the Council Meeting No. CM2 held on 15 February 2021 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 Mayor, Cr Bolam declared an Interest on Item C.1 Nominations for the MAV President and Management Board of the Closed Agenda. The Mayor advised that he is a nominee for the board and will leave the meeting at the time of discussion and voting.

5. PUBLIC QUESTION TIME

Nil.

6. HEARING OF PUBLIC SUBMISSIONS

Two submissions were registered to speak but withdrew prior to the commencement of the meeting.

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

(BA Chief Financial Office)

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

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 one report that will not be presented at this Council Meeting:
 - Update on Coronavirus (COVID-19) – 1 March 2021

Carried Unanimously

12.2 Delegate Resignation from Committees

(BA Chief Financial Office)

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

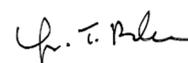
That Council:

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.

CarriedFor the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes
and Tayler

Against the Motion: Cr Steven Hughes

Chairperson's initials



12.3 Adoption of Community Engagement Policy*(EH Business Innovation and Culture)***Council Decision****Moved: Councillor Hill****Seconded: Councillor Baker**

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.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

12.4 Response to Petition - Beckwith Grove Pedestrian Bridge, Seaford

(VG Infrastructure and Operations)

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.

Council Decision

Moved: Councillor Hill

Seconded: Councillor Harvey

That Council:

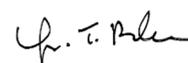
1. Notes that the Beckwith Grove bridge site on the Eastern side is within the proposed Seaford Arboretum/Botanic Gardens precinct;
2. Notes any decision on either bridge or Arboretum project has possible/likely crossover implications to each other's project;
3. Notes community safety issues likely exist for both projects and should be considered together;
4. Notes the matter be deferred pending a meeting with designer, Dr. Jill Orr-Young, Victoria Police, Sonya Kilkenny, any engaged architects/designers/consultants for either projects with relevant Frankston City Council officers and councillors, so that any decision in respect to the bridge and proposed Arboretum/Botanic Gardens be made in a considered and holistic/combined fashion in respect to the two projects; and
5. A report to come back to Council no later than the April 2021 Council Meeting.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials



13. RESPONSE TO NOTICES OF MOTION

Nil

14. NOTICES OF MOTION

Nil

15. LATE REPORTS**16. URGENT BUSINESS****Urgent Business****Council Decision****Moved: Councillor Tayler****Seconded: Councillor Hill**

That the matter of seeking to bring an application for an internal arbitration process, in relation to the social media posts by Cr Steven Hughes on 18 February 2021 and the 1 March 2021, be accepted as urgent business.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Urgent Business**Council Decision****Moved: Councillor Tayler****Seconded: Councillor Hill**

That Council:

1. Resolves to bring an application for an internal arbitration process under section 143 of the Local Government Act 2020, alleging multiple acts of misconduct on the part of Cr Steven Hughes in his social media posts of 18 February 2021 and the 1 March 2021.
2. Appoints Mayor Kris Bolam to be its representative in respect of the Application.
3. Authorises Mayor Bolam to finalise the Application.

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

That Cr Tayler be granted an extension of time.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

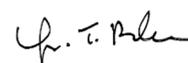
Extension of Time**Moved: Councillor Tayler****Seconded: Councillor Harvey**

That Cr Asker be granted an extension of time.

Carried

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

Chairperson's initials



Against the Motion: Cr Steven Hughes

Extension of Time

Moved: Councillor Liam Hughes

Seconded: Councillor Conroy

That Cr Steven Hughes be granted an extension of time.

Carried Unanimously

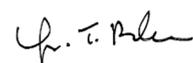
The motion was put and

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials



17. CONFIDENTIAL ITEMS

Council Decision

Moved: Councillor Hill

Seconded: Councillor Harvey

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 77(2)(c) of the Local Government Act 1989 (the Act) on the following grounds:

C.1 Nominations for the MAV President and Management Board

Agenda Item C.1 Nominations for the MAV President and Management Board is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

Carried Unanimously

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Signed by the CEO

QUESTION TIME

The following Questions With Notice were presented at the Council Meeting 2021/CM2 – 15 February 2021. Due to the COVID-19 pandemic, all Council Meetings have been closed to the public, and all submitter(s) have been contacted directly with a response to their questions. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published at the next Council Meeting Minutes..

Pepita Nelson

Question 1

Can you please provide details of community consultation that has been conducted, regarding the proposed changes to the glyphosate ban?

Response by Director Infrastructure and Operations

Councillors and officers received consistent and regular negative feedback from the community regarding poor presentation of Council's parks, gardens and roadsides following the ban on glyphosate due to excessive invasive weed growth. This feedback was considered an important factor in Council's decision to reintroduce glyphosate use.

Formal community consultation was not undertaken prior to the implementation of the glyphosate ban, the decision was based primarily on media attention regarding legal cases in America. To consider the reintroduction of glyphosate, consultation was undertaken across the local government and weed management industry regarding potential alternatives to glyphosate and approaches taken by other land management authorities to ensure FCC is implementing current best practice. This consultation included the Municipal association of Victoria, Steering committee for Deakin University Research, experienced weed management professionals and direct contact with other LGA's. All are experiencing similar challenges to FCC with the majority continuing to use glyphosate whilst investigating alternatives and plan to continue its use until suitable alternatives can be found. Legal advice and advice from regulatory authorities such as Worksafe and APVMA was also considered.

Question 2

As per officer report, "The majority of expenditure has been directed towards engaging contractors to undertake integrated weed management practices throughout bushland reserves and parks and gardens." Could you provide detailed costing estimations including alternative staffing structures e.g. staff employed by Council, rather than use of contractors?

Response by Director Infrastructure and Operations

Contractors were used to enable rapid escalation of resources beyond current internal labour to deliver alternative weed control methods and enable greater flexibility in changing methods of weed control. For example engaging a steam contractor to trial effectiveness of steam is a significantly lower investment without long term commitments than purchasing the steam units, vehicles and personnel to operate the unit, especially when that investment ultimately determines steam is not effective in many situations. Cost of either internal or external labour was not the sole factor under consideration in deciding to reinstate glyphosate. Effectiveness in controlling weeds, presentation standards and environmental consequences from increased invasive weeds were key considerations.

Question 3

The Deakin University and MAV research trials report is due to be released in June this year; why can't the decision to rescind the glyphosate ban be postponed until the report findings are available?

Response by Director Infrastructure and Operations

Frankston City Council is on the steering committee for this research and is aware of the preliminary findings regarding effectiveness of alternatives. Alternatives being researched as part of this Deakin Study have been investigated and trialled by Frankston City Council and the learnings from these trials including costs and effectiveness considered as part of the decision to rescind the ban on glyphosate use.

These Questions Without Notice were presented at the Council Meeting 2021/CM2 – 15 February 2021. Due to the COVID-19 pandemic, all Council Meetings have been closed to the public, and all submitter(s) have been contacted directly with a response to their questions. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published at the next Council Meeting Minutes.

Daniel Jones

Question 1

Why after submitting a safety report concern about the playground equipment at the Sweetwater creek park did the councillor respond to the email and pictures saying it would be fixed and the park would be upgraded and they were waiting for the playground equipment to come from Italy - 12 mths later?

Response by Director Infrastructure and Operations

As part of Council's 2020/21 Capital Works Program – CWP3587 -Playground Strategy Implementation Program the existing Fleetwood Playground (Sweetwater Creek) is scheduled to be upgraded.

Council has completed the planning and design phase of the project to enable a contractor to be appointed to deliver the upgraded play-space. Orders for the supply of the new playground equipment have been placed, with works scheduled to commence at the park early April and be completed late June 2021.

Question 2

Why are there weeds the size of trees growing all the way up the hill on Oliver's hill why is this not being maintained? We the people pay taxes for this to be maintained it's a landmark and it's a disgraceful site - this I have taken photos of as well and will contact the media if nothing is done?

Response by Director Infrastructure and Operations

Since the commencement of the glyphosate ban footpaths have been brush cut instead of sprayed which allowed fast growing invasive weeds to get out of control. The road verge is difficult to brush cut due to the stones forming projectiles to high volume passing traffic and weeds on the road side of the traffic barrier can't be reached without costly traffic management and lane closures requiring VicRoads approval.

If glyphosate is reintroduced, FCC managed areas adjacent to the Olivers Hill footpath will be one of the first sites on the rectification list, however weeds within the roadway and centre median concrete barriers will remain the responsibility of VicRoads.

Question 3

Why does Frankston city Main Street look like a boarded up ghost town. If you cannot work out why or how to stimulate the local businesses and fix this you all need to resign I know for a fact commercial property owners are leaving business 'vacant on purpose for a tax write off?

Response by Director Communities

The question references Main Street which officers have related to either Playne Street or Wells Street in Frankston City Centre.

Council is conscious of the pressures on traders who often do not own the properties from which they trade. There has been an increase over the past few years for vacant shop fronts particularly around the city centre. This has increased during COVID highlighting the current trend towards online shopping.

The following data is published to monitor economic trends and evidence.

For example, the November 2020 data for Frankston municipality is:

- Resident local spend was \$149.1M which is a +12.71% change from the same time last year;
- Visitor local spend was \$94.4M which is a +3.54% change from the same time last year;
- Total local spend was \$243.5M which is a +8.97% change from the same time last year;
- Resident escape spend was \$103.0M which is a -7.23% change from last year; and
- Resident on line spend was \$123.4M which is a +20.59% change from the same time last year (reflecting a growing national trend towards on line sales).

To assist the recovery from COVID, Council has invested to date approx. \$700K in outdoor dining to attract people back to shopping precincts and hospitality traders.

In addition, Frankston City Council continues to proactively attract investment into Frankston's city centre and surrounding commercial precincts. Recent investments such as The Hop Shop and General Public have both been attracted to Frankston City through Council's Invest Frankston campaign. These investments have inspired further investment into the Playne Street precinct with Officers currently facilitating multiple investment enquiries.

Further, in collaboration with the Frankston Revitalisation Board, Council is also developing the Frankston City Revitalisation Action Plan, a 10 year shared commitment to support Frankston's revitalisation.

Through the development of this strategic document, priority projects such as the renewal of Nepean Highway, will be identified, scoped, designed and delivered, resulting in enhanced public realm and investment conditions.

The meeting was closed to the public at 8.01 pm

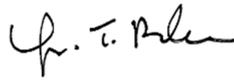
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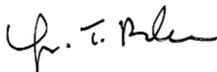
DAY OF

March

2021

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CHAIRPERSON**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Kris Bolam, 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 1 March 2021, confirmed on 9 March 2021.

.....
(Cr. Kris Bolam, Chairperson – Council Meeting)

Dated this

9th

day of

March

2021

Chairperson's initials

