



## COUNCIL MEETING AGENDA

### 2022/CM12

### Monday 15 August 2022



# 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 Council Meeting will be held in the Council Chambers, Frankston Civic Centre, 30 Davey Street (entry via Young Street).** Livestream footage can be viewed via our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

Council meeting dates are posted at Young Street entrance 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.

**Council is 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.

In the event Council encounters technical issues with the livestreaming, 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.

## **The Formal Council 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 Civic Centre, Davey Street, Frankston, on 15 August 2022 at 7.00pm.

### 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

*I acknowledge the Traditional Custodians of the land on which we meet today, the Bunurong People of the Kulin Nation, and pay my respect to Elders past, present and future. I would like to extend that respect to Elders of other communities who may be here today.*

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

Nil

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

Council Meeting No. CM10 held on 25 July 2022.

Council Meeting No. CM11 held on 27 July 2022.

**3. APOLOGIES****4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST****5. PUBLIC QUESTIONS****6. HEARING OF SUBMISSIONS****7. ITEMS BROUGHT FORWARD****8. ITEMS TO BE TABLED**

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

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Nil

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**13. RESPONSE TO NOTICES OF MOTION**

Nil

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**15. REPORTS NOT YET SUBMITTED**

Nil

**16. URGENT BUSINESS**

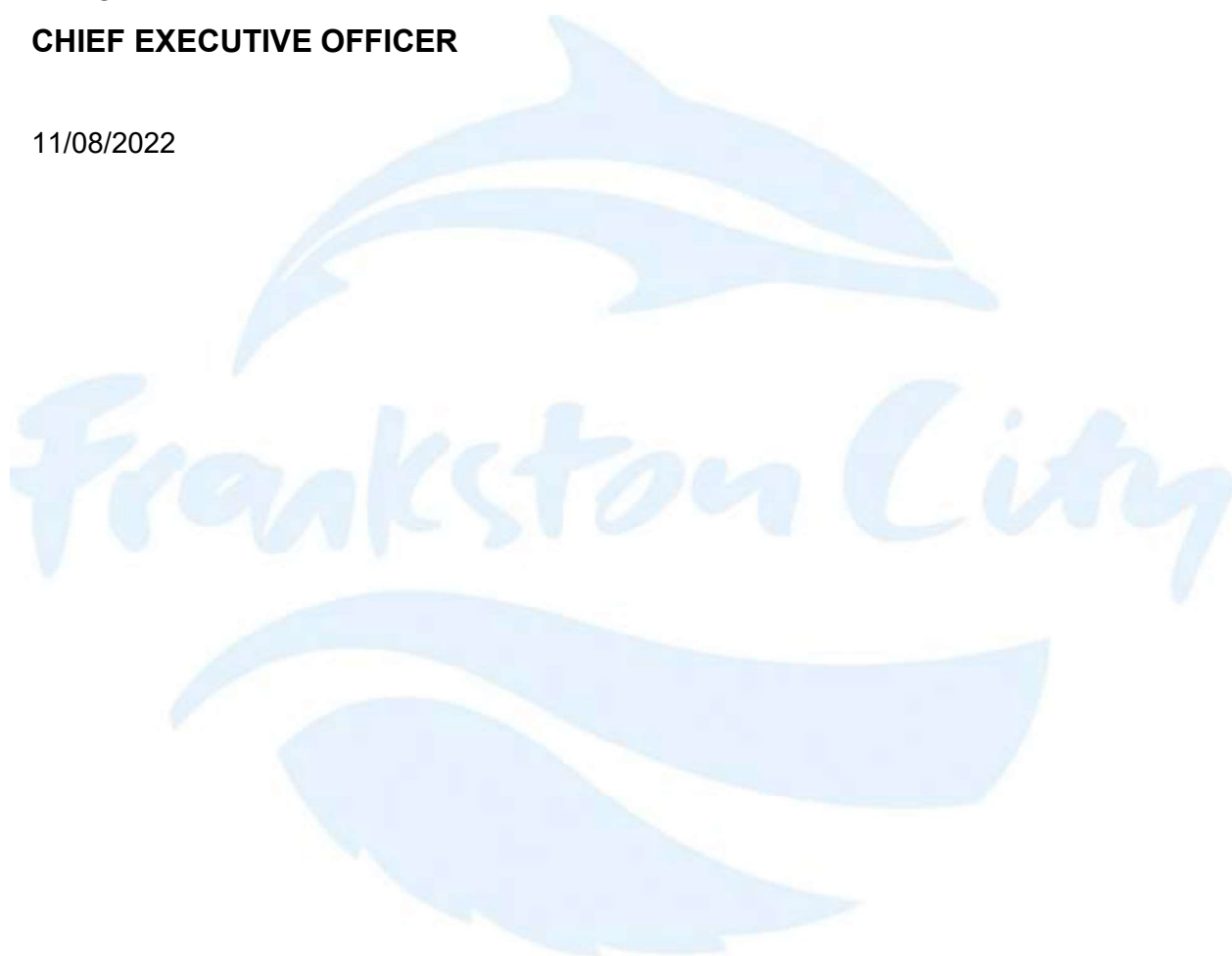
**17. CONFIDENTIAL ITEMS**

Nil

Phil Cantillon

**CHIEF EXECUTIVE OFFICER**

11/08/2022



## 8.1 Councillor Conduct Panel Determination

In accordance with the *Local Government Act 2020 section 168(2)*, the Councillor Conduct Panel's decision and statement of reasons for decision on the matter of an Application by Councillor Steven Hughes concerning Councillor Kris Bolam of Frankston City Council (attached) is tabled and recorded in the minutes of the meeting.

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### ATTACHMENTS

Attachment A: [↓](#) Councillor Conduct Panel Determination and Statement of Reasons for Decision - 29 July 2022

**COUNCILLOR CONDUCT PANEL**

In the matter of an Application by Councillor Steven Hughes  
concerning Councillor Kris Bolam  
of the Frankston City Council

**HEARING PURSUANT PART 6 OF THE *LOCAL GOVERNMENT ACT 2020***

Applicant:	Councillor Steven Hughes
Respondent:	Councillor Kris Bolam
Date of Hearing:	27 May 2022
Panel Members:	Mrs Jo-Anne Mazzeo (Chairperson) Mrs Helen Buckingham (OAM)

**DETERMINATION**

Pursuant to section 167 (1)(d) of the *Local Government Act 2020* the Councillor Conduct Panel dismisses the Application.

Jo-Anne Mazzeo  
Chairperson

Helen Buckingham  
Panel Member

29 July 2022



## STATEMENT OF REASONS FOR DECISION

### The Application

1. The Application dated 1 December 2021 was made by the applicant seeking a finding of serious misconduct against the respondent relating to multiple allegations which are summarised below.
2. The grounds of the Application were listed as "bullying by a Councillor or a member of Council staff", in that the respondent has allegedly "...repeatedly behaved in an intimidating, harassing, offensive and disrespectful manner" towards the applicant, which has subsequently affected his mental and physical health and "...constitutes bullying".
3. The Application related to the following allegations:
  - (a) Allegation 1: The response by Cr Bolam to a social media post made by Cr Hughes on 24 November 2020
  - (b) Allegation 2: The response by Cr Bolam to a social media post made by Cr Hughes on 30 January 2021
  - (c) Allegation 3: Cr Bolam's conduct during the Ordinary Meeting of Council of 15 February 2021
  - (d) Allegation 4: Cr Bolam's comments in the Bayside News on 24 February 2021
  - (e) Allegation 5: The conduct of Cr Bolam in relation to the Arbitration process brought against Cr Hughes on 30 June 2021
  - (f) Allegation 6: The conduct of Cr Bolam in his capacity as Mayor at the Ordinary Meeting of 10 May 2021
  - (g) Allegation 7: The conduct of Cr Bolam in his capacity as Mayor in phone calls to Cr Hughes between 22-25 May 2021
  - (h) Allegation 8: The conduct of Cr Bolam at the Briefing Meeting on 26 July 2021
  - (i) Allegation 9: The conduct of Cr Bolam at the Briefing Meeting of 2 August 2021.

### Evidence provided at hearing

4. Written evidence was submitted by both the applicant and the respondent prior to the hearing, including witness statements made by witnesses who gave evidence at the hearing.
5. Oral evidence was given at the hearing by both the applicant and the respondent.

6. Oral evidence was also provided by the following individuals:
  - i. Councillor Brad Hill
  - ii. Councillor Claire Harvey
  - iii. Deputy Mayor Suzette Taylor
7. Supplementary information was provided by both parties after the hearing supporting evidence submitted to the Panel prior to and during the Councillor Conduct Panel hearing.

#### **The jurisdiction of the Panel in relation to this Application**

8. Section 154 of the *Local Government Act 2020* (the Act) provides that a Panel may hear an Application that alleges serious misconduct by a Councillor.
9. Pursuant to s167 of the Act a Panel may determine whether a Councillor has engaged in misconduct (by way of breaching one or more of the prescribed standards of conduct) or serious misconduct.

#### **Evidence of the Applicant**

10. The applicant provided the Panel with an overview of the events that led to the Application being made. He did this by way of submission of written material and oral evidence given at the Panel Hearing.
11. In the Application, the applicant alleged that between November 2020 and August 2021 the respondent had repeatedly behaved in an intimidating, harassing, offensive and disrespectful manner. Furthermore, the applicant submitted that the behaviour of the respondent has adversely affected his physical and mental health and that the actions constitute bullying as defined in the Act.
12. The applicant told the Panel that the actions of the respondent were threatening in nature and so extreme that they adversely affected his self-esteem and confidence.
13. The applicant submitted that Council was aware of the alleged bullying and had not "acted against, or called out" the respondents' behaviour, therefore "leaving the door open for the bullying to continue unabated."
14. The applicant then provided the Panel with specific information relating to each of the incidents of alleged bullying.

Allegation 1:

15. The applicant submitted that the alleged bullying commenced a fortnight after he was sworn into office and was a direct result of social media posts the applicant made regarding the financial performance of Frankston City Council. Within days of posting his social media posts on Facebook, the respondent called the applicant and "demanded" he remove the posts and "threatened that he had the authority to remove the post" or the applicant could face potential disciplinary measures.
16. The applicant submitted that he "stood his ground" and did not remove the social media posts despite being a "...novice councillor who was unsure of his rights". When questioned by the Panel, the applicant stated that his social media posts were factual in nature and in line with his electoral campaign promises and that eventually the respondent "backed down". The applicant submitted that the interactions between himself and the respondent in relation to this issue left him feeling threatened and intimidated and "set the tone" for the behaviour that was to continue.
17. When questioned by the Panel about the respondent's approach towards other councillors using social media, the applicant stated that other councillors have posted to social media on many occasions and have not been asked to remove their respective posts. The applicant provided the panel with dates of posts made by other councillors that were not subject to the same level of scrutiny by the respondent.
18. The applicant did concede at the hearing that he has made numerous social media posts about non-financial topics and these posts were not subject to any scrutiny by the respondent.

Allegation 2:

19. This allegation related to interactions that occurred between the applicant and the respondent after the applicant made a social media post to Facebook on 30 January 2021 where the applicant posted his views about two decisions of Council (which he voted against) relating to Council spending.
20. The applicant submitted that he was accused of deliberately misleading Council and the public even though he "stated the facts as they were presented" and that this resulted in him being issued with a letter from the Chief Executive Officer and the respondent in his capacity as Mayor at the time. The matter was also raised by the respondent in his capacity as Mayor at a Briefing Meeting and all councillors were asked to discuss how the social media posts of the applicant impacted them.
21. In response to questions from the Panel, the applicant submitted that this approach by the respondent in his capacity as Mayor was distinctly different to how other councillors were treated when they communicated via social media.

22. The applicant went on to submit that both the respondent (in his capacity as Mayor at the time) and the Chief executive Officer should have had discussions regarding the applicant's conduct in private. The applicant told the Panel that this approach left him feeling attacked and disenfranchised from the other councillors and the Frankston community.

Allegation 3:

23. This allegation was in relation to the conduct of the respondent at the Ordinary Council Meeting of 15 February 2021 where the applicant alleged that the respondent "...made a Mayoral speech" about social media posts made by the applicant on 9 February 2021 regarding updates to the Frankston City Council Code of Conduct and Communications Policies. The applicant submitted that the respondent "spent over nine minutes discussing my post; attacking me and my motives in a public forum."
24. The applicant told the Panel that this was first time the respondent had discussed any problems with the particular social media posts rather than discussing them with him privately, and that in his 'speech' the respondent named all eight other councillors as providing amazing contributions to Council, listing them all by name and excluding only that of the applicant.
25. The applicant submitted that this behaviour, and the denial of him being given a right of reply made him feel embarrassed and humiliated. When questioned by the Panel about this issue, the applicant said there is a stark contrast between the way the respondent treated him compared to how the respondent himself has been treated by Council for his own actions.

Allegation 4:

26. Allegation 4 relates to comments made by the respondent on 24 February 2021 in the Bayside News. The applicant provided context by explaining that at the Ordinary Council Meeting of 15 February 2021 he and Cr Liam Hughes brought forward a Notice of Motion to Council regarding a proposed reduction in rates for residents in the 2021-2022 financial year. The Notice of Motion was not successful as it did not get the required support at Council.
27. The applicant submitted that the respondent "went on record in the local community newspaper, the Bayside News, discussing why he had voted against the rate reduction for Frankston residents" and that he claimed that the applicants Notice of Motion "...would decimate community services and listed the departments that would be impacted..." in a way that was misrepresenting what the Notice of Motion was seeking to achieve.
28. When questioned by the Panel about this incident in the context of a bullying allegation, the applicant submitted that the actions of the respondent in this instance "bring disrepute" upon his reputation, particularly when he ran for Council on a platform of reducing rates and improving services.

Allegation 5:

29. Allegation 5 relates to the conduct of the respondent during an Arbitration brought by Council against the applicant in this matter, where the respondent in his role as Mayor was the applicant's representative during the Arbitration process.
30. In his Application, the applicant stated that within hours of completing the Arbitration hearing the respondent sent an email to all councillors (including the applicant) and the Frankston City Council Chief Executive Officer "mocking the performance" of the applicant during the process. The Applicant submitted that the Arbitration process was "meant to be confidential" and that the respondent used the process to further ostracise the applicant from the councillor group with his disrespectful attitude and false representations regarding attempts to meet and resolve the matter prior to commencing an Arbitration process.
31. The applicant submitted that no informal attempts to resolve the matter took place, that the respondent fabricated dates where he attempted to discuss the matter with the applicant and ultimately victimised him by denying him his right to a fair process.

Allegation 6:

32. Allegation 6 relates to the conduct of the respondent at the Ordinary Council Meeting of 10 May 2021 during a discussion regarding the Peninsula Leisure Financial Reports. The applicant alleged that the respondent bullied him whilst acting in his capacity as Mayor during this meeting by instructing the applicant to look directly at the respondent when speaking, which the applicant submitted is not a requirement of the relevant Governance Rules. Furthermore, the applicant told the Panel that the respondent had stated during the meeting that the respondent was being "overly adversarial", casting hurtful aspersions on him in a demeaning way.

Allegation 7:

33. Allegation 7 relates to numerous phone calls made by the respondent (whilst he was the Mayor) to the applicant between 22 and 25 July 2021. The applicant told the Panel that the respondent had called him on numerous occasions seeking support for an upcoming Mayoral election. The applicant told the Panel the request was "most unusual", particularly in the context of the Arbitration process that was also underway.
34. The applicant ultimately declined to provide the requested support and questioned whether the respondent would have continued to treat him in such a negative manner had he agreed to provide support for his Mayoral campaign.

Allegation 8:

35. Allegation 8 relates to the conduct of the respondent at the Briefing Meeting of 26 July 2021. In his Application, the applicant has alleged that during this meeting (where there were external invited guests in attendance) the Mayor interjected whilst he was speaking and then placed the applicant on mute so he could no longer talk or ask questions of the invited guests. At the Panel hearing the applicant told the Panel that this behaviour resulted in him feeling humiliated and angry as he was "singled out for asking a question that Frankston residents wanted answered" and that the respondent continued to treat him like a "second class councillor".

Allegation 9:

36. Allegation 9 relates to the conduct of the respondent at the Briefing Meeting of 2 August 2021 where the respondent, in his capacity as Mayor, proposed a change to the reporting periods for councillor attendance at Briefings and meetings from an annual report to a quarterly report.
37. The applicant submitted that this proposed change to reporting periods was a targeted attack on him as he does not attend all Briefings due to work commitments. He further submitted that this proposed change was an attempt to highlight his missed attendance on a more regular basis, embarrassing him in the eyes of the community and "bringing disrepute on his name".

**Evidence of the Respondent**

38. The respondent provided a significant amount of written and audio visual material in response to the allegations and also provided oral evidence at the Panel Hearing. In addition, he relied on the oral evidence given by three of his fellow councillors whom he called as witnesses at the Hearing.
39. All three of the respondents' witnesses gave evidence consistent with the respondents' own evidence. They all shared the view that:
- (a) the respondent had not acted in a way that amounts to bullying pursuant to the Act;
  - (b) the applicant has an adversarial and combative approach to Council and fellow councillors in relation to certain matters; and
  - (c) the applicant's behaviour is deeply troubling to the majority of his fellow councillors and can be described as disrespectful, inflammatory, aggressive and at times intimidating.
40. As a general response to the Application, the respondent submitted that the allegations were manifestly incorrect, that he had not bullied the applicant and that whilst he is not perfect, he "prides himself on professional conduct and treating others with respect."



41. The respondent also provided the Panel with contextual information regarding Frankston City Council more broadly and the role of the Mayor in that municipality given the challenges Council had faced in the recent past, with particular emphasis on the need to ensure that any councillor acting in the role of Mayor have a "steadfast devotion to defending and preserving the principles of good governance."
42. In relation to all nine allegations, the respondent submitted that every decision he made and every action he took in relation to the applicant was justified and supported by internal advice from Council, historical precedent and existing laws, policies and standards.
43. Furthermore, the respondent submitted that the Application was motivated by (among other things):
  - (a) a vendetta against the respondent because of his vigilance in performing the duties of Mayor;
  - (b) residual retribution for the outcome of the Arbitration process by Council against the applicant (for which the respondent was the Council's appointed representative); and
  - (c) an attempt to shield the applicant from further disciplinary action against him for inappropriate conduct.
44. In response to questions from the Panel, the respondent acknowledged that he was at times "direct and curt" with the applicant, and that it was always in response to the conduct of the applicant which had been "unbecoming of community expectation" and not in compliance with the Code of Conduct and other governing rules and regulations.
45. The respondent then went on to speak to each allegation in turn.

Allegation 1:

46. The respondent confirmed that there were telephone calls between himself and the applicant regarding this allegation, but strongly denied that his conduct was in any way threatening or unreasonable.
47. The discussions took place as a result of concerns raised by both other councillors and also the Chief Financial Officer of the Frankston City Council, who were concerned with the inaccuracy of the relevant social media post.
48. The respondent also confirmed that there was a joint letter written to the applicant regarding this incident from the Chief Executive Officer and the respondent in his capacity as Mayor. The respondent submitted that whilst the applicant may not have liked or agreed with the content of the letter, stating the factual position regarding approaches to disciplinary action does not amount to threatening or unreasonable behaviour.

49. The respondent also rejected the submission from the applicant that he treated him differently to other councillors, stating that the fundamental difference was the nature of the social media posts the applicant was making and the subsequent complaints regarding them meant the respondent had to address them in his capacity as Mayor due the nature of the posts and the likely breaches of the Code of Conduct that resulted from them being posted. The social media posts of other councillors had not generated the same unrest or breached the Code of Conduct.

Allegation 2:

50. In response to allegation 2, the respondent drew the Panel's attention to the duty of the Mayor pursuant to both the Act and the Code of Conduct, in particular the duty to ensure councillors understand *their* role and act in accordance with the Code of Conduct.
51. The respondent submitted that it was not unreasonable for him to raise a discussion at a Briefing Meeting where *all* councillors (including the applicant) were able to "...provide their opinion or outline how they have been affected by material being placed in the public domain."
52. The respondent went on to tell the Panel (and subsequently provide written evidence to support the claim) that he made numerous attempts to discuss various matters with the applicant, however the applicant did not avail himself of the opportunity.

Allegation 3:

53. In response to allegation 3, the respondent submitted that the Mayoral statement he made at the Ordinary Council Meeting of 15 February 2021 was delivered after seeking advice from Council, which included external legal advice from Maddocks Lawyers. It was also delivered following the unsuccessful group attempt at discussing the issues in a Briefing Meeting (refer to allegation 2 above) and attempts "to sway the applicant to comply with Council policies and procedures relative to social media."
54. In response to questions from the Panel, the respondent stated that his actions at the meeting in question were a "...final attempt to raise the issue with Cr Hughes and to seek some self-reflection about his social media posts and the harm they could cause, without necessitating the commencement of disciplinary proceedings." It was in this context that the respondent submitted that his actions in such a public forum were both reasonable and within the role of the Mayor espoused in the Act.

Allegation 4:

55. The respondent submitted that his conduct in providing a statement to the Bayside news was consistent with his role as Mayor at the time – in that he was the official spokesperson for Council. The respondent provided the Panel with copies of the relevant legislative provisions and Code of Conduct clauses to support this contention. The respondent further submitted that the statement he did make was representative of the views and consensus of Council, where the elected Council had voted to reject the motion raised by the applicant.

Allegation 5:

56. The respondent submitted that his role in the Arbitration Hearing process was as the applicant's appointed representative because he was the Mayor at the time of the commencement of the process and it made sense that the Mayor was Council's representative given the Application for Arbitration was made by the whole of Council.
57. The respondent explained that at the completion of the Arbitration the Arbiter indicated his decision would be some weeks away, and as such thought it prudent to update his fellow councillors as they too were applicants. The respondent submitted that his email was an overview of the session without revealing the specific details of what was said, and he included the applicant to ensure full transparency. Furthermore, an offer of employee assistance was provided to all councillors due to the ongoing distress certain councillors were feeling because of the applicant's conduct.
58. In relation to the allegations that the respondent did not try and informally resolve matters before the Arbitration, the respondent submitted that the office of the Mayor did try to organise meetings between the applicant and the respondent, but the applicant either did not respond, declined or attempted to re-schedule the meetings. The respondent also tried to catch up informally with the applicant, but he did not respond to these offers either. The respondent provided evidence to the Panel to this effect in emails dated Friday, 9 April 2021 and Monday, 24 May 2021.

Allegation 6:

59. In response to allegation 6, the respondent submitted that his conduct at the Ordinary Meeting of 10 May 2021 was:
- (a) in compliance with the Governance Rules;
  - (b) consistent with advice from Council's Governance team obtained during a break in the Meeting to clarify this specific issue;
  - (c) consistent with approaches of previous Frankston City Council Mayors;
  - (d) discussed and explained further with the applicant directly after the Ordinary Council Meeting at the Councillor Debrief session.

60. The Respondent also submitted video footage of both the Ordinary Council Meeting and the Councillor Debrief that occurred immediately after the conclusion of the Ordinary Council Meeting. The respondent drew the Panel's attention to the body language and hand gestures of the applicant at the Ordinary Council Meeting which the respondent described as "hyperbolic and unnecessary". In response to questions from the Panel, the respondent submitted that he requested the applicant direct his discussion to him in his capacity as Mayor so as to avoid other councillors feeling threatened, intimidated or bullied by the applicant's approach and apparent grand standing.

Allegation 7:

61. The respondent agreed with the applicant that a phone call took place on 25 June 2021 after several attempts were made by the respondent to reach the applicant, and that this conversation included discussion regarding the upcoming Mayoral election. The respondent submitted that the conversation was respectful and uneventful and in no way amounted to bullying.

Allegation 8:

62. In response to allegation 8, the respondent submitted that his behaviour was again consistent with the Governance Rules and the Code of Conduct, and that it was required due to the unfortunate behaviour of the applicant who refused to stop asking a particular line of questions that were making the external guests visibly uncomfortable and reluctant to answer.
63. In response to questions from the Panel, the respondent submitted that he had the following options available to him to manage the conduct of the applicant at the time:
- (a) allow him to continue asking unfair and unwelcomed questions of the external guests;
  - (b) mute the applicant;
  - (c) eject the applicant from the session;
  - (d) issue the applicant with a monetary fine; or
  - (e) any combination of options (b), (c) and (d) above.
64. The respondent also noted that the applicant is not the only person he was muting during a Meeting, and that previous Mayors had used this same approach in virtual Meetings they had chaired.
65. The respondent went on to provide the Panel with an email exchange between himself and the external guests where he was thanked for his intervention and management of the incident.

Allegation 9:

66. In response to allegation 9, the respondent agreed that reporting of councillor attendance at both Briefing Meetings and Ordinary Council Meetings and the frequency of such attendance had been modified, with reporting quarterly rather than annually.
67. The respondent submitted that the reporting change had nothing to do with the applicant and was actually a good governance measure, and that it was also consistent with the approach taken by Council in previous Council terms.
68. The respondent denied this conduct in any way constituted bullying.

**Findings of the Panel**

69. Pursuant to s167(1)(d) of the Act the Panel dismissed the Application.

**Reasons for the Panel's Decision**

70. The Panel accepted the submission of the respondent that his actions towards the applicant during the period of November 2020 to August 2021 were consistent with the role and functions required of him in his capacity as Mayor, and that none of his conduct during that period fell within the definition of bullying in the Act.
71. The Panel was provided with written and visually recorded evidence from the respondent demonstrating a consistent and fair approach to the applicant that included affording him the same approach, opportunities and experiences as other councillors including:
  - (a) media opportunities;
  - (b) offers of professional development;
  - (c) rulings on Points of Order in his favour; and
  - (d) when in disagreement with the applicant, explaining his position or view in an appropriate and respectful manner.
72. In relation to allegation 1, the Panel was not provided with any evidence by the applicant to demonstrate bullying behaviour by the respondent. Both parties agreed that a phone call took place, and a letter was sent to the applicant jointly from the Chief Executive Officer and the respondent in his capacity as Mayor - however the applicant failed to provide the Panel with any evidence to demonstrate that the conduct of the respondent was threatening or unreasonable in any way.
73. In relation to allegation 2 and the respondent's approach to dealing with the applicant's social media posts, the Panel was again of the view that the behaviour of the respondent was not only appropriate, but a sound attempt at trying to work as a team and resolve matters as a councillor group. The Panel was not satisfied that the approach of the respondent amounted to bullying in any way.

74. In relation to allegation 3 and in particular with regard to the respondent's conduct in all of the meetings subject to this Application, the Panel was satisfied that the respondent acted in a reasonable manner consistent with the duties bestowed upon him in the role of Mayor at that point in time. The Panel watched the Ordinary Council Meeting of 15 February 2021 and noted the respondent to have been measured, appropriately engaged, respectful and fair in his approach.
75. In relation to allegation 4, the Panel reviewed the statement by the respondent in the Bayside News and was satisfied that the statement was in compliance with the relevant Code of Conduct requirements and in no way constituted bullying behaviour. As the elected spokesperson of Council, it is the Mayor's role to speak to the media about Council business and decisions. It is the Mayor's role to clarify and inform as the respondent did in this instance.
76. The Panel was satisfied that there had been no inappropriate conduct by the respondent regarding his participation in the Arbitration process that formed part of allegation 5. As the Application for Arbitration was made by the whole of Council, his fellow councillors were entitled to be privy to any information relevant to the process. The Panel does note it would have been useful to avoid providing commentary on the performance of the parties to an Arbitration during any such update given by the respondent in this current matter, who was the applicant's appointed representative in the Arbitration.
77. The Panel also accepted the written evidence submitted by the respondent demonstrating at least 3 separate attempts to meet with the applicant to discuss his conduct (emails dated 9 April 2021, 20 May 2021 and 24 May 2021).
78. In relation to allegation 6, the Panel accepted the evidence of the respondent that he sought advice from Council Officers (specifically the governance team) regarding his request to have the applicant direct his debate through him as the meeting Chair, and that this approach was consistent with his authority pursuant to the relevant Governance Rules. The respondent was also able to provide supporting evidence confirming he had on occasions asked numerous other councillors to direct their debate through him as the Mayor.
79. The Panel had the benefit of reviewing the video footage of the Ordinary Meetings in question as part of the Application. The Panel's direct observation was that the respondent acted in a calm, respectful and diligent manner during all meetings observed by the Panel, noting that his treatment of all councillors was consistent and appropriate and in compliance with his duties as Mayor at the time.
80. In relation to allegation 7, there was agreement between the parties that these phone calls occurred, but the applicant was not able to provide any evidence to support an allegation of bullying.



81. In relation to allegation 8, the Panel accepted the evidence of the respondent that his conduct at the Briefing Meeting of 26 July 2021 amounted to reasonable management of the meeting process and councillor conduct. The Panel directly observed the behaviour in question and noted the respondent made attempts to stop the applicant in his line of questioning of the external invited guests, and the applicant ignored this request - leaving the respondent no option but to make use of the mute function in the virtual meeting.
82. In relation to allegation 9, the Panel accepted the evidence of the respondent that quarterly reporting on councillor attendance at meetings is a practice of good governance and does not amount to unreasonable or bullying behaviour.
83. The Panel examined the conduct of the respondent in the context of the definition of bullying as outlined in the Act. Based on the definition of bullying in the Act, the Panel was not satisfied that the applicant provided evidence of repeated unreasonable conduct and behaviour towards another Councillor or member of Council staff that creates a risk to the health and safety of that other Councillor or member of Council staff.
84. During the hearing the applicant showed a lack of awareness of the impact of his actions and a lack of insight into his behaviour and the impact it has on others around him. He used the Panel hearing process as an opportunity to attempt to justify his own conduct and approach and in doing so (and as stated directly above) failed to provide any evidence of conduct by the respondent that amounted to bullying as defined in the Act.
85. The Panel was concerned with the applicant's lack of awareness of various key components of the role of a councillor. The applicant commenced his criticism of Council by his own admission two weeks after he was elected. He stated he "...was a novice councillor". Individual councillors are elected not only to represent their ward but also the entire municipality. They are jointly responsible for the finances and capital works and planning decisions amongst other things. The decision making process is a team effort. The Panel notes that when first elected to Council, it is often difficult and daunting to gain an understanding of how a large municipality is managed. It is extremely important for all councillors but particularly new councillors, to attend meetings, briefing sessions and participate in committee meetings where management is discussed in more detail. These meetings are an opportunity to interact with fellow councillors and Council Officers to gain a greater understanding of the complexities of managing a large municipality. Knowledge gained at these meeting allows Council as a whole to function more efficiently.

86. The role of a councillor as a conduit of community expectations is challenging and above all else a difficult balancing act between the community's expectations and the reality of financially responsible management in a large municipality where often these expectations are unrealistic. Like Council, the Panel encourages councillors, and in particular, new councillors to participate in professional development that broadens their understanding of their role as a councillor.
87. The applicant was zealous about his commitment to represent what he sees as the desires and expectations of the Frankston community. Good governance is best served when the whole of Council jointly makes decisions for the management and future of the Frankston Community.

## APPENDIX: Definitions

### **Misconduct is defined in section 3 of the Act as:**

"misconduct by a Councillor means any breach by a Councillor of the prescribed standards of conduct included in the Councillor Code of Conduct"

**Serious misconduct** by a Councillor is defined in section 3 of the Act and means any of the following—

- "(a) the failure by a Councillor to comply with the Council's internal arbitration process;
- (b) the failure by a Councillor to comply with a direction given to the Councillor by an arbiter under section 147;
- (c) the failure of a Councillor to attend a Councillor Conduct Panel hearing in respect of that Councillor;
- (d) the failure of a Councillor to comply with a direction of a Councillor Conduct Panel;
- (e) continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by an arbiter or by a Councillor Conduct Panel under section 167(1)(b);
- (f) bullying by a Councillor of another Councillor or a member of Council staff;
- (g) conduct by a Councillor that is conduct of the type that is sexual harassment of a Councillor or a member of Council staff;
- (h) the disclosure by a Councillor of information the Councillor knows, or should reasonably know, is confidential information;
- (i) conduct by a Councillor that contravenes the requirement that a Councillor must not direct, or seek to direct, a member of Council staff;
- (j) the failure by a Councillor to disclose a conflict of interest and to exclude themselves from the decision making process when required to do so in accordance with this Act"

### **Bullying is defined in section 3 of the Act as:**

"Bullying by a Councillor means the Councillor repeatedly behaves unreasonably towards another Councillor or member of Council staff and that behaviour creates a risk to the health and safety of that other Councillor or member of Council staff."

**The standards of conduct are defined in Schedule 1 of the Local Government (Governance and Integrity) Regulations 2020 as:**

**"1 Treatment of others**

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the **Equal Opportunity Act 2010**; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

**2 Performing the role of Councillor**

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

**3 Compliance with good governance measures**

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

**4 Councillor must not discredit or mislead Council or public**

- (1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- (2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

**5 Standards do not limit robust political debate**

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy."

**Executive Summary****11.1 City Futures Progress Report - Quarter 4 April - June 2022**

*Enquiries: (Johann Rajaratnam: Communities)*

Council Plan

Level 1:

Level 2:

6. Progressive and Engaged City

6.2 Enhance strategy, policy and plan development and identify alignment to allow for prioritisation of services that are efficient, well planned, accessible and meet community needs

**Purpose**

To update Council on the quarterly progress (April to June 2022) of the 2021-2022 City Futures Strategic Works Program.

**Recommendation (Director Communities)**

That Council receives the City Futures Progress Report for Quarter 4 from April to June 2022.

**Key Points / Issues**

- The City Futures Progress Report – Quarter 4 2021/2022 ([Attachment A](#)) provides Council with an overview of the strategic work undertaken to date in 2021/2022 in the fields of:
  - Policy and Strategy development
  - Advocacy and Partnerships
  - Programs and Events
- Highlights and Achievements for period include:
  - The FMAC Structure Plan – Consultation on Emerging Ideas Paper was completed in Quarter 4. Consultation was undertaken from 1 April 2022 to 31 May 2022 and seventeen (17) submissions were received. This includes three (3) submissions which were received after the closing date. A Council Meeting to hear the submissions received was held on 27 July 2022.
  - Council's 20,000 tree planting target for 2021/22 was met by the end of this quarter. The 2021 National Tree Day community planting had to be called off due to COVID-19 constraints, however Council's Natural Reserves Team ensured that the 1500 plants were still planted to continue enhance wildlife corridors at Robinsons Park. 3000 plants were also provided to local schools as part of National Tree Day. 20,386 Trees and over 100,000 shrubs and ground flora were planted in Winter 2022 planting season.
  - Climate Change Strategy and Action Plan – Councillors were briefed on this on 27 June 2022 (date/s). Significant progress on establishing a policy position to progress carbon reduction by pursuing a science-based target has been made. This will result in significant investment in carbon reduction initiatives.
  - Frankston Equestrian Masterplan – Councillors were briefed on the 25 May 2022. Phase 2 community engagement on the Draft Master Plan was completed from 10 June to 10 July 2022 with a Community Pop-up information session at Langwarrin on the 18 June 2022 and Baxter Park on the 19 June 2022. The Final Master Plan is being prepared for presentation to the November 2022 Council Meeting.



**11.1 City Futures Progress Report - Quarter 4 April - June 2022****Executive Summary**

- Baxter Park Master Plan – Councillors were briefed on the 25 May 2022. Community Engagement on the Draft Master Plan was completed from 10 June to 10 July 2022 with a community Pop-up information session at Baxter Park on the 19 June 2022. The Final Master Plan is being prepared for presentation to the November 2022 Council Meeting.
- Municipal Wayfinding Signage – A draft Municipal Signage Strategy and Style Guide has been prepared (see indicative diagram in Attachment B). Shop drawings for Neighbourhood gateway signs are underway in order to commence prototyping and implementation in 2022/2023.
- Monterey Reserve Master Plan – A draft Master Plan was referred to Councillors via memo prior to completion of Community Engagement from 24 April to 29 May 2022 with 4 community information sessions held with the broader community and local youth. The final Master Plan is being prepared for presentation to the November 2022 Council Meeting.
- Planning Scheme Amendment C140 (Green Wedge Management Plan Implementation) was submitted to the Minister for Planning for approval in June 2021. This amendment is awaiting gazettal by the minister.
- Council was successful in its application for \$300,000 funding through the Department of Justice (DoJ) Creating Safer Place Program for an upgrade of the Sandfield Reserve, Carrum Downs youth space. The project is aligned with the endorsed 2021 Sandfield Reserve Master Plan and will be integrated with the proposed playspace upgrade. The youth space improvements will be designed through a place based community consultation process in 2022/2023 for construction in 2023/2024.
- Revised Timing for key projects

At the end of Quarter 4, a few key projects are experiencing delays, but are expected to be completed in 2022/23. These are caused by a combination of issues, including considerable difficulty in procuring consultants. Consultants are reporting a shortage of staff due to the COVID-19 pandemic and skills shortages. Service providers, as well as Council, have these same workforce issues. This is also causing the cost of some project work to increase.

  - Climate Change Strategy and Action Plan - draft strategy for community consultation to be scheduled for Council consideration before December 2022.
  - Frankston Industrial Strategy – consultation expected to be completed before the end of December 2022 with adoption scheduled to occur in July 2023.
  - Integrated Housing strategy, Neighbourhood Character study and design guidelines – the project is expected to commence in Quarter 1 of the 2022/23 financial year, with an increased budget allocated in 2022/23. This project and the reasons for its delay has been reported in previous reports to Council.
  - Community & Open Space Needs Assessment and Infrastructure Plan – this project is scheduled to come to council for consideration before December 2022.
  - Equestrian Master Plan - draft strategy scheduled for Council consideration before December 2022.
  - George Pentland Botanic Gardens Master Plan – This project has been delayed to focus on other priorities within the Urban Design work program, including those projects which received State Government funding. It is anticipated that this project will be completed by July 2023.

**11.1 City Futures Progress Report - Quarter 4 April - June 2022****Executive Summary**

- Sustainable Economy and Skilled Community Strategies – a draft of this document has been completed, however, requires review as it was commenced before the onset of the pandemic. Officers are undertaking a review with the aim to make a recommendation on the next steps before December 2022.
- Kerbside trader guidelines – this project has two components. The first is a review of existing extended outdoor dining spaces implemented as part of the response to the pandemic. This is expected to be completed December 2022. The second stage will incorporate the formal review of the guidelines which due to commence in 2023.
- Native Vegetation Offset Program – Legal advice received regarding this project has had the effect of delaying it, until the matters raised by it can be resolved to enable implementation of the program to begin. This advice relates to a restriction on the Land Title of the site anticipated to be used for this offset program, which can be interpreted to mean that the offset planning is not allowed. Officers are considering this advice in terms of how to best address it – to seek to allow the offset program – and/or consider alternate sites. Officers are steadfastly working on this project and anticipate bringing a report to Council by December 2022 to provide an update.
- Public Toilet Action Plan - This project has been delayed to focus on other priorities within the Urban Design work program, including those projects which received State Government funding. It is anticipated that the draft action plan will come to Council for Council consideration before December 2022.
- Frankston City Centre Revitalisation Program – The Digital Wayfinding Signs and the City Park, Young Street Advocacy Concept, co-funded by State Government, are now complete. Other projects as part of this Program, which include on the ground works and are (part) funded by the State Government are expected to be completed by September 2022. These include Frankston Pier Lighting, Stiebel Lane and White Street Mall. Delays in these three projects were associated with the need to gain permissions from state government authorities, safety issues associated with the structural integrity of an asset or service provider and specification delays, which were out of Council's control. The Monash Greenlink shared path upgrade project completion is now scheduled for end November 2022 due to delays in obtaining Metro Trains Melbourne (MTM) approval.
- Significant tree register - A full review of the significant tree register has been deferred until 2023-2024 in order to progress higher priorities in the Urban Forest Action Plan, such as the development of Precinct Plans to guide tree plantings to achieve the 80,000 tree target.
- Health & Wellbeing Policy – The development of this Policy has been deferred to the 2022-2023 financial year due to changes to enable the progress of other higher priority projects in the Social Planning team, including work on Affordable Housing. It should be noted that there is an existing Health and Wellbeing Policy already in place, which will be superseded when the new policy is developed.
- Municipal Health and Wellbeing Plan - Implementation of the Health & Wellbeing Plan 2021-25 Year One Action Plan has continued over the past quarter. Many actions have progressed well, with highlights including: Community consultation on the FMAC Structure Plan and Integrated Transport Strategy to consider the community's transport and movement needs; community consultation on the Climate Change Strategy commenced; local area profiles created for the Community Needs Assessment and Community Infrastructure Plan; free Mental

**11.1 City Futures Progress Report - Quarter 4 April - June 2022****Executive Summary**

Health First Aid training for the community; events hosted for NAIDOC Week; Men as Role Models mentoring program launched. The Year One Action Plan Annual Report will be going to Council in October 2022.

- **FMAC Structure Plan – Timelines and Implementation**

With consultation on the Emerging Issues and Opportunities paper now complete and Council having heard submitters at its meeting on 27 July 2022, officers are working to bring the draft Structure Plan to a Council Meeting in October 2022. This draft structure plan will map out how the city centre can be developed, and will draw on the emerging issues and opportunities as well as feedback received through consultation. Once Council adopts the draft Structure Plan, community consultation on the plan will commence.

It is anticipated that the project will progress as follows (see diagram). It should be noted that the key milestones/steps are part of the statutory process and cannot be changed.

## 11.1 City Futures Progress Report - Quarter 4 April - June 2022

**Executive Summary****NOW** Final stage in the non statutory process  
(Now to December 2022)

- Draft Structure Plan presented to Council.
- Council adopt the draft.
- Community consultation from November to December 2022.
- Submissions invited.
- Submissions reviewed & inform the final Structure Plan.

**1** Authorisation (June 2023)

- Final Structure Plan presented to Council.
- Council adopt the Structure Plan.
- Council review Planning Scheme Amendment Documents.
- Council support resolution to seek Authorisation to prepare the Planning Scheme Amendment from the Minister for Planning.

**2** Exhibition (August 2023)

- Notice of the Amendment is given.
- The Amendment is exhibited for (minimum) 4 weeks.
- Submissions on the Amendment are invited.

**3** Considerations of Submissions (November 2023)

- Submissions are considered by Council.
- The Amendment may be changed, abandoned or the submissions referred to a Planning Panel appointed by the Minister for Planning.

**4** Panel Hearing (February and March 2024)

- A public hearing is held.
- The Panel considers the submissions.
- The Panel writes a report with a recommendation about what Council should do about the Amendment and provides this to Council (4 to 6 weeks).

**5** Council's Consideration (August 2024)

- Council is not bounded by, but must consider the Panel's report and recommendation when making its decision.

Council must decide to either:

- (a) Adopt the Amendment as is; or
- (b) Adopt the Amendment with changes; or
- (c) Abandon the Amendment.

**6** The Minister's Consideration (September 2024)

- Council submits the Amendment documents to the Minister for Planning.
- If approved, a notice is published in the Government Gazette.
- If not approved, the Amendment is abandoned.

*\*There is not guideline that requires the Minister to approve the Amendment within a certain time frame.*

This timeframe allows two years for the implementation of the Structure Plan into the Frankston Planning Scheme. In the meantime, with an adopted draft Structure Plan (when that occurs), this will give more weight to the draft when planning applications are being considered. An adopted draft Structure Plan will also give more certainty to landowners and developers as to the kind of development that Council wants to see in the City Centre.

**11.1 City Futures Progress Report - Quarter 4 April - June 2022****Executive Summary**

- Data and Analyses:
  - **Invest Frankston Economic Scorecard March** (Attachment C) presents the data of Frankston's economic activity across a range of interest areas for the third of the 21/22 financial year. Key observations from this report include the following:
    - The number of registered businesses has decreased from approximately 13,000 in December to 11,000 during the reporting period.
    - Whilst numbers in terms of registered businesses have decreased, the economic output of businesses in Frankston has increased by 190 million over the last quarter. A majority of this is contributed by the manufacturing and construction sector which accounts for more than 50% of regional exports. These two sectors also rank as the top 2 industries within Frankston.
    - The biggest employers in Frankston is dominated by the Health care and Social Assistance Sector (20.4%), Retail (13.1%) and Construction (12.2%). Data suggests that these sector splits have not changed significantly since December.
    - With respect to resident and visitor spending over the last 3 months, data indicates that all spending has dipped with total local spend down by almost 500 million in the quarter between December and March.
    - Escape expenditure and online spending are both down by close to 200 million when comparing December data to March figures. Similarly, escape expenditure also shows a 200 million dollar reduction. Whilst reducing escape expenditure is normally an important indicator demonstrating the sustainability of Frankston's economy the March data suggests that this number is in fact, a function of reduced spending overall.
    - Values in relation to the night time economy are down overall in the March quarter with the only exception being total transactions which is up almost 4 million compared to December 2021.
    - The unemployment rate continues to trend downward with a 5.3% unemployment rate in March 2022. This figure is now lower than the unemployment rates of greater Melbourne which is at 5.4%.
    - Business Concierge – The business concierge service continues to provide some insights into the 'future business pipeline'. A majority of queries are for the Frankston CBD. These queries remain relatively consistent with the December reporting period with marginal increases in residential, industrial and open space queries and a reduction in the number of queries related to commercial development.

**Financial Impact**

Council's estimated investment in policy and planning for 2021/2022 is \$4.47M. This includes both statutory work and Council's priorities for the municipality.

**Consultation**

A number of engagement activities for the development of strategies and plans have been undertaken in quarter 4 including the Frankston Equestrian Master Plan and the Frankston Metropolitan Activity Centre Structure Plan.

**11.1 City Futures Progress Report - Quarter 4 April - June 2022****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

Policy and planning work enables the municipality to have a robust platform of policies and strategies to guide future development and wellbeing of Frankston's community, environment, and economy for the benefit of current and future generations.

**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.

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 are no identified risks noted in relation to the preparation of this report.

**Conclusion**

The City Futures Progress report – Quarter 4 2020/21 highlights the vast amount of work already undertaken by the department this financial year. The pandemic continues to impact the City Futures work plan. Officers are working towards closing out the project affected by the same.

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**ATTACHMENTS**

Attachment A:[↓](#) Progress Report – Quarter 4 2021/2022

Attachment B:[↓](#) Signage Typologies

Attachment C:[↓](#) Invest Frankston Economic Scorecard March



# Frankston City Council City Futures Progress Report 2021/2022 Quarter 4



*Lifestyle Capital of Victoria*



## Introduction

In 2020, the Policy, Planning and Environmental Strategies, now City Futures, department was established bringing together teams in the disciplines of Economic Development, Environmental Planning, Social Policy, Strategic Planning and Urban Design to support the development of Council's integrated policies, strategic plans and research.

'Projects' are identified via the Integrated Planning Framework through Council Plan initiatives, Service Plans, Legislation, other Strategic Plans (see Fig. 1) and are generally delivered in the fields of:

- Policy and Strategy development
- Advocacy and Partnerships
- Programs and Events

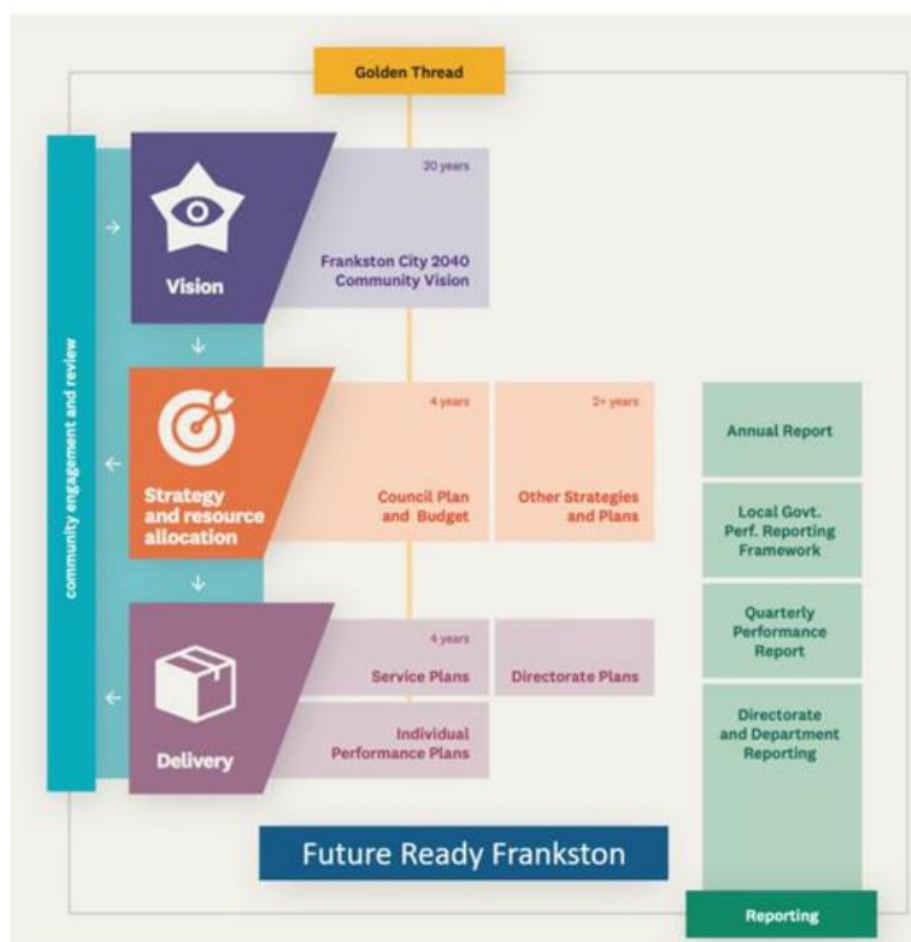


Figure 1) Integrated Planning Framework





An ambitious schedule of work has been planned for 2021/22. Throughout the year this program will require regular review and updating to respond to changes in the environment and community. Updates will be provided to Council quarterly in the form of this progress report.

Highlights achieved during quarter 4 include:

- The FMAC Structure Plan – Consultation on Emerging Ideas Paper was completed. The draft Structure Plan is currently being drafted and will be presented to Council before the end of 2022.
- Climate Change Strategy and Action Plan – Significant progress on establishing a policy position to progress carbon reduction by pursuing a science based target. A draft strategy is scheduled for Council briefing before the end of 2022 with community engagement proposed early in 2023.
- The Frankston Equestrian Masterplan – phase 1 community engagement on the draft master plan completed across Council's two equestrian sites at Langwarrin Equestrian Reserve and Baxter Equestrian Reserve. The draft Structure Plan is currently being drafted and will be presented to Council before the end of 2022.
- Municipal Wayfinding Signage – A draft Municipal Signage Strategy and Style Guide has been prepared. Primary Gateway signage and secondary Neighbourhood signage is being prototyped and is expected to go through an approval stage in 22/23.
- Planning Scheme Amendment C140 (Green Wedge Management Plan Implementation) was submitted to the Minister for Planning for approval in June 2021. This amendment is awaiting gazettal by the minister.

The following reports the progress on the schedule of work during 2021/22 Quarter 4.

**Project status:**

● On track	Initiative is underway and tracking well against target time frames
● At risk	Initiative is behind by 10% or more, but will meet target time frames
● Critical	Initiative is delayed by 25% or more, or needs attention to meet target time frames
● Deferred	Completion now expected in 2022-2023
✓ Completed	Initiative completed
⊘ Not proceeding	Initiative will not be completed
⊖ Not started	Initiative not scheduled to start

● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ⏸ Not proceeding | ⏹ Not started

Policy & Strategy Development	2021/22 Q4 Progress Comment	Status
Climate Change Strategy and Action Plan	Policy development on the Climate Change Strategy and Action Plan was undertaken this quarter with Council committing to a Science-Based Target and reduction trajectory. Further research and analysis was undertaken to develop an action plan to respond to this position. A report seeking the endorsement of a draft strategy is scheduled for Q2 of 2022-2023 financial year.	●
Community Safety Policy & Strategy	The development of the Safer Communities Policy and Strategy has been delayed due to a change in staff resourcing and team responsibilities. The Policy and Strategy are now due for completion in 2022-23 Q2/3.	●
Frankston Industrial Strategy	This project is underway and will continue during the 2022-2023 financial year. Consultation on the discussion paper is to commence in the first quarter of the 2022-2023 financial year.	●
Integrated Housing strategy, Neighbourhood Character study and design guidelines	The project was deferred in the second quarter of the 2021-2022 financial year. Request for Quote process to appoint a specialist consultant to undertake the project is scheduled to commence in the 2022-2023 Financial year.	●
Household Survey	The Household Survey has been completed and is available for download on Council's website, and is being used to inform policy and strategy development.	✓
Municipal Planning Strategy	This action was completed in quarter 2.	✓
Municipal Wayfinding Signage	Draft Municipal Signage Strategy and Style Guide is prepared. The program is still on track to commence Gateway (primary) sign and Neighbourhood (secondary) sign prototyping in 22/23 subject to final concept approval.	●
Community & Open Space Needs Assessment and Infrastructure Plan	The Community Needs Assessment and Community Infrastructure Plan is progressing well, however the last two project milestones have been delayed to the 2022-2023 financial year to provide the consultant with the time required to complete this project (due for completion by Q2 2022-2023).	●
Equestrian Master Plan	In late 2021, phase 1 community engagement was completed across Council's two equestrian sites at Langwarrin Equestrian Reserve and Baxter Equestrian Reserve, to seek feedback as to what improvements community and stakeholders would like to see at both sites. A Draft Equestrian Master Plan was developed in consideration of feedback received and a second round of community engagement occurred from 10 June to 10 July 2022. In consideration of additional feedback received, the final Master Plan will now be prepared for Council endorsement in late 2022.	●
Sandfield Reserve Landscape Master Plan	Project completed in Q1 Note that the Master Plan assisted Council in its successful funding bid through the Victorian Government Creating Safer Places program for the youth space upgrade.	✓
Play Strategy & Local Park Action Plan	This Project was completed in Q1.	✓

● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ☹ Not proceeding | ☹ Not started

Policy & Strategy Development	2021/22 Q4 Progress Comment	Status
George Pentland Botanic Gardens Master Plan	Project was paused due to lack of resources and competing priorities. Project will be completed in 22/23	●
Monterey Reserve Master Plan	Two rounds of community engagement have now been completed for the Monterey Reserve Master Plan. The Final Master Plan will now be prepared for Council endorsement in September 2022.	●
Baxter Park Master Plan	Key user groups including sporting clubs and community groups were consulted in the last quarter. The Final Master Plan will be prepared in consideration of feedback received for Council endorsement in Q2 of the 2022-2023 financial year.	●
Sustainable Economy and Skilled Community Strategies	Strategy is complete but requires review in light of the impact of Covid 19 and vacancies. This is scheduled to commence in Quarter 1 of the 2022-2023 financial year.	●
Kerbside Trading Guidelines	A project scope has been prepared to assess the success of the outdoor dining program and to provide recommendations for the future of the initiative, this project will consider the Kerbside Trading requirements. The project has been deferred due to lack of resources and is now allocated to the Urban Design team. Project budget will be sought during the 2022-2023 mid year review.	●
Native Vegetation Study	A desktop review of native vegetation mapping is currently being undertaken with site inspections to commence during July. Consultation with private property owners has commenced via a mail out.	●
Roadside Planting Guidelines	This Project was completed in quarter 2.	✓
Seaford Wetlands Restoration project	Consultant has been appointed and inception meeting held. Site meetings with consultant, Council team, Melbourne Water and Bunurong Land Council are scheduled for July.	●
Biodiversity Action Plan	This action was completed in Q2 of the 2021-2022 financial year.	✓
Native Vegetation offset Program	Sites for Native Offset program being investigated. Preliminary options for the program require the removal of restrictions on title with concerns being expressed by the Department of Environment Land Water and Planning (DEWLP). Officers are investigating the feasibility of removing restrictions to enable the program to proceed. Officers will report back to Council before the end of 2022.	●
Natural Reserves Management Plans	An audit of reserves was undertaken to determine and differentiate reserves that have management plans from those that do not. Officers are developing templates for the development of future management plans. The audit is scheduled to be completed before the 2022 calendar year with work on the production of management plans for high risk sites to commence in the 2022-2023 financial year.	●
Coastal & Marine Management Plan	Consultant appointed to commence key stakeholder engagement for the development of 6 Coastal Management Plans. Further consultation and engagement is expected to occur in Q1 of the 2022-2023 financial year.	●

● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ☐ Not proceeding | ☐ Not started

Policy & Strategy Development	2021/22 Q4 Progress Comment	Status
Kananook Creek Boulevard Urban Design Principles	This project was completed in quarter 2. The design principles have informed the FMAC Structure Plan emerging ideas and draft.	✓
Frankston Metropolitan Activity Centre (FMAC) Structure Plan	Consultation on Emerging Ideas Paper complete. Draft Structure Plan is currently being drafted and is scheduled to be presented to Council in the first quarter of the 2022-2023 financial year. Consultation on the Draft Structure Plan to commence in Q2 of the financial year.	●
Lighting Frankston Action Plan	This project was completed in Q1.	✓
Local Strip Shop Action plan	This project was completed in Q1. The Action Plan is now being integrated into the Long Term Infrastructure Plan.	✓
Public Toilet Action Plan	All background work has been undertaken on the action plan including a background report and analysis of issues; design principles and guidelines; template facility plans and draft schedules and specifications for materials and products. The draft Action Plan is scheduled for Councillor endorsement before the end of Q2 of the 2022-2023 financial year.	●
Frankston Laneways Plan	This Project was completed in Q1 and has been used to inform the Stiebel Lane Revitalisation project and input into the Frankston Structure Plan.	✓
Frankston City Centre Revitalisation Action Plan	In collaboration with the Frankston Revitalisation Board the following projects are being delivered:  Digital Wayfinding Signs (complete) City Park Advocacy Concept (complete) Nepean Highway Lighting Activation (underway) Frankston Pier Lighting (underway) Monash University Greenlink (underway) Stiebel Lane Revitalisation (underway) White St Mall Revitalisation (underway) Fletcher Road Gateway (underway)	●
FMAC streetscape palette	Development of the FMAC Design Standards has commenced and will be completed for Council endorsement before the end of 2022.	●
Significant Tree Register	The Significance Statement for the Davey Street Norfolk Island Pines has been completed. A report for Council is being prepared for the November meeting to seek interim protection. A full review of the significant tree register has been deferred until 2023-2024 in order to progress higher priorities in the Urban Forest Action Plan.	●
Banksia Study along the foreshore	This Project was completed in quarter 1.	✓
Urban Forest Precinct Plans	The Seaford and Carrum Downs Urban Forest Precinct Plans have been completed.	✓

● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ⏸ Not proceeding | ⏹ Not started

Policy & Strategy Development	2021/22 Q4 Progress Comment	Status
Health & Wellbeing Policy	The development of a Health and Wellbeing Policy has not commenced and will be deferred to next financial year.	●
Municipal Health and Wellbeing Plan	Implementation of the Health & Wellbeing Plan 2021-25 Year One Action Plan has progressed however is incomplete as a result of vacancies. A governance group to monitor progress on Health & Wellbeing Plan is scheduled for action in Q1 of 2022-23.	●
Planning Scheme Amendments	Planning Scheme Amendment C140 (Green Wedge Management Plan Implementation) was submitted to the Minister for Planning for approval in June 2021. It has been approved and waiting to be gazetted. Held up due to a large number of VC Amendments and a change in Minister.	●

Programs & Events	2021/22 Q4 Progress Comment	Status
Deliver Economic Development Workshops and Events	<p><b>Business Networking:</b> The Invest Frankston Business Networking Night was held at Dainton Taphouse in Carrum Downs on 28 April. Fifty businesses attended. June Business Networking wrapped up the IF networking series at General Public, Playne Street, Frankston on 23 June with more than 100 attendees.</p> <p><b>Digital Marketing Masterclass:</b> Held from 31 May to June 14, 19 businesses involved in a three week program. Oraco Agency presented three sessions focusing on techniques to maximize digital marketing capacity, understanding key aspects of digital marketing and understanding social media insights, analytics, advertising and email marketing.</p> <p><b>Monash Linking to Business – Winter Program.</b> This is a collaboration with Monash Business School and Frankston City Council, linking businesses with Monash Business School students majoring in Business Admin, marketing, finance, accounting, management etc) was meant to be held in June but was rescheduled to November due to staff shortages and low intake.</p>	●
Biodiversity education and Events	Quarter four engagement activities have been completed and have been well attended. 2022/2023 engagement activity planning has commenced in response to available resourcing.	✓
Community tree planting programs and education	Preparation for National tree and School Tree planting day is well underway. The Indigenous Nursery Open Day was held on May 7th 2022 with record sales and 250 people in attendance. The Naturalist City Nature Challenge 2022 was held in April with 163 Observations logged, of these 131 individual species were identified. Gardens for wildlife program has fully resumed post-covid. All spots are fully booked for July.	●

● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ⏸ Not proceeding | ⏹ Not started

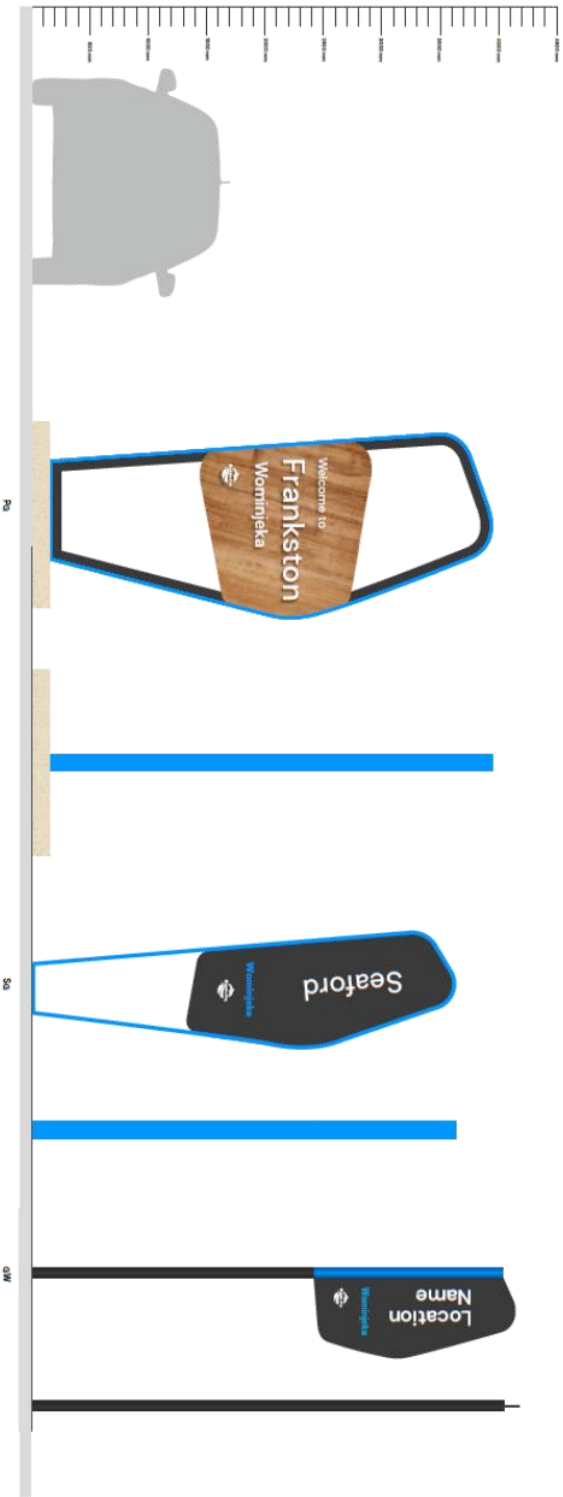
Partnerships	2021/22 Q4 Progress Comment	Status
Blue Carbon Opportunities Mapping	The Blue Carbon Mapping project conducted by Deakin has progressed to its third milestone. Basic mapping outlining the overall distribution of Blue Carbon and potential carbon gains from restoration identified. The final report is on track to be delivered in November 2022. *NB This project is being delivered by the Westernport Biosphere.	●
Elevating ESD Targets Planning Scheme Amendment Research Project	Ongoing - Frankston City has committed to join Stage Two of the Elevating Environmentally Sustainable Development (ESD) Targets planning policy project. The project is a joint advocacy effort among participating councils, aiming to bring about change in Victoria's planning system to empower a clean energy future and create net zero developments. Together, Councils are seeking to amend state government laws in order to strengthen environmental standards in new developments. The proposed planning scheme amendment will support innovation and allow flexibility in the design for new buildings, and will also help new developments achieve net zero carbon outcomes. The key environmental themes which will be improved via the proposed amendment are energy, sustainable transport, integrated water management, indoor environment quality, circular economy and climate resilience. Joining stage two of the project will allow member councils to present a united voice and demonstrate significant support for change to the Minister for Planning. Participating councils will also share costs associated with the planning scheme amendment process, including panel costs such, legal representation and expert witnesses. *NB: This project is being delivered by Council Alliance for a Sustainable Built Environment (CASBE)	●
Frankston Mornington Peninsula Parklands Project	Ongoing - Officers continue to assist DELWP in the development of the Frankston to Mornington Parklands Project. DELWP have released the Draft Plan for Community Engagement. *NB: This project is being delivered by DELWP	●
ABM Strategic Plan	The ABM Strategic Priorities 2022-2025 has been finalised. The six strategic priorities include: Ecosystem Protection, Traditional Owner Engagement Coastal Climate Adaptation, Coastal Assets, Access and Use / Safety and Amenity, Investment and Funding *NB This project is being delivered by the Association of Bayside Municipalities	✓
Port Phillip Bay Coastal Hazard Assessment	Over the past six months, DELWP's project team has made significant advances in progressing the Port Phillip Bay Coastal Hazard Assessment project. Some of the work is partially complete, and there are some outstanding components which require further analysis which will be worked through during the remainder of 2022. It is hoped that regular project updates will be more forthcoming during the year to ensure that all interested parties are well-informed on project developments. This piece of work will fit into Victoria's Resilient Coast - Adapting for 2100+ guidelines which is soon to be released *NB: This project is being delivered by DELWP	●



● On track | ● At risk | ● Critical | ● Deferred | ✓ Completed | ⏸ Not proceeding | ⏹ Not started

Partnerships	2021/22 Q4 Progress Comment	Status
Victorian Marine & Coastal Strategy	<p>The Strategy is the first five-year action plan to implement the Marine and Coastal Policy 2020. It aims to improve coastal habitats and help coastal communities adapt to the impacts of climate change. It also enables Traditional Owners to heal Country and improves coordination across government, industries and communities when managing the marine and coastal environment. The Victorian Government has committed \$16.9 million to kick start delivery of the Strategy. Local Governments are responsible for leading 9 activities and collaborating with other agencies on 29 activities.</p> <p>*NB This project is being run by DELWP</p>	✓

Signage Typologies  
Gateway Markers & Suburb Markers



Placement Diagram Symbol			
Code	PG	SG	GW
Name	Primary Gateway	Secondary Gateway	Gateway Flag
Functional Type	ID	ID	ID
Installation	Freestanding	Freestanding	Pole Mounted
Purpose	To provide LGA identification and directionality by creating a sense of "welcome" for users. It clearly identifies the Council as land manager. These are our largest and most prominent gateway signs.	To provide LGA identification and directionality by creating a sense of "welcome" for users. It clearly identifies the Council as land manager. Secondary Gateway signs can be used to identify local shopping strips / precincts. Signs are double sided and are placed on the side of the road facing the respective suburb station or entry point.	To identify activity / town centres and create a "sense of place". Gateway flags can be used to identify local shopping strips / precincts. Signs are double sided and are placed on the side of the road facing the respective suburb station or entry point.
Materiality	Steel/aluminium + timber + painted frame to match shire water reservoir	Aluminium sign panel painted in two-tone polycarbonate + painted frame structure to match shire water reservoir + vinyl graphics	Aluminium sign panel painted in two-tone polycarbonate + mounted to painted galvanneal pole + vinyl graphics + clear coat finish film





March 2022

# ECONOMIC SCORECARD



INVEST  
FRANKSTON  
.COM



**44,745**  
Innovative businesses



**11,212**  
**BUSINESSES**  
Registered for GST



**\$3.03**  
**BILLION**  
Regional exports, with  
**37.3 per cent** from the  
manufacturing industry\*



**\$14.24**  
**BILLION**  
Economic output\*

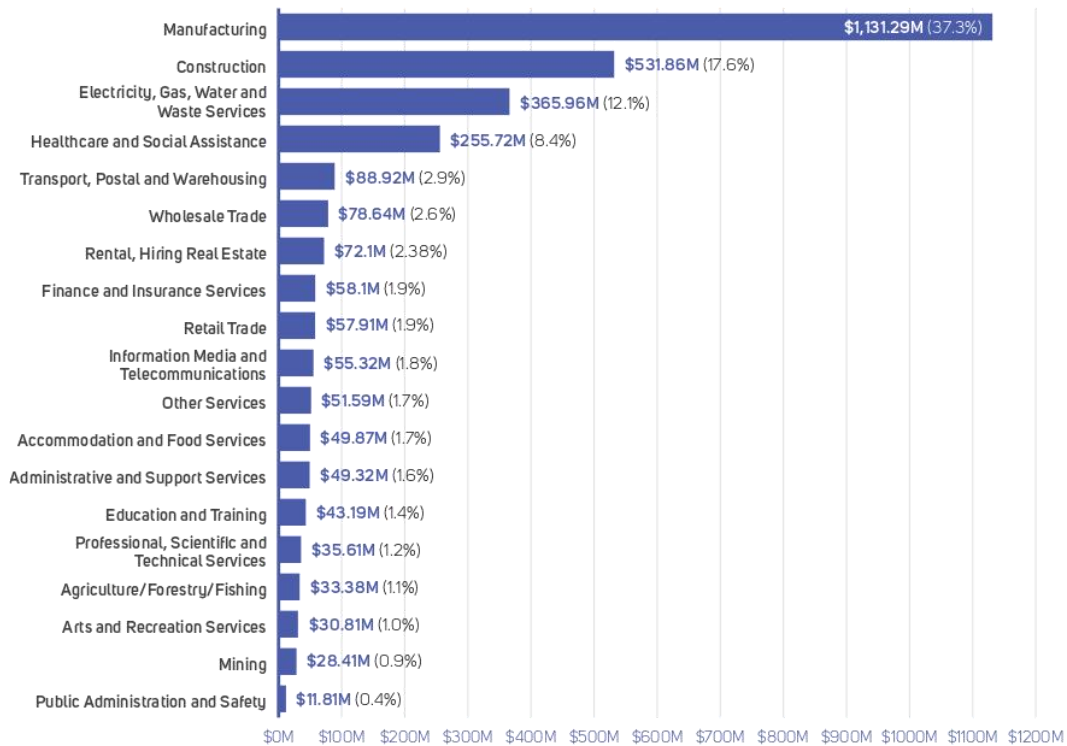
Frankston City Growth by Economic Output



\* Source: REMPLAN



### Regional Exports by Industry Sector\*



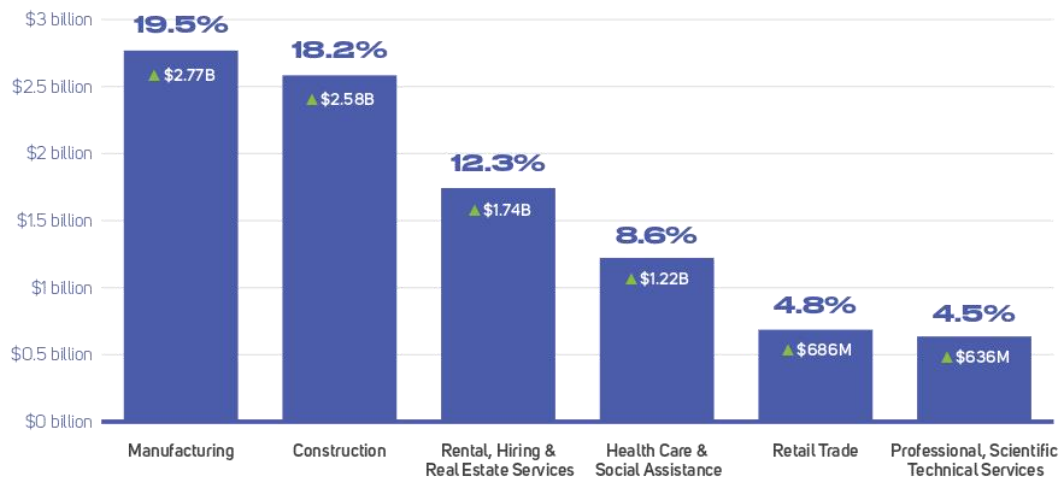
\* Source: REMPLAN Economy



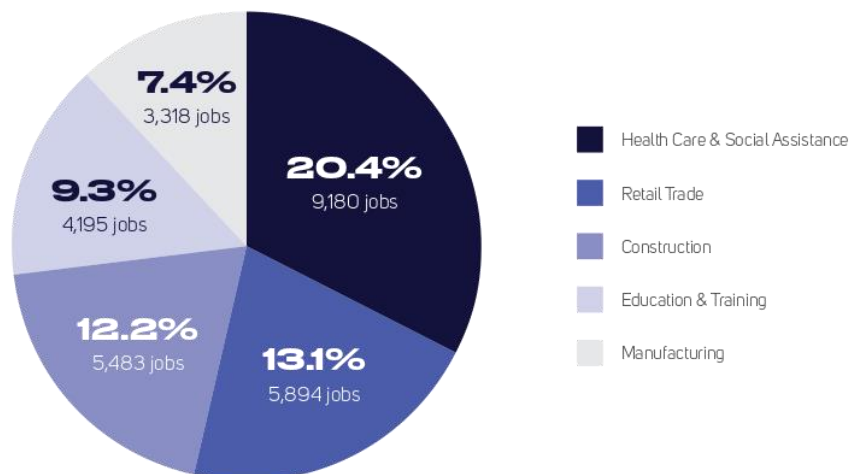
## TOP SIX INDUSTRY SECTORS IN FRANKSTON CITY

### Ranked by Output

▲ ▼ Increase/decrease in comparison to December 2021 Scorecard



### Ranked by Employment





## FRANKSTON CITY

▲▼ Increase/decrease in comparison to December 2021 Scorecard

▼ **\$2.897**  
BILLION

Total local spend

▼ **\$1.771**  
BILLION

Resident (lives in Local Government Area [LGA]) local spend



▼ **\$1.126**  
BILLION

Visitor (lives outside Frankston City) local spend

▼ **\$1.334**  
BILLION

Resident escape spend (lives in suburb but spend outside LGA)

▼ **\$1.622**  
BILLION

Resident online spend

## THE SUBURBS

Suburb	Local Spend				Escape Spend		Resident Online Spend
	Total Local Spend	Resident Local Spend (lives in the suburb)	Internal Visitor Local Spend (lives elsewhere in the LGA)	External Visitor Local Spend (lives outside LGA)	Resident Internal Escape Spend (lives in suburb but spend in other suburbs in the LGA)	Resident External Escape Spend (lives in suburb but spending outside LGA)	
Carrum Downs	\$576.80M	\$160.60M	\$220.50M	\$195.70M	\$88.83M	\$168.80M	\$211.90M
Frankston	\$1.651B	\$400.00M	\$558.80M	\$692.60M	\$80.73M	\$289.30M	\$385.10M
Frankston N	\$31.49M	\$8.64M	\$15.30M	\$7.41M	\$59.51M	\$35.38M	\$49.29M
Frankston S	\$73.39M	\$18.97M	\$18.64M	\$35.14M	\$210.00M	\$256.40M	\$273.00M
Langwarrin	\$249.90M	\$153.70M	\$30.66M	\$65.33M	\$205.20M	\$236.50M	\$303.70M
Langwarrin S	\$3.70M	\$43.18K	\$1.27M	\$2.12M	\$11.12M	\$19.92M	\$17.23M
Sandhurst	\$6.75M	\$2.69M	\$491.8K	\$3.33M	\$50.85M	\$82.48M	\$88.27M
Seaford	\$273.70M	\$85.64M	\$85.76M	\$102.30M	\$123.80M	\$163.80M	\$199.80M
Skye	\$22.14M	\$1.78M	\$5.72M	\$14.48M	\$107.50M	\$74.58M	\$92.98M

## NIGHT TIME ECONOMY April 2021–March 2022

### Annual Night Time Expenditure Overview for Frankston City (Spending recorded between hours of 6pm and 6am)\*

▲ ▼ Increase/decrease in comparison to December 2021 Scorecard



### Expenditure Category by Volume April 2021–March 2022

Category	Total Local Spend	Resident Local Spend	Visitor Local Spend	Resident Escape Spend	Resident Online Spend
Bulky Goods	\$170.13M	\$97.68M	\$72.46M		\$45.64M
Consumer Staples				\$611.85M	
Department Stores & Clothing	\$257.41M	\$129.13M	\$128.28M		\$119.39M
Dining & Entertainment	\$424.29M	\$252.06M	\$172.23M		\$283.10M
Discretionary Spend				\$529.61M	
Furniture & Other Household Goods	\$68.27M	\$29.07M	\$39.20M		\$44.24M
Grocery Stores & Supermarkets	\$555.41M	\$445.48M	\$109.94M		\$48.61M
Light Industry	\$63.73M	\$26.08M	\$37.65M		\$51.04M
Other	\$21.74M	\$9.99M	\$11.74M		\$131.10M
Personal Services	\$56.89M	\$32.50M	\$24.40M		\$17.66M
Professional Services	\$296.88M	\$149.09M	\$147.78M		\$285.52M
Services & Other				\$185.71M	
Specialised Food Retailing	\$240.01M	\$174.83M	\$65.18M		\$29.22M
Specialised & Luxury Goods	\$335.01M	\$203.32M	\$131.70M		\$309.99M
Trades & Contractors	\$18.33M	\$7.39M	\$10.94M		\$17.59M
Transport	\$351.67M	\$194.53M	\$157.14M		\$118.51M
Travel	\$37.11M	\$19.50M	\$17.61M		\$120.20M

\* Source: Spendmapp December 2021 update





**44,934**  
**JOBS**

in Frankston City



**31 JOBS**  
**PER 100 RESIDENTS**

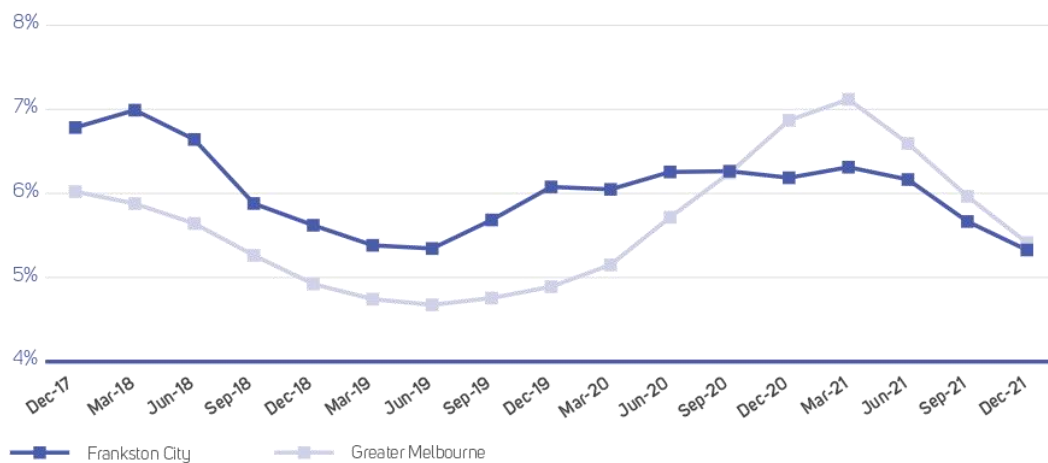
in Frankston



**42 JOBS**  
**PER 100 RESIDENTS**

in Greater Melbourne

Unemployment Rate Comparison to Greater Melbourne (December 2017–December 2021)\*



## UNEMPLOYMENT RATE



**5.3**  
**PER CENT**

in Frankston City

**5.4**  
**PER CENT**

Comparison to Greater  
Melbourne

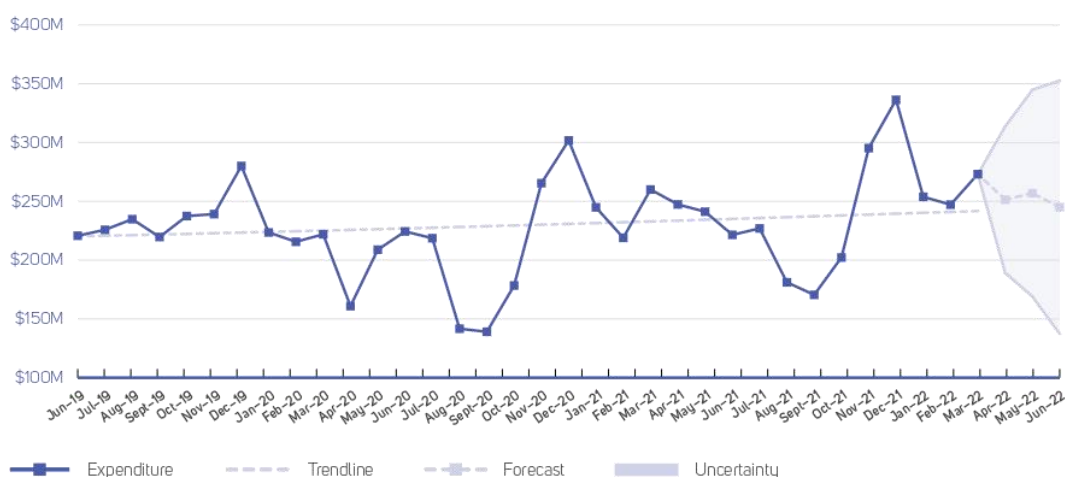
\* Source: Department of Employment – December 2021



## JOBSEEKER\*

Latest Month Figures	December 2021		December 2020		
Region – LGA/SA2	JobSeeker and Youth Allowance Recipients	% of 15–64 Age Population	JobSeeker and Youth Allowance Recipients	% of 15–64 Age Population	Change
Frankston City	5,495	5.9	8,094	8.7	-2,599
Carrum Downs	869	5.7	1,280	8.4	-411
Frankston	1,299	8.1	1,886	11.8	-587
Frankston North	1,331	10.7	1,765	14.2	-434
Frankston South	321	2.8	544	4.7	-223
Langwarrin	582	3.4	959	5.6	-367
Seaford	799	7.1	1,167	10.4	-368
Skye – Sandhurst	294	3.0	503	5.2	-209
Greater Melbourne	143,961	4.1	223,002	6.4	-79,041
Victoria	205,751	4.7	305,249	6.9	-99,498

## Expenditure Graph in Frankston (June 2019–June 2022)\*\*



\* Source: Department of Social Services – JobSeeker and Youth Allowance recipients – monthly profile via [data.gov.au](https://data.gov.au).  
Compiled and presented by .id (informed decisions).

\*\* Data source: [spendmapp.com.au](https://spendmapp.com.au)







## RECENT INVESTMENTS

- \$82 million Horizon apartment development (1–2 Plowman Place, Frankston City Centre) now under construction
- Marketing now launched for \$116 million Vicinity redevelopment
- \$67.6 million Chisholm stage 2 redevelopment now under construction
- \$28 Million Frankston Commons (35 Playne Street, City Centre) nine storey mixed-use development includes 512 sq.m of retail/hospitality and 6,294 sq.m of grade A offices

## UPCOMING INVESTMENTS

- \$605 million redevelopment of Frankston Hospital
- \$120 million Hall Road and Westport Highway upgrades
- \$32 million for the Peninsula Health – Monash University Health Futures Hub
- \$20 million in local schools infrastructure upgrades (inc. Nepean Special School, Frankston Special Development School, Karingal Primary School)

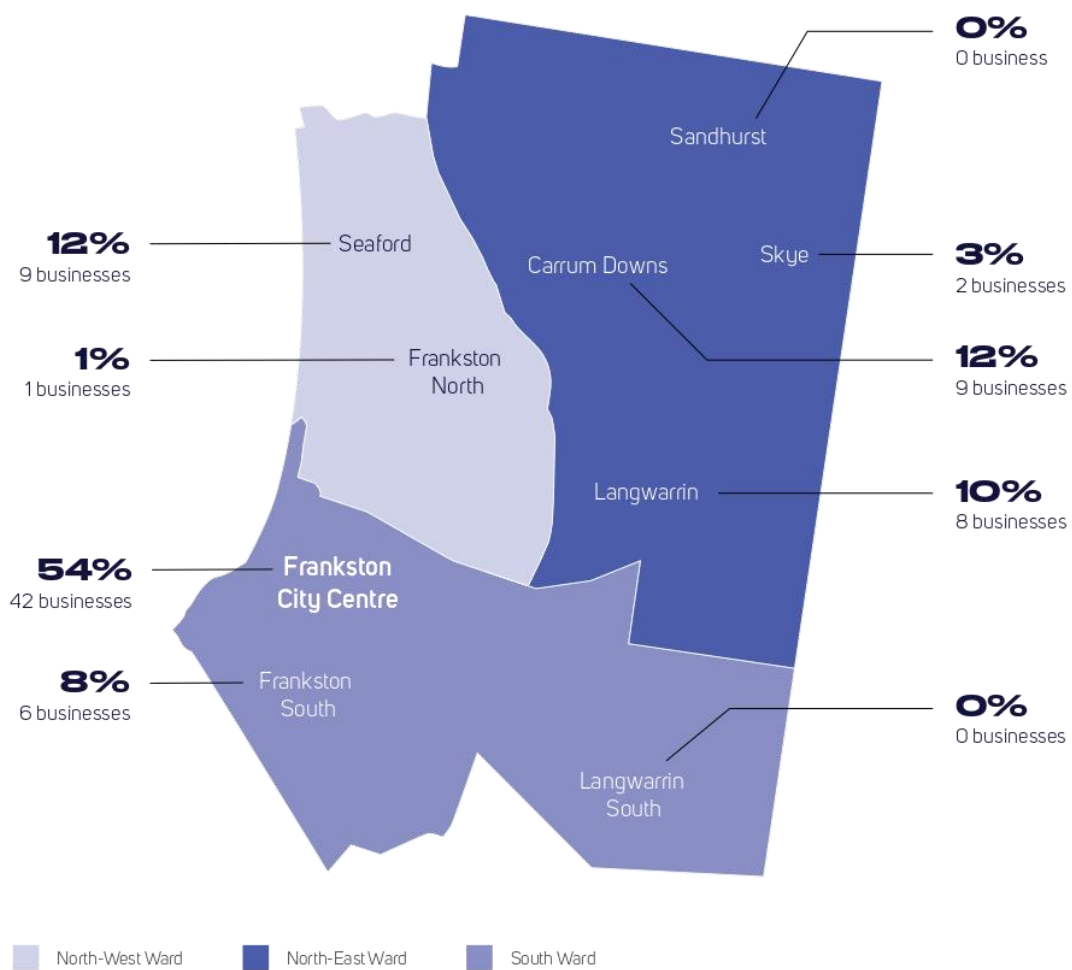
## BUILDING APPROVALS\*



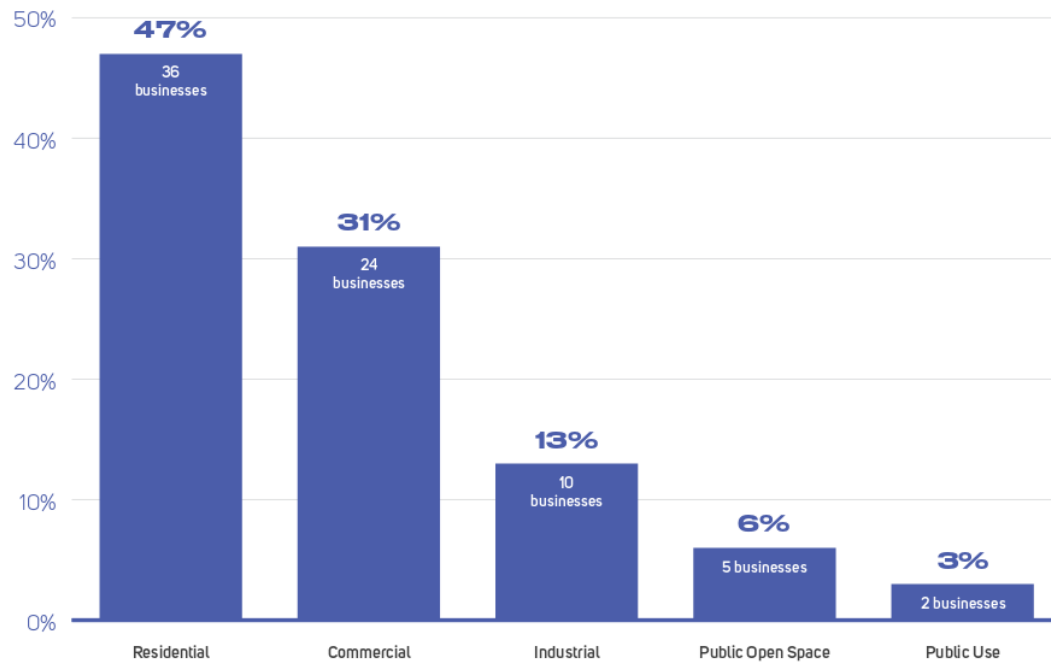
\* Source: Australian Bureau of Statistics, Building Approvals, Australia (8731.0). Compiled and presented in profile.id by [id](#) (informed decisions)



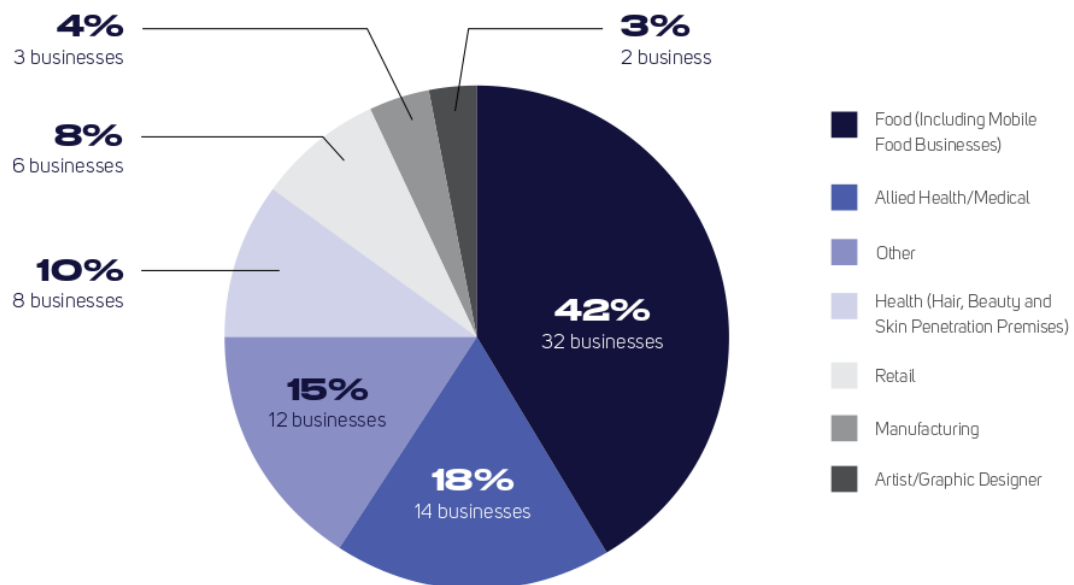
## PROPERTY LOCATION QUERIES



## BUSINESS INDUSTRY



## BUSINESS TYPE (TOP 6 CATEGORIES)





# IF YOU'RE READY TO THRIVE, INVEST FRANKSTON

Invest Frankston is our commitment to creating the most robust, forward thinking, energetic, exciting, progressive suburb, city, municipality and region in Melbourne.

We aim to become an epicentre of innovation, growth, industry, modernity and thinking. Fully supported by Frankston City Council, this is our ethos; the mantra we live, grow and develop by.

We will continue to support and encourage the people and businesses of Frankston to make it happen, through our highly innovative and successful support programs.

We will continue to work with the Victorian and Australian governments to ensure we remain at the forefront of infrastructure and investment facilitation, now and into the future.

We are committed. We are dedicated. We are unswerving. IF you share the vision and the passion for what can be, Invest Frankston.

The data in this document is provided in good faith with every effort made to provide accurate data and apply comprehensive knowledge. However, REMPLAN does not guarantee the accuracy of data nor the conclusions drawn from this information. Any inference or decision to pursue any action in any way related to the figures, data and commentary presented in this data is wholly the responsibility of the party concerned. REMPLAN advises any party to conduct detailed feasibility studies and seek professional advice before proceeding with any such action and accept no responsibility for the consequences of pursuing any such action.

**FRANKSTON  
CITY COUNCIL**

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1300 322 322

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Frankston  
VIC 3199



**INVEST  
FRANKSTON  
.COM**

**Executive Summary****12.1 Council Resolution Status Update for 15 August 2022**

*Enquiries: (Brianna Alcock: Corporate and Commercial Services)*

Council Plan

- |          |  |
|----------|--|
| Level 1: | 6. Progressive and Engaged City  |
| Level 2: | 6.5 Support transparent and evidenced based decision making through sharing council data and clear reporting on our measures of success to the community |

**Purpose**

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

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

That Council:

1. Receives the Notice of Motion Report for 15 August 2022;
2. Receives the Urgent Business Status Update for 15 August 2022;
3. Notes there are no Notice of Motion actions that have been reported as being complete;
4. Notes there is one report that will not be presented to Council:
  - Frankston Volunteer Coast Guard – Accommodation update;
5. Notes, since the Council Meeting held on 25 July 2022, 24 resolutions have been completed, as listed in the body of the report; and
6. Resolves for Attachment D to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h)). These grounds apply because the information concerns updates on resolutions made by Council in meetings closed to the public and would, if prematurely released, impact on Council's ability to properly perform its functions.

**Key Points / Issues**

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

*“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 Notice of Motion Report for 15 August 2022 is attached and will continue to be updated and reported at each Council Meeting. Note there are no items listed under confidential, as such this report has not been attached.

**12.1 Council Resolution Status Update for 15 August 2022****Executive Summary**

- The Urgent Business Status Update report is attached (Attachment C) for 15 August 2022, and will continue to be reported at each Council Meeting.
- There are no Notice of Motion actions that have been reported as complete.
- 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 one report listed as being delayed in its presentation to Council:
  - Frankston Volunteer Coast Guard – Accommodation update  
Due to ongoing discussions and further consultation with Councillors at an upcoming Briefing, the report will be delayed and presented to Councillors no later than December 2022.
- Since 2022/CM10 on 25 July 2022, the following 24 resolution actions have been reported as 'complete'. A detailed report has been provided in Attachment D (*CONFIDENTIAL*).
  - Draft Property Strategy
  - 2021/NOM11 - Nepean Highway Revitalisation
  - Adoption of 2022 Flagship Election Advocacy Priority Projects
  - Finalisation of statutory leasing procedure - Proposed lease of part of 151R East Road, Seaford to St Kilda Football Club - Belvedere Health and Wellbeing Hub
  - Proposed Lease of Council Land - Existing Telecommunications Facility - 45R Wedge Road Carrum Downs (Carrum Downs Recreation Reserve)
  - 2022/NOM2 - Kananook Station Precinct Advocacy
  - Draft Revised Risk Management Policy
  - 2022/NOM4 - Nat's Track
  - Response to NoM 2022/NOM3 - Council's funding strategy towards the Barretts Road (North Section) Sealing and Construction
  - Frankston Arts Advisory Committee - Report
  - Draft 2022-2026 Budget (including 2022-2023 Council Plan initiatives)
  - Local Heritage Preservation Grant Program 2021/2022
  - 2022/NOM7 - Reporting Obligations for Charitable Group Grant Recipients
  - Update on Coronavirus (COVID-19) and Recovery Grants Program report - 16 May 2022
  - Information Communication Technology Professional and Leasing Services
  - Urgent Business – Internal Arbitration Process
  - Council Resolution Status Update for 11 July 2022
  - Outcomes of the Audit & Risk Committee Meeting - 20 May 2022
  - Adoption of Risk Management Policy
  - Instrument of Appointment and Authorisation
  - Delegate's Report - Cr Sue Baker - National General Assembly 2022
  - Council Resolution Status Update for 25 July 2022



**12.1 Council Resolution Status Update for 15 August 2022****Executive Summary**

- Freedom of Information Summary
- Property Utilisation Review

**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 are no risks 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 noting the work completed.

**12.1 Council Resolution Status Update for 15 August 2022****Executive Summary**

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**ATTACHMENTS**Attachment A: [!\[\]\(a870788d6ed9b8fd294b7654a8c8526b\_img.jpg\)](#) Notice of Motion Cost SummaryAttachment B: [!\[\]\(de95854c7ee024cfadc48187bbb781b2\_img.jpg\)](#) Notice of Motion Status UpdateAttachment C: [!\[\]\(3211b5d1d968fc1665909b34f9f16010\_img.jpg\)](#) Urgent BusinessAttachment D: Closed/Completed Actions since 25 July 2022 - **CONFIDENTIAL**

Notice of Motion Report - 2022 - CM12 - for the 15 August Council Meeting (A4738160).XLSX

**Notice of Motions Estimated Costs  
By Councillor  
2020 - 2024 Term**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost	Urgent Business
Cr David Asker	0	\$0	\$0	\$0	1
Cr Sue Baker	1	\$0	\$0	\$0	0
Cr Kris Bolam^	4	\$6,000	\$0	\$0	0
Cr Nathan Conroy	0	\$0	\$0	\$0	0
Cr Claire Harvey*	2	\$7,155	\$0	\$0	1
Cr Brad Hill	3	\$0	\$0	\$0	0
Cr Liam Hughes	2	\$0	\$0	\$0	1
Cr Steven Hughes	2	\$0	\$0	\$0	0
Cr Suzetter Tayler	1	\$0	\$0	\$0	1
<b>TOTAL</b>	<b>15</b>	<b>\$ 13,155</b>	<b>\$ -</b>	<b>\$ -</b>	<b>4</b>

NOTE: There may be occasions when the Ongoing Cost is ALSO reported under Outcome costs: this is on the occasions when the ongoing cost has a KNOWN FINITE total. This is to note for budgeting purposes (for eg: \$121,000 total over 11 years = \$11,000 budgeted per year). Notes/comments are provided in the report when this occurs

\* Correction of an administrative error. \$420 removed as incorrectly applied; Added cost: 2021/NOM7 - Bringing Forward Council's Net Zero Emissions Target - \$7155 for consultant fees

\* 2020/21 Budget Cost: these are totals reflective of costs associated with project requests that Councillors have submitted as part of the 2019/2020 Budget Process and not associated with the outcomes of Notices of Motion submissions.

## Item 12.1 Attachment B: Notice of Motion Status Update

A4738160 Notice of Motion Report - 2022 -CM12- for the 15 August Council Meeting.XLSX

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
20-Sep-21	14.1	2021/NOM8 - Humanitarian Support for Fiji  Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Baker That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the letter from the Victorian Multicultural Sports Association seeking a \$30,000 contribution from Council for humanitarian support in Fiji;</li> <li>2. Notes that Frankston and Suva (Fiji) have provisionally agreed to form a Friendship City relationship;</li> <li>3. Given Suva (Fiji) is Frankston's geographically closest 'Sister City' / 'Friendship City', this agreement is to be formally upgraded to a 'Sister City' relationship, pending advice from Sister Cities Australia;</li> <li>4. Notes the letter of appreciation from the Fijian Government's Minister for Local Government, Housing and Community Development, in appreciation for the \$5500 donation for the delivery of hospital beds to Fiji to assist with their response to the second wave of the COVID-19 pandemic;</li> <li>5. Acknowledges the relationships and contribution of the Fijian community to the diversity in Frankston and notes the impact of the pandemic on our Pacific neighbours;</li> <li>6. Supports the facilitation of this humanitarian initiative under the stewardship of the Mayor to work with Rotary Club of Frankston Sunrise (who have deductible gift recipient status) to receive all goods and donations with respect to the humanitarian aid relating to the Fijian community;</li> <li>7. Notes the Mayor has driven a community stewardship campaign for donations, \$8,400 has been raised in the past two weeks to provide sanitary products for women and baby products for newborns, together with donations of children's clothing, sanitiser and PPE. This includes: • Coles Karingal - \$100 gift card; • Woolworths Karingal - \$100 gift card; • Woolworths Frankston - \$100 gift card; • Chisholm Frankston - \$1000 cash donation; • DC Urban - \$1000 cash donation; • St Kilda Football Club - \$1000 cash donation; • Rotary Frankston - \$1000 cash donation; • Rotary Sunrise - \$1000 cash donation; • Rotary 2.0 - \$1000 cash donation; • Private resident - \$500 cash donation; • Private resident - \$500 cash donation; • Monash University - \$800 cash donation In this time, the following businesses have also provided, in writing, commitments for discounts and/or additional stock upon purchase to assist in the relief effort: • Target Frankston - bulk discount; • Libra (Asieko One) - bulk discount; • Australian Dairy Park, Camus Downs - excess product/aid; • Golden Fields Nutrition, Dandenong - excess product/aid; • Kellogg's - volunteered pallets of infant breakfast cereal; • Community Support Frankston - volunteered pallets of sanitiser</li> <li>8. That formal letters of thanks be sent to the aforementioned donors;</li> <li>9. Supports a Council donation of \$6000 to the Rotary Club of Frankston Sunrise towards the shipping of humanitarian aid to Fiji (\$5599), and product/aid (\$401);</li> <li>10. Funds the humanitarian aid from the Mayor's Event Budget that was initially allocated to fund the 'COVID Hero's' Appreciation Event, but is no longer proceeding due to restrictions on mass gatherings;</li> <li>11. Writes to the Hon. Frank Bainimarama, the Prime Minister of Fiji, the Hon. Premilla Kumar, the Local Government Minister Fiji, the Fijian High Commissioner to Australia His Excellency Luke Daunivalu and the Australian High Commissioner to Fiji, His Excellency Mr John Feehan; to advise of Council's decision and note the total donation of \$14,400 (comprising \$8,400 community donations and \$6000 Frankston City Council donation) plus donated wholesale product/aid that comfortably represents an overall charitable effort surpassing \$15,000.</li> </ol> <p>Carried</p>	Fiona McQueen	02 Aug 2022 In Progress. MOU from Fiji has been sent to Frankston for consideration. Framing and installation of material has been delayed due to signing of MOU.	Council donation of \$6000 to the Rotary Club of Frankston Sunrise towards the shipping of humanitarian aid to Fiji (\$5599), and product/aid (\$401).
11-Jul-22	14.1	2022/NOM8 - Outreach Support Service  Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Hill That Council:</p> <ol style="list-style-type: none"> <li>1. Acknowledges the work currently being undertaken by organisation/s to provide an outreach service to rough sleepers, whereby contact with the rough sleeper is made within 24 hours of a referral where possible and,</li> <li>2. Requires a report to be provided at the September 2022 Council Meeting exploring a formalised service agreement with a suitably qualified localised outreach provider to undertake referral advocacy, throughout the municipality, to assist those without a permanent place of abode.</li> </ol> <p>The service guarantee is to focus on a prescribed minimum response time (i.e. twenty-four hours) upon the outreach provider being notified of new clients/rough sleepers by the Frankston City Council.</p> <p>Following the initial interaction with new clients/rough sleepers, the service provider is to:</p> <ol style="list-style-type: none"> <li>a) Make clients aware of local and regional support agencies insofar uplift and direct support;</li> <li>b) Collaborate with local and regional support services on behalf of clients and their needs; and</li> <li>c) Conduct ongoing wellbeing audits of clients/rough sleepers, as commissioned by the Frankston City Council.</li> </ol> <p>Carried Unanimously</p>	Johann Rajaratnam	18 Jul 2022 1. Work of outreach services currently engaged acknowledged- COMPLETE, 2. Note that a report is required in September 2022- ONGOING	

Page 1 of 1

**Executive Summary****12.2 Frankston Arts Advisory Committee - Report**

*Enquiries: (Tammy Ryan: Customer Innovation and Arts)*

Council Plan

- |          |   |
|----------|---|
| Level 1: | 2. Community Strength   |
| Level 2: | 2.1 Build Frankston City's reputation as an arts, culture and tourism destination |

**Purpose**

To brief Council on the minutes of the Frankston Arts Advisory Committee meeting held on 19 July 2022 and its recommendations to Council.

**Recommendation (Director Customer Innovation and Arts)**

That Council,

1. Receives the Minutes of the Frankston Arts Advisory Committee meeting of 19 July 2022, and
2. Endorses the sculpture "As One" to be installed at the corner of Seaford Road and Brunel Road, Seaford.

**Key Points / Issues**Frankston Arts Advisory Committee Minutes (FAAC) – July 2022

The July meeting was convened with members of FAAC to discuss the agenda items and make recommendations where appropriate to Council for approval.

Discussed by the Committee at the meeting 19 July 2022:

- **South Side Festival Post Event Update:** An overview of feedback, data and insights were presented in regards to the inaugural event for 2022.
- **FAC – Hospitality, Business Development and Marketing Update:** Staff presented and updated the Committee on the first six months of hospitality operations, in addition to current and future initiatives that are in progress to drive further business to the venue.
- **Civic Art Clock - EOI:** The Committee were advised of the current status of the procurement process. Seven applications were received with two shortlisted by an assessment panel consisting of a FAAC representative, Council's Public Art Officer, Manager Arts & Culture and Coordinator Urban Design plus a Vicinity Representative.
- **Sculpture by the Sea Installation Update:** All five sculptures have arrived in Victoria from NSW and WA. The first sculpture will be installed in the Library Forecourt on Thursday 21 July 2022. Three other sculptures will follow be at PARC, Pines Pool and Baxter-Cranbourne Road in the coming weeks.

A new location for the sculpture "As One" is recommended for installation at the corner of Seaford Road and Brunel Road, instead of Frankston-Dandenong Road (near Peninsula Link and Aldi) in Carrum Downs. This is due to delays in approvals by the relevant authorities at the Carrum Downs site. The Committee unanimously agreed to recommend this change.

The Frankston-Dandenong Road, Carrum Downs site will still be pursued for approval for a new sculpture to be acquired in 22/23.



**12.2 Frankston Arts Advisory Committee - Report****Executive Summary**

- **Update on Eel Race Road Sculpture:** Photos of the sculpture currently under fabrication were presented, with the completion and installation of the sculpture scheduled for completion in August/September 2022. An unveiling event is currently being organised.
- **Update on Public Art Strategy:** An initial meeting with the consultant is scheduled for tomorrow. Further stakeholder workshops will be held in August in addition to a dedicated meeting that will be scheduled for the Committee with the consultant.
- **Update on Destination Events Strategy:** Consultant will be attending the next FAAC meeting in August to conduct a workshop with the Committee. A stakeholder breakfast is also being planned for Thursday 25 August – invites to follow.
- **Update on White Street Mall:** The Committee were shown concept drawings of the proposed upgrade to White Street Mall including a proposed artwork for the rear of the space. The project is being managed by Council's Urban Design team.

**Financial Impact**

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

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

A number of workshops and meetings are currently being scheduled to provide an opportunity for stakeholders to contribute to the Destination Events Strategy and Public Arts Strategy.

**2. Other Stakeholders**

Internal meetings with relevant stakeholders are also currently being planned in regards to the Destination Events Strategy and Public Arts Strategy.

**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 issues or impacts associated with this report.

Policy Impacts

There are no policy impacts as a result of this report.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter related to the minutes of the FAAC or Council report.

**Risk Mitigation**

Risks have been considered and mitigations are considered achievable.



**12.2 Frankston Arts Advisory Committee - Report****Executive Summary****Conclusion**

Minutes of the FAAC meeting on 19 July 2022 are included for Council information and seeks endorsement for the new proposed sculpture site at corner Seaford Road and Brunel Road, Seaford.

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**ATTACHMENTS**

Attachment A: [↓](#) Frankston Arts Advisory Committee - July 2022 Minutes



**FRANKSTON ARTS & CULTURE**  
**FRANKSTON ARTS ADVISORY COMMITTEE MEETING**

**MINUTES OF THE MEETING**  
**Tuesday 19 July 2022**  
**6.30 – 8.30pm**  
**Online via Teams**

<p><b>Presentation: Southside Festival Post Event Update</b> with [REDACTED]</p>	<ul style="list-style-type: none"> <li>• [REDACTED] presented post event information about the inaugural South Side Festival 2022. Link attached capturing the diversity of events and experiences at the Festival. <a href="https://youtu.be/vhFVloL4h0Q">https://youtu.be/vhFVloL4h0Q</a></li> <li>• A post event survey highlighted very positive feedback. One example from a resident from Seaford</li> </ul> <p><i>The staff were absolutely amazing, from the entry where I was assisted to navigate booking via the website as well as the lovely young lady then distracting my son who was very much in a hyper state with ADHD. Through to the person manning the elevator assisting my disabled Dad to navigate his scooter not only on to the elevator but through the entire art space. I have never experienced such hands on helpful staff with my Dad having been in wheelchairs and scooters my entire life and my son being 7 years old. Thank-you, thank-you, thank-you for an overwhelmingly fantastic experience.</i></p> <ul style="list-style-type: none"> <li>• Good metro media coverage through Herald Sun and also Channel 9 news cross.</li> <li>• Festival attracted people from postcodes all over Melbourne.</li> <li>• Chairperson thanked Freyja for her hard work on this event.</li> </ul>
<p><b>1 Governance: General</b></p>	
<p>1.1 Welcome and apologies</p>	<p><b>Present</b> Ms Barbara Crook (Chairperson) Ms Ally Bruce Ms Tammy Ryan Ms Rebecca Umlauf Mr Nic Velissaris Mr Joe Grimes Mr Douglas Spencer – Roy Cr David Asker</p> <p><b>Apologies</b> Mr Phil Cantillon Fiona McQueen (Acting Director CIA) Cr Kris Bolam</p>

		Ms Shweta Babbar (Acting CEO)
1.2	Determination of quorum	A quorum was declared.
1.3	Declaration of interests	Mr Spencer Roy's employer is a sponsor.
1.4	Confirmation of Agenda	Agenda confirmed.
1.5*	Approval of minutes – May 2022	The Minutes of the FAAC meeting held on Tuesday 3 May 2022 were previously approved by the Committee via email.  <b>Carried</b>
1.6	Action items/Matters arising	Action items were noted.  <b>Noted</b>
<b>2</b>	<b>Management Updates</b>	
2.1*	Arts & Culture – KPIs Report and Financials	KPI's were noted.  <b>Noted</b>  The May and June Financials were noted.  <b>Noted</b>
<b>3</b>	<b>Guest Speakers:</b>	
3.1	<b>Update – Coordinator, Hospitality</b>	<ul style="list-style-type: none"> <li>shared a presentation of the new in-house hospitality service.</li> <li>Taken over all Council catering services including FAC.</li> <li>Business and opportunities continuing to evolve.</li> <li>Exploring sponsorship/partnerships with local suppliers.</li> <li>Providing opportunities to schools with children who are interested in hospitality services.</li> <li>90% of recently recruited staff are from the local area.</li> <li>Writers Bloc Café has increased in monthly revenue by 20%.</li> <li>New marketing initiatives have been implemented to promote the venue to conference and business event organisers.</li> </ul>
3.2	<b>Development &amp; Marketing Update – Coordinator, Business</b>	<ul style="list-style-type: none"> <li>Attended AIME in February and Evolve just recently as exhibitors.</li> <li>Writer's Bloc Café started from scratch for the marketing and awareness campaigns.</li> <li>Marketing to larger corporates in Melbourne to utilise the Function Centre.</li> <li>A number of new marketing initiatives are in place ie exploring partnerships with local institutions; new venue videos and photos; tracking Facebook advertisements; updating the website and building influencer relationships.</li> </ul>
<b>4</b>	<b>Arts &amp; Culture Projects</b>	
4.1	<b>Civic Art Clock - Shortlist</b>	<ul style="list-style-type: none"> <li>Received 7 applications for the Civic Art Clock.</li> <li>Panel included a FAAC representative, Council's Public Art Officer, Manager Arts &amp; Culture and Coordinator Urban Design plus a Vicinity Representative.</li> <li>Panel assessed each of the applications against criteria and shortlisted two concepts.</li> <li>Recommendation to go back to the 2 shortlisted artists to fully develop their concepts.</li> <li>Two preferred concepts were shown to FAAC.</li> </ul>

		<ul style="list-style-type: none"> <li>• Concept One demonstrated a clear relationship to Frankston City that is bright and colourful and would draw people to the site as a meeting place – the design would greatly appeal to children and families. The artist has strong capacity to deliver based on past experience and works.</li> <li>• Concept Two design presented a sophisticated clock face demonstrating the artist has an in depth understanding of bells, clocks and their mechanics. The artists has a high profile work interactive work in Birrarung Marr that has broad appeal.</li> <li>• Cllr Asker asked about the approximate size of the clock. Tammy advised this would be part of the next phase of the concept design.</li> <li>• As part of the next stage, shortlisted artists will need to provide maintenance information and viability for the lifetime of the clock.</li> </ul>
4.2	Update on Sculpture by the Sea	<ul style="list-style-type: none"> <li>• All five sculptures have arrived into Victoria from NSW and WA. The first installation is Thursday 21 July at the Library Forecourt.</li> <li>• The following sculpture locations of PARC, Pines Pool and Baxter-Cranbourne Road will be installed in the next two weeks.</li> <li>• A new location for the sculpture 'As One' is recommended to now be installed at the cnr of Seaford Road and Brunel Road, Seaford instead of Frankston-Dandenong Road (near Peninsula link and Aldi) in Carrum Downs - see Attachment A <b>Unanimously Carried by Committee</b></li> <li>• The relocation of 'As One' is due to the complexities surrounding the approvals required at the Carrum Downs Site between Department of Transport Commercial Roads, Peninsula Link and Southern Way. Reasons being that the DoT Commercial Roads need to approve a modification to Peninsula Link's contract as the site is within their lease boundary. The modification process is quite a lengthy one as it is essentially a change to their contract. Approval also then needs to be given by Southern Way this will result in a long delay with installing 'As One', the relocation to the new site will mean that the sculpture can be installed in the coming month and all five sculptures can then be promoted and celebrated.</li> <li>• The site at Frankston-Dandenong Road will still be pursued for approval, however, this will be for a new sculpture to be acquired in 22/23. This may be another leased sculpture by Sculpture by the Sea or a possible commission from McClelland pending availability and feasibility of costs.</li> <li>• Arts &amp; Culture staff will seek to attend a dedicated viewing of sculptures at Sculpture by the Sea in Bondi in October 2022 to strengthen Council's chances of leasing preferred sculptures.</li> </ul>
4.3	Update on Eel Race Road Sculpture	<ul style="list-style-type: none"> <li>• Photos of the current fabrication were shown (Attachment B). On the 13/8 the sculpture will come across to Victoria from Tasmania.</li> <li>• Installation scheduled for late August/early September.</li> <li>• Internal lighting will be installed at the time of installation, however, the external lighting will occur after installation. This will not impact on the appearance as the external lighting is only for low ambience as the internal lighting is the key part of the sculpture design.</li> <li>• An opening/unveiling event will be scheduled for September – Committee will be invited. <b>Action:</b> [REDACTED] to send invitations to unveiling.</li> </ul>
4.4	Update on Public Art Strategy	<ul style="list-style-type: none"> <li>• First meeting with selected consultant is tomorrow.</li> <li>• Separate meeting with Committee will be scheduled for a meeting with Consultant.</li> <li>• <b>Action:</b> [REDACTED] to send out a doodle poll with date options to ascertain availability for FAAC to meet with consultant.</li> </ul>

4.5	Update on Destination Events Strategy	<ul style="list-style-type: none"> <li>Consultant will be attending next FAAC meeting 30/8. Stakeholder breakfast is being held on 25/8 and an invitation will be sent to the Committee to attend.</li> <li><b>Action:</b> [redacted] to forward invitation to Committee.</li> </ul>
5	Capital Works	
6	Strategy	
7	Any Other Business	
		<ul style="list-style-type: none"> <li>Greater South East Melbourne (GSEM) – 8 Councils involved in SE region – CEO's are board members. Simon Crean is the Chair. <a href="https://www.gsem.org.au/about-gsem">https://www.gsem.org.au/about-gsem</a> A Creative Industries and Tourism Strategy has been commissioned by GSEM to aid the recovery of the region post COVID. <b>Action:</b> Committee members to let [redacted] know if they wish to attend a meeting scheduled for 28/7 at 11.30am (via Teams) with the consultant leading the GSEM Creative Industries and Tourism Strategy. <b>Action:</b> Committee Members to express interest in attending.</li> <li>Urban Design Team working on upgrading White Street Mall. Concept drawings were shown to the Committee.</li> </ul>
<b>Confidential Items</b>		
C.1	N/A	
8	Next Board Meeting and forward agenda	
8.1	Next FAAC Meeting – Tuesday 30 August 2022 – Cube 37 North Studio at 6.30pm	Face to Face or online TBC closer to the date.
	Confirmed as a Correct Record	<b>Chairperson: Barbara Crook – 21/7/2022</b>

The meeting closed at 8.28pm

Attachment A

# Sculpture by the Sea

- New location on Seaford Rd, Seaford
- As One - RM Gomboc





Attachment B

# Eel Race Road Sculpture Update









**Executive Summary****12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report**

*Enquiries: (Claire Benzie: Communities)*

Council Plan

Level 1: 1. Healthy and Safe Communities

Level 2: 1.1 Engage families to promote the importance of early childhood education and health

**Purpose**

To brief Council on the progress of the Municipal Early Years Plan 2021-2025.

**Recommendation (Director Communities)**

That Council:

1. Notes the progress of the Municipal Early Years Plan (MEYP) 2021-2025; and
2. Supports officers to continue implementing the MEYP actions over the next 3 years.

**Key Points / Issues**

- At its meeting on 19 July 2021, it was resolved that Council:
  1. *Notes the Draft Municipal Early Years Plan 2021-2025 (Plan) was publicly exhibited for four weeks from 21 April to 19 May 2021 with twenty survey submissions received and an additional four responses submitted via email and through an on-line meeting;*
  2. *Notes the feedback from submissions have been incorporated into the final draft of the Plan;*
  3. *Adopts the Plan; and*
  4. *Notes officers will notify the submitters of its decision accordingly.*
- The MEYP represents a holistic and robust roadmap for enabling best outcomes for families with children 0-6 years in the municipality, and integrated planning across Council, demonstrating a whole-of-Council commitment to the early years in Frankston City.
- The Family Health Support Services Early Years officers commenced implementation of the newly adopted Plan in July 2021. The Plan was distributed to relevant stakeholders and printed copies were placed in public community spaces to ensure access to the information. There are 6 actions listed for 2021-22 and 27 ongoing across the duration of the plan, 2021-25. All 33 actions have commenced, several are now completed and the remaining are ongoing. Actions relating to successful funding bids have been closed off and remaining actions will continue to be progressed with the view to imbed these into every day practice.
- Early Years services were presented with a number of challenges over the previous 12 months. Services continued to be impacted by the COVID-19 pandemic from the previous year, and the ongoing nature of these impacts has further deteriorated resourcing. Services have experienced a significant increase in the number of staff directly impacted by COVID-19 and similarly the community members that usually access these services.

**12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report****Executive Summary**

In March 2022 the State Government announced a Code Brown. Melbourne Metropolitan councils responded accordingly and Frankston's Maternal & Child Health (MCH) nurses were redeployed to health services in the region to support the best possible outcomes for the provision of midwifery, neonatal and MCH services for women, infants and their families.

During this time, Council were required to prioritise essential services to the most vulnerable children and families including infants aged 0-8 weeks and their mother/primary caregiver, Aboriginal infants and children and families with additional needs or concerns including families on the Enhanced Maternal and Child Health Program and those with COVID-19. Frankston's MCH service delivery and consultations were temporarily paused for older infants, children and families with no additional needs or concerns. These children continue to be followed up and booked in for consultations where staffing capacity allows. MCH services are closely monitoring capacity and prioritising services where required.

- Despite challenges over the previous 12 months, new initiatives have provided opportunities to create new relationships and strengthen those existing. The following are highlights from the first years actions:
  - The Children's Services Team received a Department of Education and Training funding grant to enhance existing Kindergarten Central Registration Scheme and improve the uptake of kindergarten registration of Aboriginal and Torres Strait Islander children in Frankston City. A small working group of local agencies including Aboriginal workforce, discussed the barriers to participation and identified that a sense of feeling safe to identify was critical. This led to a review of promotional materials for kindergarten and found that there were a lack of visual clues that allowed Aboriginal families to quickly identify that kindergarten was important for their children. It is important that Council support connection to the community for our Aboriginal and Torres Strait Islander families, and starting in early years improve educational, health and wellbeing outcomes for children.

The Children's Services Team reached out to the Bunurong Land Council to identify an approved local artist to create an artwork to be used in a brand extension for Early Years services. Mark Nakia Moonblood Brown is a proud Bunurong man, raised on Bunurong Country, who worked to create an artwork that reflected the local Frankston area and included the bay and the endangered Leather Back Turtle.

The completed artwork was digitalised and the original framed piece is awaiting an official launch scheduled for August 2022. Children's Services worked with the Communications and Marketing Team to engage a graphic designer to create templates to be used for all Early Years programs. The aim was to create promotion materials with aspects of the artwork embedded in the messaging. Examples include kindergarten promotion cards for MCH to include in their parent books and promotional flyers and newsletters, as well as the production of the Municipal Early Years Plan. The team are now in the process of having the artwork placed on polo shirts for the staff to wear whilst working at Mahogany Rise and attending events where they promote Early Years services to the community.



**12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report****Executive Summary**

- The Children's Services Playgroup Development Officer delivered a more strategic Pop-Up Playgroup program across the municipality in 2021-2022.

Pop-up Playgroups are free for everyone to attend and are facilitated by our experienced early childhood team for children 0 – 6 years old.

Held in local parks, parents, carers and children come along to playgroup to make new friends and discover what Playgroups have to offer. A variety of activities are provided to suit varying needs of children. The aim of the program is to provide a place in each local area where parents can connect to each other, build social networks and discover other services that families and children can access.

The current Supported Playgroup Program has funding guidelines to allow families that meet a specific criteria to attend. In our work with local agencies and MCH, we have identified that there is a cohort of parents who are not eligible to attend the groups, however are experiencing social isolation and some complex family issues that, while seemingly small, can have a significant impact on children and families.

- Pop-Up Playgroups are open to all families and address this service gap in Frankston. The sessions occur in clusters of up to 5 weeks in the one location allowing parents and children to attend multiple sessions, building connections with others and trust with the experienced facilitator, who links families to other support services, community playgroups, MCH Services and Kindergarten. To date, a total of 185 people attended Pop-Up Playgroup in Langwarrin, Frankston North and Seaford. Participants include parents, grandparents, home schooling families, LGBTQIA+ families plus lots of children.
- Children's Services have a newly established relationship with Peninsula Aquatic & Recreation Centre (PARC). Council officers meet regularly with the Marketing and Communications Team at PARC to develop and identify opportunities to collaborate and engage with community. A potential pilot program to engage with young parents is currently under development. The aim of the program is to provide an opportunity for young parents (under the age of 25) to build connections with their community and other young parents, whilst gaining access to services at PARC that they may not otherwise have been able to. Children's Services are also working with PARC to plan a Children's Week event in October open to all children aged 0-6 years. This event will be focussed on the Children's Week Theme of All Children have the right to a standard of living that supports their wellbeing and healthy development.
- Through the 2022-23 annual budget process, Council have supported the ongoing funding for MCH to deliver Baby Makes 3 and Breastfeeding Support Service. Baby Makes 3 is an evidence-based program that promotes healthy relationships amongst new families. It is a primary prevention program that seeks to prevent violence against women before it occurs by promoting gender equity and reducing adherence to rigid gender roles among first time parents. The Breastfeeding Support Service will provide families' access to qualified lactation consultants in a timely manner and at a convenient location, addressing current barriers where there are limited services within the municipality. Planned implementation of these initiatives is scheduled for 2022-23, subject to staffing capacity.



**12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report****Executive Summary**

- The Immunisation Service Team identified a need to develop an online consent card to increase the return card rate for immunisation consent of school students. The collaborative approach between the Immunisation and Business Transformation Teams to implement this initiative has resulted in a streamlined process with increased efficiency and decreased manual handling, staff resources required and paper based archiving. Ultimately it has increased the consent rate of secondary school student immunisation.

**Financial Impact**

There are no financial costs associated to this report.

**External Stakeholders**

External stakeholders consulted across relevant MEYP actions include: • Local Residents

- Early Years Service Providers
- Members of the Frankston Mornington Peninsula Child and Family Partnership
- Members of the Best Start Partnership

**Other Stakeholders**

Internal stakeholders consulted across relevant MEYP actions include:

- Family Health Support Services
- Community Strengthening
- Building and Facilities
- Arts and Culture
- Frankston City Libraries
- Operations
- Peninsula Aquatic & Recreation Centre

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

Notwithstanding the direct impact of COVID-19, there has been a general reluctance for community members to participate and re-engage in services. The inability to meet face to face with community and stakeholders resulted in a partial disconnection to children and their families. The State Government restrictions and mandatory COVID-19 vaccination policy further contributed to the reduction in participation rates for supported and community playgroups. Periodically and as required, service teams quickly adapted to change the delivery model to online.

Anecdotally we have seen an increase in mental health and family violence issues that have resulted in a significant increase in demand for the Enhanced MCH program which is at capacity.

**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.

**12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report****Executive Summary**Legal

There are no legal issues associated with this report.

Policy Impacts

There are a number of Council policies relevant to the MEYP, internally and externally:

- Privacy and Freedom of Information legislation
- National Quality Framework
- Community Building Outcomes Framework (CBOF)
- Council's Child Safe Policy
- Various department service guidelines and procedures
- Maternal and Child Health Principle Model
- National Early Years Learning Framework
- Ecological Model of Childhood Development

Officer's Declaration of Interests

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

**Risk Mitigation**

The pandemic continues to be the most significant factor affecting service delivery. Early Years service teams continue to follow COVID Safe plans and advice from State Government departments to ensure business continuity. In line with Department of Health COVID-19 MCH and Early Parenting Centres advice, MCH services implemented a designated MCH COVID-19 Team to undertake essential home visits to households with confirmed COVID-19 or who were household or household like contacts. In response to the significant number of school absenteeism due to the impacts of the pandemic, Immunisation Services delivered additional community sessions for the Secondary School Immunisation Program.

Workforce shortages across the Early Years sector is at a critical level. The MCH sector is facing state-wide workforce shortages, due to an ageing workforce, with increasing service demands due to the increasing population. Suitably qualified personnel must be attracted to join the MCH Profession.

A strategy to address this issue is the establishment of a MCH Scholarship Program. The program entails awarding \$5,000 to a local Frankston resident who is a Registered Nurse and Registered Midwife currently undertaking the MCH Nursing course, with Frankston City Council supporting their clinical placement. On completion of the MCH Nursing course, the Scholarship recipient will then be eligible for employment (casual or permanent) by the Frankston MCH Service. Conversations with Council's People & Culture Team have commenced with the intention to establish this program over the next 12 months.

Furthermore, the Children's Services team are exploring the opportunity of a Jobs Victoria Early Childhood Educators Traineeship program for Mahogany Rise Early Learning Centre. This will provide an opportunity to increase the early childhood workforce and address the significant staff shortage currently being experienced by the service.

Council officers continue to participate in State Government workshops to support the development of National Policy and action plans to address workforce shortages across the Early Years sector.

**12.3 Municipal Early Years Plan (MEYP) Annual Progress Update Report****Executive Summary**

The State Government recently announced free kindergarten for all 3 and 4 year old children commencing in 2023, and 30 hours of 'pre-prep' for 4 year old children commencing in 2025. This will place additional pressure on existing infrastructure and will significantly increase the demand for new and or expansion of existing buildings. It is crucial that all Kindergarten projects listed in Council's Long Term Infrastructure Plan (LTIP) be supported and progressed in a timely manner to ensure Council is supporting the roll out of the Kindergarten Reform. Council will continue to monitor demand in each Local Area and work collaboratively with the Department of Education (DET), Committee's of Management (COM) and Early Years Managers (EYM) to explore additional opportunities to ensure all children in Frankston City Council have access to Kindergarten programs.

**Conclusion**

The MEYP 2021-2025 continues to provide strategic direction for a whole-of-Council approach to enable stronger families, and thriving children within the community and supports the municipality to become a child-friendly city. Council officers will continue to progress relevant actions in the MEYP with the objective to imbed this work into the every day work of Early Years service teams.

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**ATTACHMENTS**

Nil

**Executive Summary****12.4 Adoption of Revenue Hardship Policy**

*Enquiries: (Simone Wickes: Corporate and Commercial Services)*

Council Plan

Level 1:

6. Progressive and Engaged City

Level 2:

6.1 Ensure sustainable financial management and the strategic allocation of resources to deliver planned infrastructure and services

**Purpose**

To inform Council on the outcomes of the public exhibition of the Revenue Hardship Policy (the Policy) and present to Council for adoption.

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

That Council:

1. Notes the Draft Revenue Hardship Policy was publicly exhibited for a period of 4 weeks and one submission was received; and
2. Adopts the Revenue Hardship Policy.

**Key Points / Issues**

- At its meeting on 6 June 2022, Council resolved to:
  1. *Note the Draft Revenue Hardship Policy;*
  2. *Endorse the Policy to be publicly exhibited for a period of 4 weeks; and*
  3. *Seek a report back to enable Council to consider any feedback received and adopt the policy.*
- Advertising has been undertaken and one submission was received. There were 29 visits to Council's engagement platform. The one submission received provided comment that the policy was well considered and struck the right balance between addressing hardship concerns and collecting rates from all property owners.
- The Rates and Charges Hardship Policy (the Policy) was last adopted in June 2020 and incorporated amendments required to provide Council with flexibility to provide relief due to the State of Emergency/Pandemic.
- The Policy has a life cycle of four years which is aligned to the term of the Council Plan and is now due for review.
- In August 2020 the Victorian Ombudsman began an investigation into how ratepayers in financial hardship are dealt with across the sector. The investigation focussed on hardship relief for ratepayers who cannot pay rates on their primary residence. The Ombudsman heard concerns from ratepayers, financial counsellors and community lawyers about the way local councils treat people who cannot afford their council rates.

The report identified several practices that were adopted by some Councils that were in contravention of the Local Government and the Ombudsman Acts and made several recommendations for improvement. Officers reviewed the report in detail and can confirm that, Frankston City Council is in a good position and does not practice any of the issues noted.

**12.4 Adoption of Revenue Hardship Policy****Executive Summary**

In addition, Council incorporates most of the good practices and is considered to be adopting a best practice and empathetic approach to ratepayers experiencing hardship. Small improvements from this report have been included in this policy and listed below.

- The Policy has been further amended to now cover other Council revenue sources, not only rates and charges. The Revenue Hardship Policy (the Policy) (**Attachment A**) documents the process involved in considering financial relief to be granted to customers/ratepayers who are unable to meet their financial obligations. For rate payments, it specifies when rates and interest are to be deferred or waived and other charges that could be considered eligible for relief. The draft Policy has been reviewed and updated taking into account the Ombudsman's recommendations in regards to hardship to ensure it is meeting the needs of the community and reflects best practice.
- The key changes to the Policy adopted in June 2020 (**Attachment A**) document consist of:
  - Name change to cover all Council revenue and is now known as the Revenue Hardship Policy.
  - Expanding the hardship provisions to cover all fees and charges, not only rates revenue.
  - Adopted the Ombudsman recommendations, including adding in Family Violence specifically as a reason for hardship.
  - Clarifying the process of determining hardship compared to simply applying for an arrangement to pay rates.
  - The Policy has been structured in a logical format that allows the reader to better understand Council's process in complying with rates hardship, deferments and waivers.
  - The definition of terms within the Policy such as 'hardship' are clearer.
  - Addition of late payment assistance.
  - Removed the ambiguity included in the current Policy around waiving of rates, charges and interest.
- EMT's feedback was sought regarding the proposed draft Policy prior to it being presented to the Audit and Risk Committee for their feedback.
- The draft Policy was discussed in a Council briefing to obtain Councillor feedback prior to the Policy seeking community consultation and being presented to Council for adoption.
- The draft revised Policy was tabled with the Audit and Risk Committee (the Committee) at its meeting in May 2022. The Committee requested amendments to the definition of hardship, provide a definition of financial counselling services and make the phone number for help more obvious easily identified in the policy.
- The proposed Policy, incorporating the feedback from the Committee is included in this report as **Attachment A**.

**Financial Impact**

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

**12.4 Adoption of Revenue Hardship Policy****Executive Summary**

It is not anticipated that there will be a significant increase in applications for financial hardship due to the changes made to the Policy and the financial cost to Council is expected to be minor.

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

The Draft Revenue Hardship Policy was publicly advertised for Community Consultation from 20 June 2022 to 21 July 2022. There were 29 visits to the engagement platform regarding the advertised Policy and one submission was received.

The Executive Management Team and Audit and Risk Committee have been consulted and their feedback has been incorporated into the draft Policy.

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

There are no environmental, economic or social implications associated with this report.

**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

Sections 170 and 171 of the *Local Government Act 1989* set out the circumstances in which a Council may consider an application for deferment or waiver of rates, charges and penalty interest. It is noted that the reference to the LGA 1989 has not been updated to the LGA 2020, therefore it still applies.

Policy Impacts

Nil

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 are no direct risk implications arising from this report.

**Conclusion**

The draft Revenue Hardship Policy 2022 was advertised for community engagement and one submission was made via the engagement platform.

The draft Policy provides the community and Council a consistent process by which applications for financial hardship will be assessed.

It is recommended that Council adopt the Revenue Hardship Policy.



Reports of Officers	80	15 August 2022 2022/CM12
12.4 Adoption of Revenue Hardship Policy <b>Executive Summary</b>		

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#### ATTACHMENTS

Attachment A: [↓](#) Revenue Hardship Policy

# Revenue Hardship Policy



(REM number)

*Lifestyle Capital of Victoria*

## 1. Policy statement

Frankston City Council recognise that there are genuine cases of financial difficulty and financial hardship that require respect and compassion.

This policy establishes the guidelines for assessment of financial difficulty or hardship applications based on the principles of fairness, integrity, confidentiality and compliance with statutory requirements. It applies to all applications for waiving or suspending interest and/or other fees and charges, but not to waiving the whole or part of any rate or rates service charge.

This policy replaces any previous versions of the Rates and Charges Hardship Policy adopted by Council.

**If you are experiencing hardship please refer to Council's website for information at <https://www.frankston.vic.gov.au/Your-Council/Rates/Financial-Hardship>, or, alternatively please contact Council's Customer Service team on 1300 322 322.**

## 2. Reason for Policy

The purpose of this Policy is to provide Council with a policy framework to provide relief to individuals who need financial assistance.

When assessing any application, due consideration must be given to Council's overall revenue requirements and services provided. While all property owners, ratepayers and residents receive the direct benefit provided through the payment of rates, service fees and charges, it is important that Council has a mechanism to consider the needs of customers who are suffering financial difficulty.

Sections 170 and 171 of the *Local Government Act 1989* (the Act) set out the circumstances in which a Council may consider an application for deferment or waiver of rates, charges and penalty interest.

This Policy must be read in conjunction with these sections, and does not take precedence over them.

It is envisaged that the financial cost to Council will be minor.

## 3. Scope

Upon adoption, this policy will apply to Council and Council staff.

## 4. Definitions

A "**deferment**" of payment can be provided in whole or in part and be for a specified period and subject to any conditions determined by Council. When rates are deferred, payment is not required until the Council sends the person a notice requiring payment.

A “**waiver**” removes the liability to pay and may be offered to include the whole or part of any interest and/or charges.

“**Compassionate Grounds**” – Is a severe or unforeseen situation/circumstance that caused the property owner to miss the statutory payment due date. Such as, but not limited to:

- Recent death of the property owner’s immediate family member (spouse or child).
- Substantial loss of income
- Significant increase in medical costs
- Family Violence

“**Financial Counsellor**” – is a member of, or is eligible to be a member of, a financial counselling association, and has undertaken appropriate training to ensure that they have adequate skills and knowledge to satisfactorily provide the financial services and any other aspect of the financial counselling service.

Financial counsellors are employed by agencies, typically not for profit community organisations that must comply with the ASIC licence exemption provisions for financial counselling. Financial counselling service is free, confidential, independent and without conflict. These provisions are specified in the ASIC Corporations (Financial Counselling Agencies) Instrument 2017/792 and the National Consumer Credit Protection Regulations.

## 5. Authorisation

This Policy is managed by the **Finance and Corporate Planning** Department, and is approved by Frankston City’s Mayor and Council’s Chief Executive Officer (CEO):

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Manager Financial & Corporate Planning

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Mayor, Frankston City Council

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CEO, Frankston City Council

In accordance with Frankston City Council resolution at its Council meeting of TBC.

## 6. Revision date

This Policy will be reviewed and presented to Council no later than June 2026 or earlier as deemed necessary by Council, and therefore once within each subsequent Council term.



## 7. Application of the Governance Principles in the LGA 2020

This Policy is developed in the context of the overarching governance principles as referenced in the Local Government Act (2020), with the following relevant principles:

- Council decisions are made and actions taken in accordance with the relevant law.  
All appropriate legislation has been referenced accordingly in the development of this policy including the Local Government Act 1989 and 2020.
- Priority is given to achieving the best outcomes for the municipal community, including future generations.  
This policy achieves a fair and equitable outcome for all members of the community.
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is promoted.  
Consideration is given fairly to all residents within the community in particular the economic and social impacts.
- Innovation and continuous improvement is pursued.  
The broadening of this policy takes into account all revenue streams and therefore a broader application of the hardship policy statements and procedures. This is considered best practice.
- The ongoing financial viability of the Council is ensured.  
Providing for hardship does not affect the ongoing financial viability of Council.
- The transparency of Council decisions, actions and information is to be ensured.  
This policy provides the community with the overarching principles associated with applying for hardship ensuring transparency of the process.

## 8. Principles

Council is committed to ensuring that due consideration is given to persons who are in genuine need of financial assistance in addressing the payment of their rates, fees and or other charges.


### 8.1 Definition of Financial Hardship

Financial hardship/difficulty is a situation where an individual due to factors outside of their control is unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations.

Financial hardship involves an inability of the individual to meet their financial commitments and obligations, rather than an unwillingness to do so.

Financial hardship can arise from a variety of situations. Common causes may include, but not limited to:

- Loss of employment;
- Family breakdown;
- Family Violence

- 
- Illness, including physical incapacity, hospitalisation, or mental illness;
  - Recent death of the debtor or an immediate family member; or
  - Other factors resulting in unforeseen change in the debtor's capacity to meet their payment obligations, whether through a reduction in income or through an increase in non-discretionary expenditure.

## 8.2 Identifying Financial Hardship

### Rate Revenue

Judgement is required by the Revenue team member in determining whether a property owner is experiencing genuine financial hardship rather than simply seeking to defer payment due to short-term financial difficulty/stress.

In support of an application for financial hardship assistance, Council requires:

- That all property owners as noted on the Property Title must consult with a recognised Financial Counsellor, as outlined in section 16 below, who will provide, to Council, a letter of support confirming that a situation of hardship exists, together with an Income Statement and Statement of Position. The inclusion of an independent, confidential and without conflict third party Financial Counselling Service ensures that Council has considered the principles of fairness, integrity and confidentiality;
- Council may also request other documentation, such as a statutory declaration from a person familiar with the property owner's circumstances such as a family doctor, therapist, and family priest etc, to assist in determining whether a property owner is experiencing genuine financial hardship; and
- Financial Counselling Services are free, confidential, independent and without conflict. Property owners are encouraged to seek financial counselling by contacting the National Debt Helpline on 1800 007 007 or by visiting their website at [www.ndh.org.au](http://www.ndh.org.au).

### Other fees and charges

Judgement is required, by the department responsible for the raising and collection of the permit, licence, fee and charge (other than rates and charges), when assessing whether a debtor is experiencing genuine financial difficulty or hardship.

In support of an application for financial hardship assistance, Council may require:

- Documentary evidence to determine whether a debtor is experiencing financial hardship.
- Council may request other documentation such as a statutory declaration from a person familiar with the debtor/applicants circumstances (family doctor, Centrelink documents, bank statements etc.).

## 8.3 Financial Considerations

The waiver of rates or charges is governed by Section 171 of the *Local Government Act 1989*.



#### 8.4 Waiver of Rates

Frankston City Council does not waive any rate and or service charges. This ensures that payment assistance offered to one ratepayer does not have a redistribution effect on Council's rate base.

#### 8.5 Waiver of Penalty Interest

Interest waivers fall under two categories:

##### 8.5.1 Waiver of penalty interest due to an administrative error by Council

Customers may have the penalty interest waived in the event of an administrative error by Council, which has resulted in or significantly contributed to the customer's failure to pay in a timely manner.

##### 8.5.2 Waiver on Hardship/Compassionate Grounds

Customers may have penalty interest waived where they have demonstrated compassionate grounds for a payment being late. All interest waiver requests must be in writing.

### 9. Rate Revenue

The deferral of rates or charges is governed by Section 170 of the *Local Government Act 1989*. (Deferral applications for residential investment properties will not be considered.)

Council considers that there are three types of financial difficulty:

1. Late payment assistance (short term).
2. Financial hardship difficulty (medium term).
3. Prolonged and permanent state of financial difficulty (Residential Owner Occupied Properties)

#### 9.1 Late payment assistance (short term)

A ratepayer who is unlikely to have their rates paid in full by the statutory due date due to short term financial difficulties and the requested extension is less than 30 days, may apply for a verbal extension to the payment due date. Where the payment extension requested exceeds 30 days, or two or more instalments, a formal payment arrangement is required.

Where a formal payment arrangement is required, Frankston Council has an online Arrangement to Pay Application process. For those property owners who are unable to make an online application, Council has an Arrangement to Pay form in place. The property owner(s) are required to complete this online process or application form as part of their agreement with Council.

All payment arrangements will attract penalty interest on unpaid instalments but allows the property owner(s) the required time to make payments with Council deferring any debt recovery action whilst the arrangement remains current.

Payment arrangements expire at the end of each financial year and a new application is required, unless extended by Council.



#### **Financial difficulty (medium term)**

A ratepayer who is unlikely to have their rates paid in full by the statutory due date due to medium to long term financial difficulties and requires an extension of time greater than 30 days, or two or more instalments, a formal payment arrangement is required.

Where a formal payment arrangement is required, Frankston Council has an online Arrangement to Pay Application process. For those property owners who are unable to make an online application, Council has available an Arrangement to Pay form, please contact Council's Customer Service team on 1300 322 322. The property owner(s) are required to complete this online process or application form as part of their agreement with Council.

The purpose of this offering is to allow property owners an alternative option to pay their rates and charges, if they are experiencing difficulties in meeting legislated timeframes.

All payment arrangements will attract penalty interest on unpaid instalments but allows the property owner(s) the required time to make payments with Council deferring any debt recovery action whilst the arrangement remains current.

Payment arrangements expire at the end of each financial year and a new application is required, unless extended by Council.

#### **Prolonged and permanent state of financial difficulty Residential Owner Occupied Properties**

Council recognise that some ratepayers do experience a permanent change in their circumstances, which has a direct effect on their financial situation. In some cases, they are unlikely to recover from, or are unable to discharge their financial obligations. However, this only occurs in a small number of cases, assistance and support is available as per sections 8.2 and 8.3.

### **9.2 Financial Hardship Support (Residential Owner Occupied Properties)**

Financial Hardship is generally different to when a ratepayer has simply missed a payment as per section 8.1 of this document and needs temporary relief.

A ratepayer in financial hardship can reasonably be expected to recover their financial position if appropriate assistance or arrangements are provided. Once evidence is received by Council of the ratepayer having consulted with a Financial Counsellor as per section 8.2 of this document, an interest free period may be extended in situations where the payment of rates and charges may prove difficult for the property owner. The interest free period will be assessed on a case by case basis to a maximum of twenty four months.

The property owner must enter into a formal arrangement to pay Council and comply with such an agreement. The interest free period will only apply while the payment plan remains current, penalty interest may be reinstated where the arrangement lapses.

### **9.3 Deferring Rates, Charges and Interest (Residential Owner Occupied Properties)**

Prolonged and permanent state of financial difficulty (Residential Owner Occupied Properties).

Council recognise that some ratepayers do experience a permanent change in their financial situation and are unlikely to recover their financial position and be able to discharge their financial obligations. However, this only occurs in a small number of cases.

In such cases, after an initial period of hardship support as per section 8.2 of this document Council may consider deferring rates, charges and interest.

Deferred rates, charges and interest is a postponement of payment for a specified period and may be for the whole amount outstanding or part thereof, and is subject to any terms and conditions determined by Council.

Whilst rates, charges and interest remain deferred, payment is not required on the deferred amount. During the period of deferment, annual rates, charges, and any accrued interest, will continue to be levied, and a rate notices issued to the property owner for information purposes.

Where there is a change in the property owner(s) circumstances, or the property is disposed of, the debt becomes due and payable on receipt of a rate notice issued by Council requesting payment by the date specified on this notice.

The outstanding debt remains as a first charge against the property until paid in full.

Frankston Council has a standard Deferment of Rates, Charges and Interest application form, upon receipt and acceptance of this form, the property owner(s) may have the payment of rates, charges and penalty interest, or parts thereof, deferred, subject to compliance with the following conditions:

- The ratepayer is a pensioner and is eligible to claim a pensioner rate rebate; or
- The ratepayer is able to evidence financial hardship as per section 8 of this document.

An application needs to be submitted to Council's Revenue Recovery Officer by the property owner or the property owner's representative providing evidence of such circumstances referred to above.

In all applications for deferred rates, charges and interest the property owner will be required to enter into a payment arrangement to make regular payments towards their rates in an amount that is equal to the annual rates or an amount that is affordable given the individual circumstances.

Penalty interest continues to accrue throughout the deferral period and is levied at fifty per cent of the prescribed penalty interest rate. Interest is calculated and applied as at 30 June each year.

#### 9.3.1 Withdrawal of Deferred Rates, Charges and Interest

Rate deferral agreements are not transferable.

The rate deferment will terminate in situations where:

- The ratepayer's circumstances have changed and payment would no longer cause hardship;
- The applicant no longer owns or occupies the land. Where property ownership changes on any assessment with a rate deferral agreement in place, all rates, charges and interest must be fully paid;

- The applicant has defaulted in meeting any agreements with Council in regards to the deferment; or
- Confirmation every two years of ongoing hardship is not received within 30 days of Council's request for reassessment.

#### **9.4 Rate Deferral Arrangement – Industrial and Commercial Properties**

This Policy also provides for an application to be considered from a person liable to pay the rates and charges from a commercial and industrial property.

Any application will be considered on an individual basis against the following criteria:

- Evidence from the applicant that financial hardship is being experienced as per section 8 of this Policy;
- A commitment from the applicant to an agreed timeframe in which the deferred rates will be paid; and
- Documented evidence that the applicant is liable for the payment of the rates and charges (e.g. lease agreement).

The rate deferral agreement will be for a maximum of one financial year, with applicants having a maximum of one further financial year in which to fully repay all rates deferred. Rates will continue to accrue and will remain a charge against the property.

In the case of an occupier being liable for the payment of the rates and charges, an application may be made by an owner on behalf of the occupier. Any unpaid rates and charges remain a charge against the property with the owner of the property liable to pay any arrears outstanding. No rate deferral agreement will be entered into without the express consent of the property owner.

### **10. State of Emergency/Pandemic/Extraordinary Circumstances**

In the event of a declared State of Emergency/disaster/pandemic/extraordinary circumstances, the following section(s) may come into effect and replace the equivalent section(s) within the Rates and Charges Hardship Policy, for the period determined by Council:

#### **10.1 Identifying Financial Hardship (Rates)**

In support of an application for financial hardship assistance, Council requires:

- That all property owners as noted on the Property Title must provide to Council a letter confirming that a situation of hardship exists for all property owners;
- The property owner(s) to provide a copy of a Centrelink issued concession card, or interim letter issued;
- All applications to be determined using the rate records as of the date of declaration, or where a Notice of Acquisition issued by a conveyancer or solicitor has been received by Council, since that date;
- An application for hardship to be submitted using the application form made available on Council's website along with the required documentary evidence;

- Ratepayers can access a free financial counselling service by calling 1800 007 007 or by visiting the National Debt Helpline website at [www.ndh.org.au](http://www.ndh.org.au); and
- An applicant may at Council's discretion be referred to a financial counsellor for a capacity to pay assessment. Interest provisions as outlined in section 8 will apply.

### 10.2 Rate Relief

Council may determine, by a resolution of Council, to:

- Place on hold the raising of penalty interest on overdue rates payments for a period of time;
- Provide a rate waiver for a class or classes of property or ratepayer;
- Provide flexible arrangement to pay options;
- Provide a deferral of rates for a period of time on a case by case basis where hardship can be substantiated, as per section 9.1; and
- Withhold any new legal action, on outstanding accounts where the property owner would incur legal costs.

### 10.3 Waiver of Interest and or other Charges

Council may determine, by a resolution of Council, to:

- Place on hold the raising of penalty interest for a period of time;
- At the conclusion of this period, review the circumstances in existence and make a determination if there is to be further period of holding penalty interest; and
- Council by resolution may place on hold the raising of fees and charges (other than rates and charges), for a period of time.

### 10.4 Late Payment Assistance – Arrangement to Pay

#### Rate revenue

A ratepayer who is unlikely to have their instalment amount paid in full by the statutory due date may be granted an extension of 30 days, and the interest provisions as detailed in section 8.3 will apply.


Where the payment extension will exceed 30 days or two or more instalments then a formal payment arrangement is required.

Ratepayers are encouraged to pay an amount that is more aligned to their household budget by making regular payment on a weekly, fortnightly or monthly basis. With the aim to minimise secondary financial stress once the emergency/pandemic/extraordinary circumstance has been resolved.

Interest provisions as detailed in section 8 will apply.

All payment arrangements expire on 30 June each financial year, and where required a new arrangement may be entered into.

It is expected that ratepayer's who cannot make payment in full will enter into a payment arrangement.



Council will continue to raise and issue annual rate notices, quarterly instalment reminder notices and accounts receivable invoices and statements as per statutory requirements.

**Other fees and charges**

As determined by the issuing department the relevant payment date may be extended based on individual debtor circumstances.

**10.5 Deferring Rates, Charges and Interest**

Where a ratepayer/ debtor can provide evidence that they do not have the capacity to make any contribution towards their outstanding rates and charges as per section 8.4, then a period of deferral may be considered on a case by case basis.

An application for deferral must be submitted using the application form available on Council's website along with the required documentary evidence. Interest provisions as detailed in section 8.3 will apply.

The property owner/debtor are encouraged to seek financial counselling by contacting the National Debt Helpline on 1800 007 007 or by visiting their website at [www.ndh.org.au](http://www.ndh.org.au).

An applicant may, at Council's discretion, be referred to a financial counsellor for a capacity to pay assessment. Interest provisions as outlined in section 8.3 will apply.

All deferrals expire on 30 June each financial year, and where required a new deferral may be entered into.

Council will continue to raise and issue annual rate notices, quarterly instalment reminder notices, invoices and statements as per statutory requirements.

**10.6 Debt Collection**

Council will place on hold all new debt recovery action for rates and charges where legal costs are incurred by the property owner, for a period of time as determined by Council.

Legal action already commenced or in the court system prior to the state of emergency/pandemic/extraordinary circumstances being declared will continue and all associated costs incurred will stand. Proceedings continue as per the court system timelines and processes.


Council will continue to raise and issue annual rate notices, quarterly instalment reminder notices and accounts receivable invoices and statements as per statutory requirements.

Council will attempt to make reasonable contact with ratepayers about their overdue accounts using various means of communication such as but not limited to, overdue reminder notices, email, text messages, account statements or telephone calls.

Council will issue reminder notices for those ratepayers who have not made any payments or entered into a payment arrangement as per section 8.4 or had their rate and charges deferred as per section 8.5 above.

Ratepayers will be encouraged to seek financial counselling and assistance through the National Debt Helpline on 1800 007 007 or through their website at [www.ndh.org.au](http://www.ndh.org.au), alternatively, through The Good Shepherd which is a local service provider.





Debt recovery action for the recovery of infringements is excluded under this policy and will continue as per the normal legal debt recovery process.

## 11. Delegated authority to defer Rate charges or waive interest on rates

All applications for the waiver of interest will be assessed by the Revenue Recovery Officer or Team Leader Revenue and approved by the Coordinator Revenue in accordance with Frankston City Council's internal policy and procedures.

Applications for deferral of rates will be assessed by the Revenue Recovery Officer or Team Leader Revenue and approved by the Coordinator Revenue.

## 12. Other fees and charges

Permits, licences, fees and charges (other than rates and charges) constitute a significant annual income for Council. Permits, licences, fees and charges are raised in accordance with Council internal policies and procedures.

Council provides a number of options through which payments for these permits, licences or other fees and charges can be made.

Sections 113(3) and 142 of the Act provides Council with the authority to defer and/or waive in part or whole the payment of permits, licenses, fees and charges (other than rates and charges).

The purpose of this policy is to enable a person or a body liable for the payment of a permit, licence or other fees and charges and experiencing hardship to make application to Council for assistance relating to these permits, licences, fees and charges levied under the Act.

This policy covers permits, licences, fees and charges, defines hardship, and provides the framework and guidelines to Council, in accordance with the Act, relating to the possible granting of a deferral of the payment of levied fees or charges (including payment plans), or the waiver in part or whole the levied fees and charges.

The difference between a deferral and waiver:

- A deferral suspends payment for a set period of time.
- A waiver permanently exempts payment of the permits, licenses, fees and charges under discussion.

Council recognises that managing hardship is a shared responsibility and offers flexible payment arrangements for person or a body experiencing hardship.

Arrangement to pay - A customer who is unlikely to have their charges paid in full by the due date due to short term financial difficulties and require an extension of time and smaller regular payment amounts.

Where a formal arrangement to pay is required, please contact the issuing department for options available. For further assistance you can contact Council's Customer Service team on 1300 322 322.

Where the permit, licence or other fees and charges are statutory charges and collected by Council on behalf of the State Government or their agencies, Council is unable to provide a waiver for these statutory charges and in certain circumstances may not be able to offer an arrangement to pay.





### 13. Roles and responsibilities

Responsibility for this policy rests with the Director Corporate and Commercial Services.

Property owners applying for relief from rates and charges and interest are required to provide evidence in support of their application.

All information provided in accordance with this Policy is to be treated as strictly confidential.

### 14. Policy non-compliance

Failure to comply with this Policy has the potential to expose Council to financial loss.

### 15. Related Documents

2021-2031 10 year Financial Plan

2021-2025 Revenue and Rating Plan

Local Government Act 1989 (Section 170 & 171)

### 16. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be implemented immediately upon its adoption by Council and replaces any previous versions of the Rates and Charges Hardship Policy adopted by Council. An appropriate communication to staff on this Policy will be rolled out once adopted.

### 17. Document History

Date approved	Change Type	Version	Next Review Date

**Executive Summary****12.5 Establish a Housing Advisory Committee and Adopt the Terms of Reference**

*Enquiries: (Angela Hughes: Communities)*

Council Plan

- |          |   |
|----------|---|
| Level 1: | 4. Well Planned and Liveable City   |
| Level 2: | 4.1 Integrate land use planning and revitalise and protect the identity and character of the City |

**Purpose**

To recommend the establishment of the Housing Advisory Committee and its Terms of Reference.

**Recommendation (Director Communities)**

That Council:

1. Endorses the establishment of the Housing Advisory Committee (the Committee) and adopts the Terms of Reference;
2. Notes the Committee will consist of a minimum of three (3) Councillors, including the Mayor;
3. Endorses the Mayor Cr Nathan Conroy, Cr David Asker, Cr Sue Baker and Cr Claire Harvey to be appointed to the Committee as Councillor Delegates; and
4. Notes the Committee will be developing a work plan, which will be reported back to Council no later than December 2022.

**Key Points / Issues**

- At the Councillor Briefing on 25 October 2021, Councillors agreed to form an Affordable Housing Sub-Committee as a short-term measure to further consider Council's role in social and affordable housing. At this Briefing, Cr Asker, Cr Baker and Cr Harvey self-nominated to sit on the Sub-Committee. Since then, the Mayor Cr Conroy has also joined the Sub-Committee. The current Sub-Committee also comprises the CEO, Director Communities, Manager City Futures and relevant planning officers from the City Futures department.
- The Sub-Committee has met regularly throughout 2022 to discuss its purpose and objectives in the context of the local housing landscape within Frankston City. This has included undertaking a SWOT analysis to better understand where Council's efforts would be best placed, and supporting a Councillor Briefing on the local social and affordable housing landscape to further explore the data and Council's potential role across the housing continuum. Through this process, the Sub-Committee identified the need for a broad vision that enables the consideration of evidence and emerging issues relating to current and future trends across the housing continuum.
- As such the Affordable Housing Sub-Committee is now seeking Council endorsement to formally establish itself as a Housing Advisory Committee (the Committee), with the purpose of monitoring, advocating and providing advice on local housing needs within Frankston City.
- The Terms of Reference at Attachment A set out the purpose of the Committee, and how it will function as a forum for discussion on matters relating to local housing challenges and opportunities, and to consider evidence and emerging

**12.5 Establish a Housing Advisory Committee and Adopt the Terms of Reference****Executive Summary**

trends and provide advice to Council at a strategic and policy level. The Committee will not have delegated decision-making power from Council.

- The Committee will comprise of a minimum of six (6) Members and meet every four (4) to six (6) weeks with no more than eleven (11) meetings annually.
- It is intended that there will be a minimum of three (3) Councillor representatives, including the Mayor. Officers recommend that the Mayor, as well as Cr Asker, Cr Baker and Cr Harvey (as the three Councillors who were self-nominated to the existing Affordable Housing Sub-Committee) are endorsed by Council for appointment to the Committee. It is intended that the officers regularly involved in the Committee will be the CEO, Director Communities and Manager City Futures and relevant planning officers from the City Futures Department.
- Unless otherwise resolved by Council, Councillor Delegate appointments will be next reviewed at the Council Meeting on 17 November 2022. Minutes from the Committee will be circulated to councillors following each meeting.
- If endorsed, the Committee intends to develop a Work Plan to set out short to medium term activity relating to the monitoring, advocating and advising of local housing needs, acknowledging that the establishment of a formal housing policy position is in progress through the development of the Frankston City Housing Strategy.

**Financial Impact**

There are no financial implications associated with this report.

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

No external stakeholders were consulted in the development of this Report.

**2. Other Stakeholders**

City Futures Department, Governance & Information.

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

The Committee will provide an important forum for robust discussion on current and future local housing needs, and enable the provision of evidence informed advice and recommendations to Council to further enhance positive local housing outcomes.

**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

As an Advisory Committee the Committee will not have any delegated powers. There are therefore no legal implications associated with this Report.

Policy Impacts

The Committee is strategically aligned with the following Council Plan outcomes and 4-year initiatives:

**12.5 Establish a Housing Advisory Committee and Adopt the Terms of Reference****Executive Summary**

- 1) A well planned and liveable city: Integrate land-use, planning and revitalise and protect the identity and character of the City
- 2) Community strength: Deliver essential advocacy, support and referral services for residents in need

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 are no risks identified with this report.

**Conclusion**

It is recommended that Council endorses the establishment of the Committee and its Terms of Reference. The Committee will monitor, advocate and provide advice relating to local housing needs within Frankston City, forming an important forum to discuss the current and future local housing landscape, including social and affordable housing, enhancing positive housing outcomes to support a well planned and liveable City.

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**ATTACHMENTS**

Attachment A: [↓](#) Draft Terms of Reference - Housing Advisory Committee

# Housing Advisory Committee

Draft Terms of Reference, August 2022



*Lifestyle Capital of Victoria*

## 1. Purpose

### 1.1 Role of the Committee

- 1.1.1 The Housing Advisory Committee (Committee) has been established to monitor, advocate and provide advice on local housing needs within the Frankston City municipality.

### 1.2 Functions of the Committee


- 1.2.1 To provide an important forum for discussion on matters relating to local housing challenges and opportunities within Frankston City.
- 1.2.2 To consider qualitative and quantitative evidence and emerging trends relating to current and future local housing needs.
- 1.2.3 Provide advice to Council on local housing needs at a strategic and policy level, as per the Council Plan Outcomes at Figure 1 below.
- 1.2.4 The Committee has no delegated decision-making power from Council.

Figure 1: Council Plan 2021-2025



## 2. Objectives

- 2.1 To assist with the monitoring of data on local housing needs, supply and challenges relating to the local housing market.

- 
- 2.2 To assist in the identification of opportunities and innovative solutions that facilitate sustainable housing supply to meet the housing needs of the current and future community within the Frankston City municipality.
  - 2.3 To influence change through advocacy on local housing needs within Frankston City, including for very low and low income earners and people with specific housing needs.
  - 2.4 To develop and proactively support partnerships with the Strategic Housing & Homelessness Alliance, government agencies, community housing sector, developers and the community to facilitate investment and action that achieves housing outcomes within Frankston City.
  - 2.5 To assist in the education of stakeholders on local housing needs within Frankston City.
  - 2.6 To advocate for housing options that support local job growth and a skilled workforce to stimulate local economic activity, through the prioritisation of affordable housing for key workers close to where people work.
  - 2.7 To provide advice to Council on the use of its property portfolio to meet local housing needs.
  - 2.8 To make recommendations to Council on local housing needs.
  - 2.9 To assist in the development of a Work Plan that supports actions to meet the housing needs of the Frankston City municipality; and to define priorities and responsibilities for actions.

### 3. Membership

#### 3.1. Committee Composition

- 3.1.1. The Committee will comprise of the following members:
  - a) A minimum of three (3) Councillors, including the Mayor, appointed as Councillor delegates to the Committee by resolution of Council.
  - b) A maximum of three (3) Council Executive Leadership Members, including:
    - i. Chief Executive Officer (CEO)
    - ii. Director Communities
    - iii. Manager City Futures
  - c) A maximum of three (3) Council Officers for secretariat duties and support in relation to strategic and social planning (ex officio).
- 3.1.2. Ex-officio members and invited representatives shall not have voting rights and are not to move or second motions before the Chair.
- 3.1.3. Other Councillors, Council officers, stakeholders and/or government department representatives can be invited to attend, as required by the business being considered, or at the discretion of the Chair. Councillors are encouraged to attend on a regular basis.
- 3.1.4. The Council, as necessary, will arrange reappointments and new appointments.



### 3.2. Period of Tenure

- 3.2.1. Unless otherwise resolved by Council, Councillor Members appointments are for a period of one (1) term of Council.

## 4. Responsibilities

### 4.1. Chair Responsibilities

- 4.1.1. A Councillor delegate to the Committee will perform the role of the Chair at Committee meetings.
- 4.1.2. The Chair will be appointed by the Committee for a period of 12 months, after which time a new Chair will be appointed.
- 4.1.3. The Chair will be responsible for the conduct of Committee meetings, ensuring fair and equitable opportunities for views and opinions to be shared and discussed in a respectful manner.
- 4.1.4. If the Chair is absent, or if the Chair wishes to address the Committee with a presentation, the Committee will appoint an acting Chair.

### 4.2. Member Responsibilities

- 4.2.1. The role of the Committee Members is to provide advice and recommendations to Council on monitoring, advocacy and advice relating to local housing need, including:
- a) Considering property management relating to the purchase, sale and development of land and/or assets for housing.
  - b) Considering business cases and feasibility of options for social and affordable housing using Council's portfolio of land holdings.
  - c) Considering the actions arising out of the Housing Strategy as it relates to the work plan.
- 4.2.2. The Director Communities may also place before the Committee other matters as they think the Committee's input may add value.
- 4.2.3. Members of the Committee are required to:
- a) Understand relevant legislation and regularly requirements appropriate to the Council
  - b) Contribute time needed to study and understand the papers provided
  - c) Apply good analytical skills, objectively and good judgement
  - d) Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry

#### 4.3. Secretariat and Council Officer Support

- 4.3.1. Agendas and pre-reading materials will be approved by the Chair and forwarded two to three days prior to a meeting.
- 4.3.2. Agendas and minutes will be recorded and held in Councils record management system.
- 4.3.3. Meeting times will accommodate the availability of the Committee members and ensure at least one third of the members can be present, when identifying meeting times.
- 4.3.4. A review of the Terms of Reference will be undertaken every second year of operation of the Committee.
- 4.3.5. Administrative support provided for the Committee Work Plan.
- 4.3.6. Council Officers will not have voting rights or decision rights as part of the Committee, and will not count towards quorum at a Committee meeting.
- 4.3.7. Provide information on matters including, but not limited to, good governance, conflict of interest and confidentiality.

#### 4.4. Professional Conduct of Members

- 4.4.1. Members shall be at liberty to discuss with appropriate organisations or individuals the general issues and principles related to the business of the Committee prior to the meeting. Members are expected to exercise discretion to ensure that disclosure of information does not prejudice the deliberation of the Committee or Council.
- 4.4.2. Members are required to maintain an appropriate standard of confidentiality. Notes, records and other documents of the meeting remain the property of Council. Disclosures of confidential information by a Committee member will be treated as a breach of the Committee, in accordance with the process set out therein.
- 4.4.3. Members must not make any public comment or statement that would lead anyone to believe that they are representing Council, or expressing its views or policies. This includes comments or statements made to the media.

### 5. Meetings, quorum and voting

#### 5.1. Meetings

- 5.1.1. Meetings will be held every four (4) to six (6) weeks and will total no more than eleven (11) meetings annually.
- 5.1.2. Under special circumstances, a meeting may be cancelled or rescheduled.
- 5.1.3. Additional meetings may be convened at the discretion of the Chair or at the written request of any member of the Committee.

- 5.1.4. Meetings will be held either in person at a central Council venue or virtually on Microsoft Teams or Zoom, depending on circumstances and availability.

## 5.2. Quorum

- 5.2.1. A quorum will consist of at least half the number of voting Members, which includes a minimum of two councillors.

## 5.3. Voting


- 5.3.1. The Committee shall aim to operate on a consensus model of decision making. In the event of a vote occurring and that vote being tied, the Chair shall, in addition to a deliberate vote, have a second or casting vote.

## 5.4. Recommendations to Council

- 5.4.1. The Committee will provide recommendations which may be considered by Council prior to making a formal decision on a matter.
- 5.4.2. It is preferable that any recommendations made to Council will be unanimously supported by all members of the Committee. However, where a vote is required, each committee member will be entitled to one vote, except the Chairperson who may exercise a casting vote if necessary.

## 6. Disclosure of Conflict of Interest

- 6.1. Where a member of the Committee has a general conflict of interest or material conflict of interest in relation to a matter before the Committee at which they:
- 6.1.1. are present, the member must disclose the conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered; or
- 6.1.2. intend to be present, must disclose that conflict of interest by providing written notice to the Chair before the meeting commences:
- a) advising of the conflict;
  - b) explaining the nature of the conflict of interest; and
  - c) detailing, if the nature of the conflict of interest involves a member of the Committee's relationship with a gift from another person;
    - i. name of the other person
    - ii. nature of the relationship with that other person or the date
    - iii. receipt, value and type of gift received from the other person
    - iv. nature of that other person's interest in the matter
- 6.1.3. The disclosure must be recorded in the meeting minutes. All written disclosures must be provided to the Coordinator Governance who is responsible for registering



and maintaining a register of Conflict of Interests in Council's Electronic Document Management System.

- 6.1.4. The Member must leave the Committee meeting immediately after giving the explanation or making the announcement and not return to the meeting until after the matter has been disposed of.
- 6.1.5. General exemptions exist where a conflict of interest does not arise and this is referenced in Council's adopted Conflict of Interest Policy (A4067151). If it is established by the Chair that the person making a conflict of interest disclosure does not have a conflict or has an 'interest in common' then Chair may determine the person may remain in the meeting for that matter.

## 7. Reporting

- 7.1. Minutes of each meeting of the Committee will be made available to Council via SharePoint.

## Executive Summary

### 12.6 Instrument of Appointment and Authorisation

*Enquiries: (Brianna Alcock: Corporate and Commercial Services)*

Council Plan

Level 1:

Level 2:

6. Progressive and Engaged City

6.5 Support transparent and evidenced based decision making through sharing council data and clear reporting on our measures of success to the community

#### Purpose

To appoint Council officers for the purpose of enforcing the *Planning and Environment Act 1987*.

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

That Council:

1. Appoints the officer listed in the Instrument of Appointment and Authorisation, pursuant to the provisions of Section 147 (4) of the *Planning and Environment Act 1987*;
2. Authorises for the Instrument of Appointment and Authorisation to be signed and Sealed; and
3. Resolves that the Attachment be retained as confidential indefinitely on the grounds that they include personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (*Local Government Act 2020, s.3(1)(f)*). These grounds apply because the Instruments includes personal information of the officers which, if released would breach privacy obligations.

#### Key Points / Issues

- Section 147(4) of the *Planning and Environment Act 1987* (P&E Act) require that officers must be formally appointed as 'authorised officers' to enable them to administer and enforce the provisions of the P&E Act.
- Council's lawyers have reviewed the provisions of these Acts in regards to the delegation of powers and have concluded that authorisation of officers cannot be delegated by the Chief Executive Officer. Council's Lawyers are of the view that officers required to be authorised under these Acts must be authorised by resolution of Council.
- It is recommended that Council appoints the officer listed in the attached instrument of Appointment and Authorisation, and authorises the Instrument to be signed and sealed.

#### Financial Impact

There are no financial implications associated with this report.

#### Consultation

##### 1. External Stakeholders

Not applicable.

**12.6 Instrument of Appointment and Authorisation****Executive Summary****2. Other Stakeholders**

The authorisation of the officer listed for consideration have been discussed with the relevant Manager.

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

There are no environmental or social implications associated with this report.

**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

Officers are required to be appointed as authorised officers under Section 147(4) the *Planning and Environment Act 1987* to enable the officer to legally enforce and administer the Acts.

Policy Impacts

There are no Policies that impact the decision of 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**

Failure to provide authorisations would result in officers not being able to enforce or administer the law.

A suite of authorisations have been developed by Maddocks Lawyers and are used by most councils across Victoria. Authorisations for other officers in the same or similar roles have been in place for many years without undue issues.

There are a range of checks and balances undertaken to ensure these powers are exercised appropriately. When no longer required these powers are revoked to ensure good governance practices are being maintained and the risks associated with inappropriate use are reduced.

**Conclusion**

Officers must be formally appointed as 'authorised officers' to enable them to administer and enforce the provisions of the Planning and Environment Act 1987.

It is recommended that Council appoints the officer listed in the attached Instrument of Appointment and Authorisation, and authorises the Instrument to be signed and sealed.

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**ATTACHMENTS**

Attachment A: S11A - Draft Instrument of Appointment and Authorisation by Council 15 August 2022 - **CONFIDENTIAL**



## Executive Summary

### 12.7 Naming of roads and features

Enquiries: (Brianna Alcock: Corporate and Commercial Services)

#### Council Plan

Level 1:

6. Progressive and Engaged City

Level 2:

6.2 Enhance strategy, policy and plan development and identify alignment to allow for prioritisation of services that are efficient, well planned, accessible and meet community needs

#### Purpose

To brief Council on the naming process, and potential opportunities for naming and renaming of roads and features within the municipality.

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

That Council:

1. Notes, as a naming authority, Council must adhere to the mandatory *Naming Rules for places in Victoria, statutory requirements for naming roads, features and locations – 2022* and Council's *Road Locality and Feature Naming Policy*;
2. Notes a register that identifies potential names within each ward currently exists. These names include fauna, flora, veterans, past Mayors, and persons having made a significant contribution to the community. This register can be expanded to include other themes or names;
3. Notes names from this register is considered after appropriate checks and consultation with stakeholders are completed by officers in accordance with the relevant legislation and Council policies;
4. Notes officers have investigated the below features for potential naming in-line with honouring local historical and/or indigenous luminaries:
  - a. **Beauty Park Pond (the lake in Beauty Park)**

A suitable feature to be formally named, is commonly referred to as Beauty Park Lake, this name would be supported by GNV, naming of the lake with an indigenous name would also be supported. Officers are awaiting an update on any known traditional owner links to the land;
  - b. **Ballam Park Water Pond (the lake in Ballam Park to be developed)**

A project proposes to consider construction of a high amenity ornamental lake. Officers are awaiting an update on any known traditional owner links to the land;
  - c. **Wedge Road Reserve (reserve on Wedge Road)**

The reserve on Wedge Road is already formally registered as Carrum Downs Recreation Reserve with VICNAMES and renaming of this feature is not supported by GNV; and
5. Supports a register to be established for roads and features that have been identified as non-compliant with current legislation, such as duplicated or disjointed roads or road and features that are not formally registered with Geographic Names Victoria (GNV). The register will form a program of works to be managed by Governance.

**12.7 Naming of roads and features****Executive Summary****Key Points / Issues**

- At its meeting on 22 April 2022, it was resolved that Council:
  - 4. *Seeks for a report to be provided at the June 2022 Council Meeting on the following unnamed locations with a view to honouring local historical and/or Indigenous luminaries:*
    - *Beauty Park Pond;*
    - *Ballam Park Water Pond 3x (to-be-developed);*
    - *Wedge Road reserve;*
    - *Any other locations of interest not presently formally named;*
- Preliminary investigations and progress to date on the three features noted above are as follows:

**Ornamental lake in Beauty Park and stormwater bio retention basins**

- There is a project commencing in 2022/23 to install a fountain in the small ornamental lake at the western end of Beauty Park.
- Officers were approached to investigate and consider suitability to formally name the lake, including two bio retention basins.
- Investigation into the development, history of the land, the name, management of, and primary purpose has been completed.
- *Beauty Park lake*, as it is commonly referred to, is considered to be a suitable feature to be formally named.
- The Geographic Names Victoria (GNV) support the registration of the lake, and if the commonly referred to name, of “Beauty Park Lake” is to be considered, the GNV would approve, gazette and register this name in VICNAMES.
- If another name is to be proposed, it would be required to undergo the normal naming processes, including public consultation.
- Naming of the lake using an aboriginal name may also be supported by GNV. Officers are consulting with Bunurong Land Council Aboriginal Corporation (BLCAC) to investigate any known traditional owner links or history relevant to the land registered as Beauty Park.
- Beauty Park is on crown land and Council are the appointed Committee of Management. Consent from the Department of Environment, Land, Water and Planning (DELWP) to formally name or rename any feature within the park is required.
- Once this information is received a further update will be provided.
- A second project funded for construction at Beauty Park in 2023/24, is landscaped stormwater treatment bio retention basins. The basins are to be located along High Street frontage of Beauty Park, with the stormwater discharged into the proposed bio retention basins prior to being discharged into Beauty Park Lake.
- The GNV do not consider the bio retention basins suitable for formal naming, however the basins can be recorded in VicMap as features of interest once fully constructed and in use.

**12.7 Naming of roads and features****Executive Summary****Ballam Park Storm water bio retention basins and ornamental lake**

- The project site is located within the north-east corner of Ballam Park, Frankston, adjacent to Naranga Crescent. The purpose of the project is to divert stormwater runoff to a large bio retention system to provide a sustainable water source for irrigation of sporting grounds and landscaped area within the park. Works will also consider construction of a high amenity, ornamental lake within the park, adjacent to the bio retention basins.
- Officers were approached to investigate and consider suitability of naming the bio retention basins and proposed ornamental lake.
- Investigations into the development of, history of the land, the name, management of, primary purpose and suitability of naming is under way, including consultation with BLCAC.
- The bio retention basins are not suitable for formal naming, however, once constructed and operational, the basins can be recorded in VicMap as features of interest.
- There may be opportunity to name the ornamental lake that is to be constructed. Once investigations have been completed recommendations will be provided.

**Carrum Downs Recreation Reserve (Wedge Road Reserve)**

- Officers were asked to investigate the suitability of renaming Carrum Downs Recreation Reserve, located at 45 Wedgewood Road, Carrum Downs.
  - The land came across from the Shire of Cranbourne as part of the amalgamation in 1994.
  - The name is formally registered as Carrum Downs Recreation Reserve, in VICNAMES.
  - The GNV do not support the renaming of formally named roads or features unless a public safety risk has been identified or the existing registered name is discriminative.
  - After investigating the suitability and risks, officers have not been able to identify any public safety risks or discriminative issues with the existing name, and do not recommend that the name of this reserve is changed.
- A register is to be established in order to recognise where safety issues have been identified, for example, places that have been identified as non-compliant with current legislation, such as duplicated or disjointed roads or road and features that are not formally registered with Geographic Names Victoria. These places could be included in the Register and, if deemed appropriate under the naming rules, could be considered for future naming.
  - Council currently has a naming register, providing naming options that have had preliminary checks completed. This register is available for officers or developers to source suitable names and currently includes names such as:
    - Pioneers or former land owners of Township Frankston
    - Hall of fame inductees
    - Former Mayors
    - Anzacs and war veterans

**12.7 Naming of roads and features****Executive Summary**

- Past residents that have made a substantial contribution
- Flora, Fauna or wildlife specific to Frankston or a location within the municipality
- This register could be expanded to reflect gender equity, diversity and inclusion, include other themes, honour the community contributions made by local people, sporting hero's, community leaders and/or volunteers that have made a significant contribution (requirement is a minimum 25 years), to the community.
- It is noted that indigenous names are unable to be added to a naming register for future use. Any use of indigenous names must be in consultation with, on a case by case basis, and have written approval from the traditional owners.

**Financial Impact**

There are advertising costs associated when undertaking public consultation with respect to renaming roads, features and locations.

There are financial costs applicable to engage and or consult with Traditional Owner Groups.

**Consultation****1. Internal Stakeholders**

Officers responsible for investigating, presenting recommendations to Council, and making application to GNV for naming proposals are required to consult with all relevant internal departments such as Capital Works, Statutory Planning, Rates, City Futures, Property, Operation, Assets, Engineering, GIS and Media departments to obtain required information to complete an assessment, and or to proceed with a proposal to Council and application to GNV.

**2. External Stakeholders**

Consultation with all relevant external stakeholders and impacted residents, family members, property owners and businesses is required as part of the naming process. Consultation could include other government departments such as GNV, DELWP, ESTA, VicRoads, Parks Victoria, water authorities, community and indigenous groups.

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

In order to ensure protection of the community, geographic names and boundaries must not put the public or operational safety for emergency responses at risk, or cause confusion for transport, communications and mail services.

When naming or adjusting the geographic name or boundary of a place, naming authorities must consider the long term benefits and short term effects on the wider community.

**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 applicable for this report.

**12.7 Naming of roads and features****Executive Summary**Policy Impacts

The mandatory Rules for Naming places in Victoria 2022 and other relevant Acts and Council policies have been applied when making any decisions relevant to 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**

By registering a road or feature name in Geographic Names Victoria Register, VICNAMES, Council will reduce the potential risk to the community for emergency responders, transport, other service providers and visitors being adversely affected or not being able to find a location within the municipality.

**Conclusion**

Once investigations have been completed, officers will be in a position to provide recommendations for the suitability of potential naming of the two outstanding features, Beauty Park Lake and the Ballam Park ornamental Lake.

As a naming authority, Council must adhere to the mandatory Naming Rules for places in Victoria 2022, the statutory requirements for naming roads, features and locations.

A register that identifies potential names within each Ward for future use is currently in place. These names include fauna, flora, veterans, past Mayors, and persons having made a significant contribution to the community. This register can be expanded to include other themes or names.

It is recommended that a register to be established for roads and features that have been identified as non-compliant with current legislation, to be managed by Governance.

---

**ATTACHMENTS**

Nil

**12.7 Naming of roads and features****Officers' Assessment****Background**

- Pursuant to the *Local Government Act 1989* and *2020*, as a naming authority, Council has powers to name roads, features and localities, erect signs and require premises to be numbered.
- As a naming authority, Council is required to adhere to the *Naming Rules for Places in Victoria*, *statutory requirements for naming of roads, features and localities – 2022*, and Council's *Road Locality and Feature Naming Policy*, when assessing naming or renaming proposals.
- The Naming Rules are the guidelines provided for under Section 5 of the *Geographic Place Names Act 1998*, and are mandatory for naming authorities in Victoria. The Naming Rules are based on national standards and policies. They provide a strong basis for standardised and clear naming procedures across the state.
- Geographic Names Victoria, (GNV), led by the Registrar of Geographic Names, administers the naming and registration of roads, features and localities in Victoria. The GNV is also responsible to maintain VICNAMES, the Register of Geographic Names, this register (electronic on-line system) holds all official gazetted, registered and recorded place names.
- Prior to 2010, gazettal and registration of roads, features and locations were the responsibility of councils.
- Unregistered names are roads and features that have been named by the authority and or are locally "known as" historical names, but have not been officially gazetted and registered in the Register of Geographic Names – VICNAMES.
- Naming authorities are encouraged by the GNV to officially register any locally "known as" roads and features if they have not been officially registered in VICNAMES. This register is also linked to Vicmap, the Victorian government spatial data set. Both these sites provide vital information to services such as Emergency Services Telecommunications Authority (ESTA), Fire Rescue Victoria, Country Fire Authority and VicRoads.
- To preserve our cultural heritage, names should be enduring and changed only when necessary. Generally the GNV does not support the renaming of a road or feature unless it has been identified as a public safety risk, discriminatory, or it is recognised to be in the best interest of the wider community with the long term benefits outweighing the short term effects.
- Naming roads and features in new residential or commercial subdivision areas, is completed by the developers or land surveyor in consultation with Council's planning department. All names submitted on the plans of subdivision must adhere to the naming rules, and are entered using Survey and Planning Electronic Applications and Referrals (SPEAR), where an audit of the names submitted is generally conducted by GNV prior to the registration as part of the subdivision process.



**12.7 Naming of roads and features****Officers' Assessment**

- Naming of roads and features on private property is generated by the owners, or facility management in consultation with Council. These may include sites such as retirement and aged care villages, universities and large unit complexes. All private naming applications are required to adhere to the naming rules, and applications are checked by Governance for consistency with the Naming Rules prior to Council submitting the application to the GNV for approval and registration. Private road or features do not require Council endorsement or consultation with the wider public.
- There are occasions when an existing public road and or feature is required to be renamed, or officially named, examples of when a naming or renaming proposal should be considered is if there is:
  - An identified public safety risk due to:
    - redevelopment project with structural or environmental changes impacting existing features and roads
    - a disjointed road (obstructed or altered roads)
    - a duplicated road name
  - New infrastructure requiring a name for a new feature or road
  - An unregistered road or feature identified as a potential public safety risk to be officially named and registered
  - Names that discriminate, or are now considered offensive due to community perception or public attitude has changed over time
- Any individual, resident, community group, organisation, government department or authority can propose a new name, a name change or boundary change and are encouraged to participate in the naming process. However it must be demonstrated that the naming rules have been applied and the proposal conforms to the naming rules and applicable policies.
- Any new names put forward for future naming proposals, are to be checked against the current naming rules, and if deemed appropriate can be added to the register for future use.
- Any name being considered for use from the naming register must be investigated by officers to ensure the proposed name has a link to the proposed location, any known history is identified, it is appropriate to the occasion and it conforms with the current naming rules.
- The names of people who are still alive must be avoided and is strongly discouraged by the GNV, and is generally not permitted.
- If proposing to use a name of a deceased person, they must be deceased for at least two years, and the family must provide written permission and supporting evidence is required in writing to substantiate their contribution to the community. If the naming authority is unable to contact the family for permission, the person must have been deceased for at least 70 years before the Registrar will consider the naming proposal or provide an exemption.
- When proposing to use an aboriginal name for a road, feature or location, consultation and written approval must be provided by the traditional owners before proceeding to public consultation. There is a specific process outlined in the naming rules for traditional owner names, these must be applied and

**12.7 Naming of roads and features****Officers' Assessment**

considered in conjunction with the general naming rules and principles prior to submitting an application to the GNV.

- Traditional land owner groups have cultural sensitivities around the use of a traditional owner's name, ancestral history and particularly that of deceased persons. Council and the community need to consider and respect these beliefs. Consultation about and the use of any traditional owner names or language is at the discretion of the traditional owners.
- Naming of roads and features is a complex process, and the work involved can take several months to investigate prior to any proposal proceeding to Council for consideration.
- Consultation is a vital tool in any naming proposal. The naming rules provide clear guidelines to assist naming authorities on the steps to be taken to provide opportunity for the community to engage, provide feedback and be part of the naming process. Council is required to consult prior to making any decision or making application to the GNV, and naming officers are familiar with these steps.
- Any naming or renaming proposal should be provided to Governance to investigate well in advance. This is to allow for the required naming rules steps to be applied, and for accurate consultation with necessary internal and external stakeholders to take place. A report with recommendations is then provided to the relevant department or project team. If the proposal is found suitable and compliant with the naming rules, a proposal can then be presented to Council for consideration. If the request is from a resident or external party after an investigation is completed, a decision will be provided to the person in writing.

**Executive Summary****12.8 Advanced Waste Processing - Community Engagement**

Enquiries: (Fiona McQueen: Customer Innovation and Arts)

Council Plan

- |          |  |
|----------|--|
| Level 1: | 3. Sustainable Environment   |
| Level 2: | 3.4 Improve the quality of recycling, minimise the generation of waste and establish alternatives to landfill disposal |

**Purpose**

To brief Council on community engagement undertaken to assist Council to make a decision to recommit (or otherwise) to the South East Metropolitan Advanced Waste Processing Project ('project').

**Recommendation (Director Customer Innovation and Arts)**

That Council:

1. Notes that at its meeting on 26 April 2022, Council resolved to undertake community engagement on the South East Metro Advanced Waste Processing Project (the Project) to gather the community views to assist it to making any future decision;
2. Notes that at a briefing on 25 May 2022, Council supported the Community Engagement Plan for the Project;
3. Notes the key results outlined in the *South East Metropolitan Advanced Waste Processing Project Engagement: The Future of Frankston's Waste, Independent Consultation Report July 2022*; and
4. Notes a report will be presented by no later than November 2022 to re-consider its continued involvement to the South East Metropolitan Advanced Waste Processing Project once further briefed on the procurement process.

**Key Points / Issues**

- At its meeting on 26 April 2022, it was resolved that Council:
  2. *Undertakes its own engagement to establish whether its community would support a future commitment to a project based on waste to energy technologies;*
  3. *Seeks the development of a Community Engagement Plan for review of the Councillors at a future Councillor Briefing;*
  4. *Notes this engagement will explore the issues and challenges we face without more landfill space being available in the southern eastern or eastern suburbs of Melbourne beyond 2025 and the opportunity presented by consideration of alternative waste processing solutions;*
  5. *Notes this engagement will assist the development of Council's draft Waste Circularity Plan which is currently scheduled to be presented to Council in July 2022. This Plan sets a strategic direction to achieve the Victorian Government's mandated goal of 80 per cent diversion of waste from landfill, alongside Council's ambition for greater resource recovery, while finding an alternative to landfill disposal in the SE metropolitan region.*

...

**12.8 Advanced Waste Processing - Community Engagement****Executive Summary**

7. Seeks a *report* back to Council no later the end of July 2022 to assist Council to decide on any potential recommitment to the project.

- The Community Engagement Plan was developed with the expert input of Jennifer Lilburn of Kismet Forward, and supported by Council at its briefing on 25 May 2022.
- The purpose of the engagement was to gather community feedback to inform Council's decision about whether it will recommit to the project, and to pursue Alternative Waste Processing (AWP) opportunities.
- The objectives of this engagement were to:
  - Inform the Frankston community about: Council's role in managing waste, the issues and challenges associated with landfills, the meaning of AWP, known costs/benefits/opportunities/alternatives, where it fits within Victorian Government targets, and its use in other jurisdictions.
  - Begin/continue the process of community education about the importance of diverting waste from landfill, to assist the engagement process associated with the forthcoming Circularity Plan.
  - Determine the level of community support for the idea of AWP as a means to: generate clean energy from household waste, resolve environmental and financial issues relating to the closure of the Hampton Park landfill, meet Victorian Government targets, and the needs of other Council services, strategies and priorities.
- This is a complex issue that required community members to provide informed feedback. The absence of detailed information about the proposed technology and location and the potential financial impact on residents were identified as challenges, making it difficult for community members to ascertain how the project will affect them.
- For these reasons, this engagement focused on alternatives to landfill, including whether the concept of Council pursuing AWP is supported. Community members were not asked to prosecute the benefits (or otherwise) of specific AWP technologies.
- The Engagement Plan has now been implemented, applying tailored engagement methods to enable Council to receive the input of a more informed cohort of the community on waste to energy technologies. These methods included:
  - Engagement with the broad Frankston City community to seek expressions of interest to join Mini Frankston City and participate in a deliberative poll (via online survey);
  - Communications to state government agencies, key stakeholders, and environmental/advocacy groups, and inviting them to present as part of the deliberative poll;
  - Mini Frankston City Community Panel participating in Deliberative Polling:
    - Initial poll (provides a baseline);
    - Presentations and information;
    - Discussion and follow-up poll; and

**12.8 Advanced Waste Processing - Community Engagement****Executive Summary**

- Evaluation.
- The outcomes of the engagement are explained in the attached *South East Metropolitan Advanced Waste Processing Project Engagement: The Future of Frankston's Waste, Independent Consultation Report July 2022*.
- In summary:
  - This was a challenging topic and the engagement plan was specifically targeted to ensure there was time to educate and inform participants as part of the process. Initially we were looking to attract no more than 50 participants.
  - Initially we were looking to attract no more than 50 participants. 53 people expressed interest in participating in the deliberative poll.
  - Experts presented extensive information to participants – speakers included Council's Waste and Recycling Manager, Recycling Victoria, Environment Protection Authority Victoria, Arcadis consultants, and Zero Waste Victoria.
  - Expression of Interest's were assessed to provide a range of gender, ethnicity and suburbs to reflect the composition of the community as closely as possible.
  - While there were some gaps (notably people aged 15-24, and residents living in Frankston North and Skye), selection of participants sought to emulate Frankston City's demographic profile.
  - 42 people responded to the initial poll about waste and AWP, and received an information pack.
  - 26 people attended the second session to participate in deliberative discussions and complete a second poll to generate informed feedback.
  - The consultation involved a panel of 26 residents taking part in all steps.
- The key results of the polls were as follows:
  - 74% of Poll 1 respondents supported Council pursuing AWP. This was 65% in Poll 2. Most respondents pointed to qualified support pending the provision of more information.
  - The most important opportunity presented by AWP was that it would resolve future landfill availability issues and reduce environmental impacts associated with landfills.
  - The highest priority disadvantage of AWP was a concern that it would result in less effort by Council, business and community members to reduce, reuse or recycle waste.
  - The facility's location was considered important enough to affect support for AWP in 45% of Poll 1 and 73% of Poll 2 respondents.
  - Support for Council to collaborate with other SE municipalities grew from 69% (Poll 1) to 77% (Poll 2), albeit with qualifications relating to information gaps.
- Through evaluation, it was found that panellists generally found the experience worthwhile and appreciated the opportunity to participate. However, it was clear that some would have preferred more information and more time to digest it to enable them to provide more informed feedback.

**12.8 Advanced Waste Processing - Community Engagement****Executive Summary**

- At its meeting on 26 April 2022, Council sought a report back to Council on the community engagement no later the end of July 2022 to assist Council to decide on any potential recommitment to the project. At its briefing on 25 May 2022, this timeline was extended to Council's meeting on 15 August 2022.
- The outcomes of the engagement are presented to Council, for noting, to support Council's future decision on any potential recommitment to the project.
- There has been an interest from other Council's and key Government stakeholders in this engagement program and the high quality of the process.

**Financial Impact**

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

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

Engagement with external stakeholders, resulting in support and involvement in this engagement has included Department of Environment, Land, Water and Planning, Recycling Victoria, Environment Protection Authority Victoria, Arcadis consultants, Frankston Friends of the Environment Network, South East Environment Network, and Zero Waste Victoria.

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

The management of Council waste streams can have a significant impact on Council's overall environmental footprint. Municipal kerbside waste is currently being landfilled with well-known legacy impacts on air, water and soil contamination along with contributing to greenhouse gas emissions. The use of a Waste to Energy facility is a higher order environmental outcome than current landfilling practices.

**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

The *Local Government Act 2020* (LGA) has, at its core, the aim of ensuring all Victorians have the opportunity to engage with their council on local priorities and the future of their community. The principles for community engagement refer to deliberative engagement practices (s.55(2)(g)). While not prescribed by the LGA, the key characteristics of deliberative engagement are considered to be: authentic engagement with the community; good representation of the community in engagement activities; clear demonstration of how all views have been considered; 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.

The LGA and the *Climate Change Act 2017* require Council to consider climate change.



**12.8 Advanced Waste Processing - Community Engagement****Executive Summary**

The *Circular Economy (Waste Reduction and Recycling) Act 2021* (CE Act) will see the establishment on 1 July 2022 of Recycling Victoria, a dedicated government business unit to oversee and provide strategic leadership for the waste and recycling sector, including Local Government. The CE Act and Recycling Victoria are key commitments of the Victorian Government's circular economy plan, Recycling Victoria: a new economy, to reduce waste and landfill, and provide for more and better recycling and a sustainable and thriving circular economy.

**Policy Impacts**

Council's Community Engagement Framework (endorsed 28 June 2021) and Community Engagement Policy (endorsed 28 January 2021), state that Council will use deliberative engagement for projects with medium-high community impact and interest (at the involve, collaborate and empower end of the IAP2 Spectrum).

Engagement will be considered 'deliberative' if the community are provided with sufficient time and information to consider and prioritise options, as part of a decision-making process. Examples of deliberative engagement specified in the Community Engagement Framework include deliberative polling and community panels.

**Officer's Declaration of Interests**

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

**Risk Mitigation**

Due to the community engagement previously being carried out by the Metropolitan Waste and Resource Recycling Group (MWRRG) on behalf of councils involved in the SPV, there is a risk the community engagement by Council could encourage the community to request information that is currently confidential or not finalised, such as site location and technology adopted. The Community Engagement Plan has been implemented to mitigate this risk as much as possible, and ensure that the engagement methods are tailored to the specific needs of the project.

**Conclusion**

It is recommended that Council notes the results of the community engagement, and notes the Independent Consultation Report, to support Council's future decision on any potential recommitment to the project. Given the public interest, it is recommended that Council resolve to make a decision in September 2022 to recommit (or otherwise) to the project.

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**ATTACHMENTS**

Attachment A: [↓](#) South East Metropolitan Advanced Waste Processing Project Engagement

South East Metropolitan Advanced Waste Processing Project Engagement:  
*The Future of Frankston's Waste*

Independent Consultation Report July 2022

Produced for



### Using this document

Discretion should be exercised in making decisions based on the data in this report.

Kismet Forward was engaged to conduct community consultation and prepare this independent report based on feedback received through a community polling process. We used a sample of stakeholders from residents registered with Frankston City Council's Mini Frankston City engagement platform. Significant effort has been made to accurately reflect the contributions of people who participated in this consultation.

This report provides an independent summary of the feedback received, which by its nature is subjective and not always consistent. It cannot *necessarily* be construed as an accurate reflection of the weight of broader community or stakeholder opinion. The report does not provide recommendations or opinions of the consultancy team- other than in the 'Facilitators' observations' section. No formal statistical analysis or fact-checking of data has been undertaken.

No responsibility or liability can be taken for errors or omissions, or in respect of any use of or reliance upon this report by any third party.

### Abbreviations and terms used in this document

AWP	Advanced Waste Processing
DELWP	Department of Environment, Land, Water and Planning
Eoi	Expression of Interest (to participate in the consultation)
EPA	Environment Protection Authority Victoria
FCC	Frankston City Council
MFC	Mini Frankston City (engagement panel)
Panellist	A community member who participated in this consultation
RV	Recycling Victoria
WtE	Waste to Energy



Report prepared by Steve Blackley and  
Jennifer Lilburn, Director, Kismet Forward ([jen@kismetforward.com.au](mailto:jen@kismetforward.com.au)).

Kismet Forward provides specialist advice and support in community engagement, facilitation, conflict management coaching, program logic, strategy, evaluation, training and project management.  
Further information can be found at [www.kismetforward.com.au](http://www.kismetforward.com.au)

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*It was acknowledged that this consultation took place on the traditional lands of the Bunurong people.*



*Reconciliation is used with the permission of Bunurong artist Glenn Shaw.*

## Executive Summary

Advanced Waste Processing (AWP) has been identified as a suitable solution to divert residual household waste from landfill in Melbourne's south east. Frankston City Council has the opportunity to collaborate with other SE metropolitan municipalities to participate in the procurement process.

This consultation involved a panel of 26 Frankston residents to help Council understand Frankston City community attitudes towards AWP. The feedback will inform Council's decision about whether it will commit to the South East Metropolitan Advanced Waste Processing Project.

Due to the complex nature of AWP, a modified deliberative poll was used to generate the panel's feedback. Steps were:

- Selection of participants to try to emulate Frankston City's demographic profile.
- An initial poll of participants about waste and AWP (42 people responded).
- Distribution of an information pack.
- A session of presentations by key stakeholders and answering of questions (30 people attended).
- A second session to provide the opportunity for deliberative discussions and completion of a second poll to generate informed feedback (26 people attended).

The key results were as follows:

- 74% of Poll 1 respondents supported Council pursuing AWP. This reduced to 65% in Poll 2. Few respondents provided outright support, with most pointing to qualified support pending the provision of more information.
- The most important opportunity presented by AWP was that it would resolve future landfill availability issues and reduce environmental impacts associated with landfills.
- The highest priority disadvantage of AWP was a concern that it would result in less effort by Council, business and community members to reduce, reuse or recycle waste.
- The facility's location was considered important enough to affect support for AWP in 45% of Poll 1 and 73% of Poll 2 respondents.
- Support for Council to collaborate with other SE municipalities grew from 69% (Poll 1) to 77% (Poll 2), albeit with qualifications relating to information gaps. This was somewhat inconsistent with the results of the first question as described above.

Panellists generally found the experience worthwhile and appreciated the opportunity to participate. However, it was clear that some would have preferred more information and more time to digest it to enable them to provide more informed feedback.

## 1. Introduction

### Project background

#### The waste issue

Victoria has limited landfill capacity, particularly in metropolitan Melbourne. According to SUEZ, the Hampton Park landfill will close as early as 2025. Many councils in Melbourne's south east rely on this landfill. Once it closes, councils will have to transport rubbish long distances across Melbourne to other landfills.

Landfill presents challenges such as limited availability, increasing levies, transport costs, litter pollution, odour and greenhouse gas emissions. A range of opportunities exists through participation in the emerging circular economy where waste is avoided, reused and recycled.

However, there will always be some residual waste to deal with – material that cannot be reused or recycled. Instead of sending the residual waste to landfill, advanced waste processing (AWP) facilities process it for advanced materials recovery or energy generation ('Waste to Energy' or 'WtE').

#### How we arrived at this point

Recycling Victoria (RV), previously MWRRG, in association with councils in Melbourne's south east developed a business case that shows advanced waste processing is a viable alternative to landfill and a solution to deal with Melbourne's growing household rubbish. Part of the South East Metropolitan Advanced Waste Processing

Project was establishing a 'Special Purpose Vehicle' to undertake the procurement process and develop the facility.

Frankston City Council has the opportunity to collaborate with other SE metropolitan municipalities to participate in the procurement process.

In April 2022, Council resolved to delay its decision about its potential involvement, pending 1) clarity about Government commitments and 2) an indication of the level of Frankston community support.

#### The consultation process

This consultation focussed on a community panel to help Council understand Frankston City community attitudes towards AWP.

The feedback will inform Council's decision about whether it will commit to the South East Metropolitan Advanced Waste Processing Project.

### Purpose of this report

This independent report was produced by community engagement consultants Kismet Forward. It details the consultation approach, captures the feedback received and compares participants' attitudes



before and after being informed about waste-related issues and AWP.

## 2. Engagement guidance

Council told us they value the input of local communities and are committed to providing meaningful opportunities for engagement. AWP is a complex issue, and Council believes that informed community feedback is required. Community members were not to be asked about the benefits (or otherwise) of the specific technologies which could be used for WtE facilities.

Council recognises that informed community feedback will provide an indication of broader views and aspirations about AWP. This will help Council develop a final position on whether to collaborate with other councils for AWP.

### Engagement objectives

The objectives of this engagement project were to:

- Inform the community about Council's role in waste management, the context for AWP and the implications of adopting AWP.
- Progress community education about the importance of diverting waste from landfills and assist engagement for the forthcoming Waste Circularity Plan.
- Determine the level of community support for the idea of AWP to resolve the environmental and financial implications of landfill constraints, meet a range of Government targets and Council needs, and generate clean energy from household waste that can't be recycled or recovered.

### The community's influence

The consultation process sought advice on whether Council should join other councils in delivering an AWP facility in Melbourne's south-east.

The input captured in this report has been shared with Councillors and staff at Frankston City Council and with the community members who took part. It will be considered in the final decision to join the other councils.

To this extent, the engagement activities were targeted at the 'involve' level of the IAP2 public participation spectrum.

### 3. How we engaged

Using the fundamentals of deliberative polling, Council and Kismet Forward developed a tailored approach to generate informed community feedback on AWP.

#### About deliberative polling

Deliberative engagement practices, such as community panels and polling, are used by many municipalities.

Deliberative polling was developed in the 1980s to address the challenge of people being uninformed about key public issues. The general public often has little reason to invest time and effort in acquiring information or coming to a considered position<sup>1</sup>.

The process is grounded in pursuing a random and representative group of people providing feedback from an informed position through access to information and discussion. It involves feedback before and after participants have had time to digest and query the information regarding the issue and its implications. Importantly, it offers insights into shifts in opinions once people become informed on a topic.

#### Why we used elements of deliberative polling

A modified deliberative polling process was chosen to underpin the engagement approach for a range of reasons.

AWP's complexity and the likely lack of community awareness were seen as an opportunity to build community capacity and understanding of waste issues and to help design future waste education and engagement. The importance of the decision required by Council required informed community feedback, while the need to respond to the collaborative opportunity with other councils required a time-bound and efficient approach.

#### Tailoring the process: design and application of deliberative polling

The main components of our polling process included:

- Selection of participants to try to emulate Frankston City's demographic profile
- An initial poll of participants about waste and AWP
- Distribution of an information pack
- A session of presentations by key stakeholders and answering of questions
- A second session to provide the opportunity for deliberative discussions
- A second poll to generate informed feedback.

#### Community Panel Selection

The selection process sought to generate a sample of community members who reflect the broader Frankston City community. This approach utilised Council's Mini Frankston City (MFC) platform,

<sup>1</sup> (<https://cdd.stanford.edu/what-is-deliberative-polling/#footnote1>)

which was established to support representative and deliberative engagement processes. Other community members were also invited to participate by joining the MFC.

Council promoted the opportunity to join the engagement through several channels: the Engage Frankston and Mini Frankston City members' webpages and Council's social media accounts on Facebook, LinkedIn and Twitter. Invitations were sent directly to all members of MFC who had expressed interest in previous waste management initiatives, with expressions of interest (Eols) sought by 27 June 2022.



Participation is acknowledged as a significant undertaking, and 53 people expressed interest. Eols were then assessed to provide a range of gender, ethnicity and postcodes to reflect the composition of the community as closely as possible. Several Eols (from over-represented demographic groups) were rejected.

Of the 49 participants ('panellists') selected to participate, 13 failed to complete the first poll (see below) or withdrew their availability. A few early withdrawals enabled an additional three people to be invited to participate.

### Initial Poll - Poll 1

Panellists were asked to complete Poll 1 to explore their base understanding of waste issues and AWP. This included general questions about waste management and the key engagement questions to be revisited and deliberated in Session 2. The poll opened on 30 June and closed on 4 July, before any information was distributed. The poll results were shared with the presenters of Session 1 to assist their preparation.

### General questions

1. (Before today), did you know that the contents of our dark green lid bins ('general household waste') are sent to landfill? (Yes/No/Not sure)
2. (Before today), did you know that Frankston City is working actively to reduce the amount of general household waste? (Yes/No/Not sure)
3. (Before today), did you know that after 2025 there will be no landfill sites in the South East Region? (Yes/No/Not sure)

### Key engagement questions

1. Would you support Council pursuing Advanced Waste Processing (waste to energy) for Frankston City? (Strongly support/Some support/Little support/No support/Not sure)

2. What are the advantages of Advanced Waste Processing for our municipality? *(open text)*
3. What are the disadvantages of Advanced Waste Processing for our municipality? *(open text)*
4. Would the location of the Advanced Waste Processing facility affect your level of support? *(Yes/No/Not sure)*
5. Would you support Council committing to an Advanced Waste Processing solution in collaboration with other South East Councils? *(Strongly support/Some support/Little support/No support/Not sure)*
6. Is there anything else you'd like to say about this project? *(open text)*

A total of 42 people participated in Poll 1.

#### Information pack 1

After Poll 1 closed, a detailed information pack was sent to each participant to prepare them for the first engagement session.

The information pack included:

- Information sheets, video links, and an outline of presentations to be delivered at Session 1;
- The agenda with the engagement questions; and
- A request for questions to help the preparation of Session 1 presenters.

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<sup>2</sup> Provided separately to this report

#### Engagement Session 1

Session 1 was held from 6-8:30pm on Tuesday 12 July 2022 to provide information and fill information gaps. It was designed to allow participants to learn about the household waste policies, regulations and standards that Frankston City must follow, the constraints Council and the community will face in the next few years and the potential of Advanced Waste Processing.

Session 1 was conducted via the Zoom platform due to the combination of timing and Covid-19 constraints.

Thirty community members attended and were asked about their hopes for the process and heard brief presentations from Council, Recycling Victoria, Arcadis Australia Pacific, Zero Waste Victoria and EPA Victoria. Representatives of the South East Environment Network were also invited but declined to present.

After the presentations, panellists were broken into groups to discuss what else they needed to know to answer the key engagement questions. Presenters answered queries where possible, and others were taken on notice, with a detailed Question and Answers (Q&As) document circulated to the Panel before the second engagement session.

See Attachment A for the Session 1 Agenda, Attachment C<sup>2</sup> for the presentations and Attachment D<sup>2</sup> for the Q&As.

## Information pack 2

The second information pack was distributed on 15 July and included:

- Presentations from Session 1; and
- The key engagement questions.

## Information Pack #3 (Q&As)

A detailed Q&As document was prepared and sent to participants in two iterations before Session 2. This included responses to the questions raised through the initial polling exercise and in Session 1. The first iteration was sent on 18 July, while a final version was distributed on 19 July (the morning of Session 2).

## Session 2 - Poll 2

Session 2 was held from 6-8:30pm on 19 July via Zoom to enable panellists to deliberate whether Council should pursue AWP. The agenda is provided in Attachment B.

The purpose of this session was for participants to revisit the key engagement questions (see page 9) through a combination of plenary and smaller group discussions and then respond individually to the questions. GroupMap was the online platform used to capture these responses.

Part of the process included grouping and then prioritising the AWP advantages and disadvantages suggested by individuals.

Twenty-six panellists participated in Session 2/Poll 2. Of these, 25 had participated in Session 1. (Due to some withdrawals, three

people who had missed Session 1 for extenuating reasons were invited to attend Session 2. One did so.)

## Evaluation

At the end of Session 2, participants were asked four evaluation questions (each on a 1-5 scale). Comments to complement their responses were encouraged.

- Was your involvement in the community poll a worthwhile experience?\*
- We covered a lot of material in the first session. To what extent do you agree with the following?
  - The information was generally well explained on the night\*
  - It added to my understanding of waste issues in Frankston\*
  - It added to my understanding of AWP & its potential in Frankston\*
  - There was too much material presented in the meeting to process\*
  - The information was too technical/hard to understand\*
  - The follow-up information was sent too late for me to process\*
- Were you given enough opportunity to
  - Get your questions answered?\*
  - Have your say?
- To what extent were your hopes for this process achieved?



Six panellists who participated in Session 1 but not Session 2 were invited to answer the asterisked evaluation questions (\*) and provide any further comments about the project. This opportunity was taken up by three.

### Comparison

The responses and feedback generated throughout this process were collated into themes and summarised. The responses to the initial poll were then compared and contrasted with the responses from Session 2.

### Notes regarding this report

The feedback received through the consultation process has been summarised. Further points are illustrated through some verbatim comments (shown in *italics*) to demonstrate the range and level of sentiment expressed. Some minor grammatical and spelling fixes have been made.

## 4. Who contributed feedback

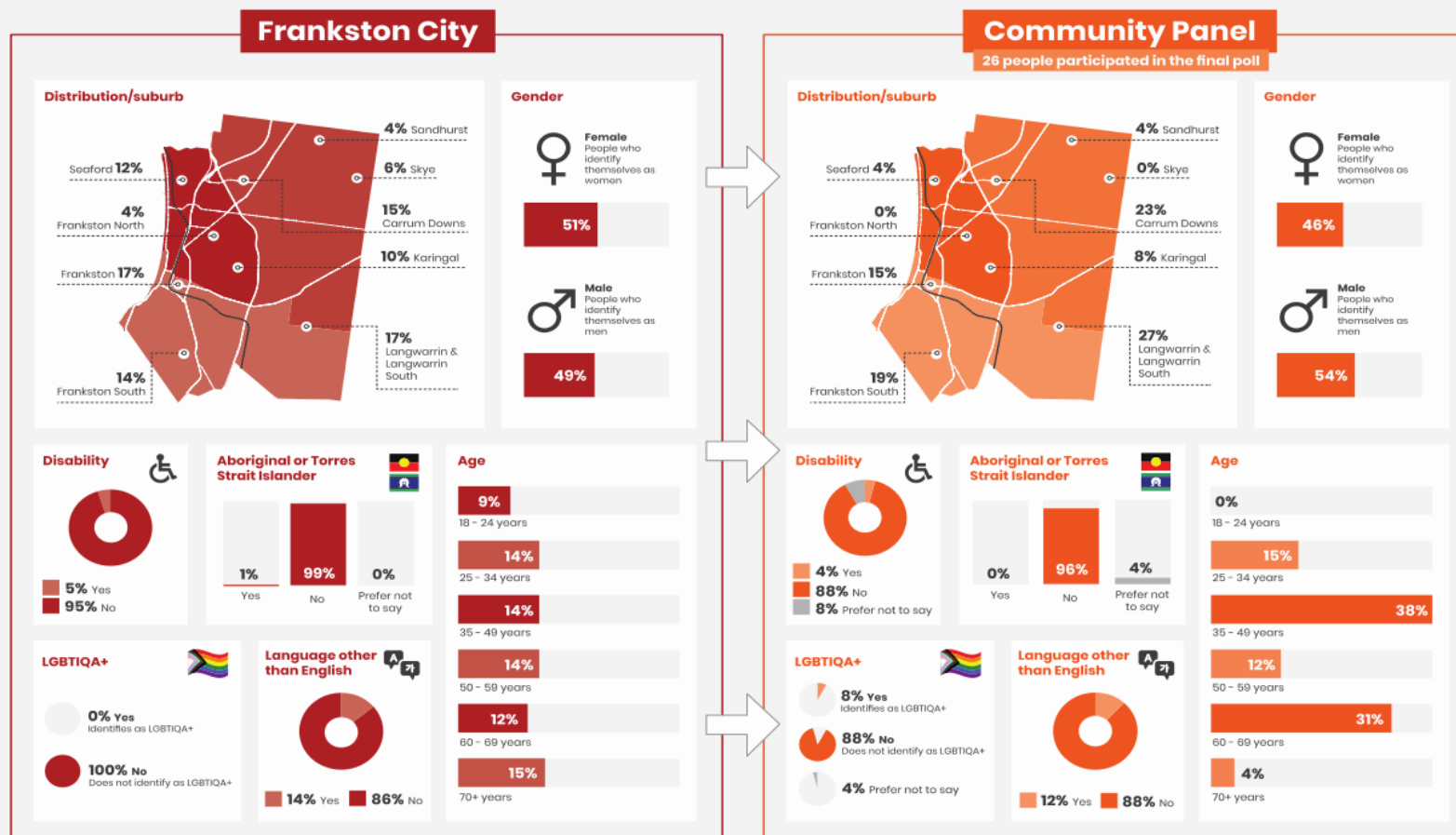
The panel comprised a mix of people somewhat indicative of the broader Frankston City population.

However, the expressions of interest received from the community did not provide the number or diversity of people to reflect the population accurately.

The panel's composition changed slightly throughout the process due to withdrawals and the addition of new panellists.

A comparison of key demographic information between Frankston City and the Community Panel for this process is provided on the following page.

## Demographic Comparison of Frankston City to Community Panel



Frankston City figures are compiled from the 2016 Census. The 2021 census results were released on the day the first poll commenced.

## 5. What we heard

This section presents the feedback received across the primary engagements as outlined in Section 3:

- Poll 1 - 30 June to 4 July
- Session 1: Information - 12 July
- Session 2: Poll 2 - 19 July

The feedback generated through the process was extensive and has been summarised and organised into dominant themes and includes:

- Feedback themes from Session 1, including panellists' hopes for this process
- Responses to general questions (Poll1)
- Responses to key engagement questions (Polls 1,2)

### Key themes from Session 1

The focus of the first engagement session was to learn about AWP through presentations, questions and discussion. Following the presentations, participants were asked *What do we still need to know to answer the engagement questions?*

This process resulted in an extensive array of questions which have been responded to in a detailed Q&As document (Attachment D)

The key themes of the questions included:

- AWP technology and facility operation
- Sustainability and waste management

- Feasibility and consideration of alternatives
- Corporate governance and decision making
- Monitoring and enforcement

### Panellists' hopes

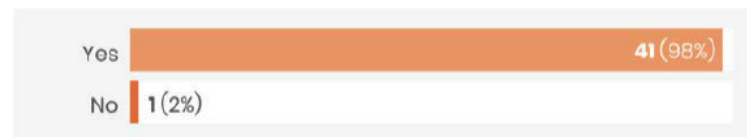
At the start of Session 1, panellists were asked about their hopes for the engagement process. Broad themes included the following:

- Understanding Frankston's waste issues and AWP options, risks and implications
- Understanding the relevance of AWP to waste reduction/other initiatives
- Frankston City being part of the future/contributing to climate change emissions reduction
- Having a role/supporting waste initiatives from Frankston City Council.

## General Poll 1 questions

### Dark green lid bins to landfill

(Before today), did you know that the contents of our dark green lid bins ('general household waste') are sent to landfill?



Panellists demonstrated a very high level of awareness that the contents of these bins are sent to landfill.

### Reducing household waste

(Before today), did you know that Frankston City is working actively to reduce the amount of general household waste?



Two-thirds of panellists were aware that Council is working to reduce waste. This is likely to increase as Council embarks on engagement activities associated with the Waste Circularity Plan.

### No landfill sites after 2025

(Before today), did you know that after 2025 there will be no landfill sites in the South East Region?

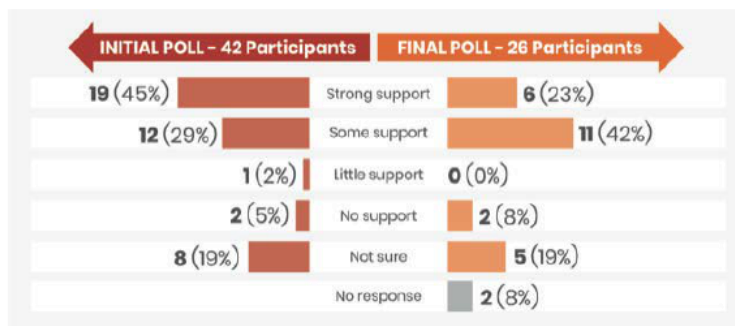


Only a quarter of panellists were aware of the landfill availability challenge facing Council in the short term.

## Should Council pursue AWP?

**Question 1: Would you support Council (the idea of) pursuing Advanced Waste Processing (waste to energy) for Frankston City?**

In the first poll, three-quarters of panellists provided either strong support (45%) or some support (29%) for Council to pursue AWP (WtE). Three panellists (7%) provided little or no support, while 19% were not sure.



To address panellists' concerns about providing definitive advice without full information, the wording 'the idea of' was added to the question in Poll 2.

Nonetheless, proportionate support for AWP reduced to around two-thirds, with a reduction in strong support (23%) and an increase in some support (42%). Two people offered no support (8%), and those not sure remained at 19%.

#### Reduced support for Council pursuing local AWP

Over the course of the deliberative process, the level of support for Council pursuing AWP for Frankston City dropped.

The balance of the support shifted, with panellists revealing a significant shift away from strong support to favour some support.

During Poll 2, panellists offered considerable feedback, providing important context for their levels of support for Council pursuing AWP (WtE) for Frankston City.

#### Support for AWP is mostly qualified

Few panellists offered outright support for AWP in Poll 2. Those who did support AWP said the following would affect their support:

- AWP is part of the solution in combination with stronger education about waste management and regulation around other waste streams.
- Checks and balances are required through the procurement process, appropriate levels of monitoring and control, and independent management of the third party.
- More information on AWP and the alternatives are required.
- It should be flexible enough to adapt to changing environmental and financial conditions and protect residents from an 'oversize' financial burden.

*'There needs to be an alternative to landfill (AWP), but it cannot be the only option. We must take action in other ways too.'*

#### Too many unknowns to support AWP

Uncertainty and a lack of information prevented several panellists from supporting AWP. Issues described include:

- The lack of alternatives presented and a life-cycle comparison to AWP
- The proposed 30-year contract term is too long
- Confidence in the provider.
- A cost-benefit analysis is missing.

### Holistic waste management

The panellists who were not sure about AWP focussed on a more holistic approach to waste management and identified:

- There is a lack of information about how Council will improve education around the circular economy, recycling and industry responsibility for waste generation.
- There needs to be education for people to take responsibility for their waste.

### Advantages of AWP

#### Question 2: What are the advantages of Advanced Waste Processing for our municipality?

Panellists identified advantages aligned with four overarching themes:

#### Addressing waste going to landfill

Poll 1 feedback indicated an interest in AWP:

- Reducing greenhouse gas emissions and other forms of air and water pollution from landfill.
- Responding to future landfill availability issues.

21 panellists in Poll 2 considered these aspects of AWP among the five most important opportunities.

### A more sustainable solution

Poll 1 feedback included that AWP would have environmental sustainability advantages such as:

- Increasing the recovery of materials previously going to landfill
- Providing opportunities for more recycling
- Being better for the environment
- Reducing transport emissions and impacts

16 panellists in Poll 2 thought that environmental sustainability was among the 5 most important opportunities presented by AWP. They thought that it was a 'future-oriented approach' with new technology. The opportunity for AWP to deal with contaminated recyclables was also raised.

#### Opportunity to take responsibility for waste

In Poll 1, key comments included:

- AWP is a local solution that reduces the need to export waste
- Opportunity for further education and waste reduction in the community

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*'Our waste, our problem, our solution.'*

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In Poll 2, 6 panellists thought waste education was among the top opportunities. They focussed on using the AWP journey as a tool for community education about waste management and building awareness of future challenges such as landfill closures.



### Potential economic benefits

Poll 1 highlighted advantages including:

- A potential source of cleaner energy
- May reduce costs for residents and Council
- Opportunities for local jobs
- Moving towards a circular economy

Poll 2 saw the focus shift with 14 panellists prioritising the opportunity for AWP to generate and return low-cost electricity to the grid. Job creation was a key opportunity for 3 panellists.

### Additional advantages from Poll 2

Poll 2 saw panellists include advantages relating to:

- The potential for AWP to take advantage of new technology as it becomes available.
- The finite timeframe for delivering an alternative requires collaboration between councils.

It was also noted that a clear management process will be needed.

### Disadvantages of AWP

#### Question 3: What are the disadvantages of Advanced Waste Processing for our municipality?

Feedback about the potential disadvantages of AWP fell under six themes:



### Sustainability and the status quo

Panellists identified a range of disadvantages of AWP in Poll 1, including:

- People may resist change, and additional education might be needed to build understanding and support.
- AWP may discourage changes or reduce people from taking responsibility for improving recycling and waste reduction.
- AWP may provide incentives to maintain waste.

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*'(There will be) no real incentive to take responsibility for waste produced.'*

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In Poll 2, 15 panellists rated the potential for AWP to discourage residents from improving their waste habits as among their top 5 concerns. The potential loss of focus on reduce/reuse/recycle was frequently raised throughout Sessions 1 and 2.

One panellist was also very concerned that Council may be avoiding responsibility for addressing climate issues.

### Impacts on amenity, particularly for nearby residents

In Poll 1, panellists identified issues including:

- Odours and noise
- Landscape and visual

Poll 2 reinforced these issues, with 4 panellists particularly concerned that lower socioeconomic areas may be most affected if an AWP facility were located near them. (In fact, it was commented

that polluting industries are often located in lower socioeconomic areas.)

#### Potential environmental and health impacts

Panellists in Poll 1 were concerned about

- Pollution of air, soil and water and impact on adjacent land uses.
- Greenhouse emissions and effect on reaching Council's emission targets.
- The location should be in an industrial area and not agricultural or green-wedge.
- AWP may have implications for health and safety, including toxic emissions and fly ash.

Poll 2 revealed similar concerns, with 11 panellists rating environmental or health concerns among their top 5. Transport, air pollution and the disposal of fly ash in landfill were of particular concern.

#### Financial impacts

Panellists in Poll 1 thought:

- AWP is potentially costly to build and operate, including the costs of pre-sorting and processing.
- Clarity is needed on whether savings through future operations will offset initial costs.
- AWP may result in higher costs to residents and an increase in rates.

Poll 2 saw continued concern, especially by 4 panellists, about the costs of an AWP project, particularly the potential for an increase in rates. More transparency was requested.

#### Feasibility of AWP

In Poll 1, panellists highlighted a range of potential disadvantages which relate to the feasibility of AWP for Council:

- Energy generated is expensive compared to renewables or fossil fuels
- Additional costs for bins and storage
- Transport costs to a central location
- Long timeframes before it is operating
- Unclear whether it will have the capacity to serve community needs
- Unclear whether the benefits of the investment justify the cost.

Poll 2 reinforced concern about these issues and also noted:

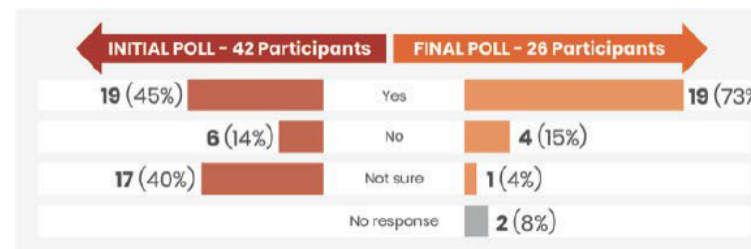
- A lack of awareness of alternatives to AWP.
- The need for education to minimise e-waste being incinerated.

#### Corporate governance and contract management

While feedback in Poll 1 didn't include explicit feedback on corporate governance issues, it was a strong theme for questioning during Engagement Session 1.

In Poll 2 panellists identified a range of concerns regarding corporate governance, including (in order of priority):

- Uncertainty about the ability of the EPA to regulate pollution and private interests.
- A lack of clarity on contractual terms.
- Limited ability for oversight and the ability to hold the operator to account and ensure they meet conditions.
- Potential penalties for not providing agreed waste volume to the operator.
- The independence of third parties.
- A lack of clarity about the incentives for providers to adopt new technology and concern that a 30-year term may mean the technology is outdated.



In the final poll, almost three-quarters of panellists stated that location would affect their support. While the proportion who disagreed that location would affect their support remained quite constant (15%), those not sure reduced tenfold to 4%. Two panellists (8%) did not vote.

*'None of us want it in our backyard!'*

Does location matter?

#### Question 4: Would the location of the Advanced Waste Processing facility affect your level of support?

The first poll revealed that just under half of panellists agreed that the location of a facility would affect their level of support. 40% were unsure, while 14% disagreed that the location would affect their support.

#### For most people, location affects their support

Panellists indicated a strong change in their attitude to the potential location of an AWP facility through the deliberative process.

Those who indicated that the location of the AWP facility **would** affect their level of support pointed to issues such as:

- Can it be located to be efficient and cause less pollution, close to the energy grid and to other facilities to use heat energy?
- Socioeconomic issues, including consultation with the indigenous people/ traditional land-owners (who should have decision-making authority).

- Costs and benefits should be equitably shared between participating councils.

*'The location requires many important considerations such as proximity to housing, sensitive environments and agricultural land, air quality, impact on house prices, transport access and traffic.'*

Panellists who were **not sure** about whether the location would affect their level of support commented that it would hopefully be located in an industrial area.

#### A responsible way forward

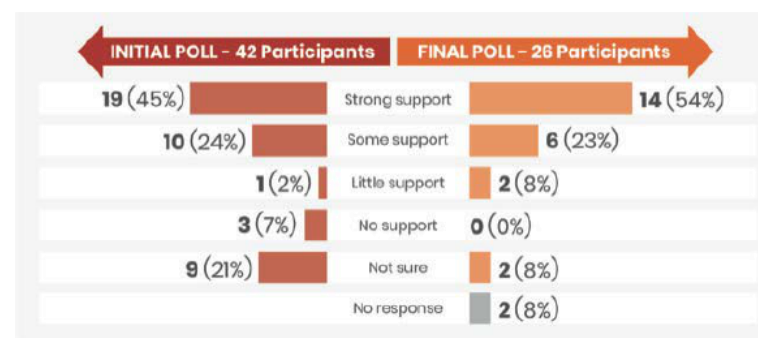
Responses from panellists who indicated the location of the AWP facility **would not** affect their level of support can be summarised as follows:

- Supporting AWP means we should accept it in our area.
- It must be located in the correct land use zone, most likely industrial, and near suitable transport.

#### Collaboration with other councils

##### Question 5 Would you support (the idea of) Council committing to an Advanced Waste Processing solution in collaboration with other South East Councils?

Almost 70% of respondents provided strong support (45%) or some support (24%) for Council committing to a collaborative process for an AWP solution. A further 9% provided little or no support, and 21% were not sure.



To address panellists' concerns about providing definitive advice without full information, the wording 'the idea of' was added to the question in Poll 2.

Overall support for the collaboration increased in Poll2 to over three-quarters of the Panel, with those offering strong support lifting to 54% and those with some support consistent at 23%. These results are interesting, given that overall support for AWP was less in Poll 2.

Little support was provided by 8%, and no panellists none offered no support. Those not sure decreased to 8%, and two panellists (8%) did not vote.

None of the panellists who indicated **little support** made qualifying or explanatory comments, and no one said they did **not support** the collaboration.

#### Support for collaboration is qualified

Feedback indicates the deliberative process resulted in an increase in support for collaboration with other councils.

Supporters acknowledged the benefits of collaboration with other councils and the 'strength in numbers' for managing the operator, plant efficiency, and minimising costs.

Comments were also made regarding:

- A financial assessment is important to the overall outcome.
- A desire to understand how the benefits are distributed between councils.
- FCC residents' needs need to be prioritised.
- The need to understand the cost to FCC to withdraw if the collaboration does not work as intended.
- If we support WtE, we need to collaborate to ensure recycling and circular economy are done in a universal way.
- There are also advantages in having some councils explore other ideas independently.

#### Uncertainty and alternatives

Panellists who were **not sure** about whether to support the collaboration pointed to uncertainty around the details and the need to see what other options are on the table before committing to it.

#### Other feedback

##### Question 6: Anything else you'd like to say about this project?

Panellists volunteered a large number of additional comments, which are summarised under the following themes:

#### Need for more information

Panellists wanted more information about:

- How do contaminants affect the products of the AWP process, such as air pollution?
- AWP projects elsewhere, including internationally.
- How do the costs of the proposal compare to that of existing waste management?
- The proposed facility - its size, operations and location.
- AWP technology, policy and execution, including potential partners and contractors involved.

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*'I need to know more about the cost and benefits of this project and why advanced waste processing is better than landfill.'*

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#### Other aspects of waste management

- Unclear whether WtE is a sustainable solution and contributes to a circular economy.
- Council needs an option ready for the closure of landfills.
- Diversion of organics through the FOGO bin may result in greater burning of plastics.
- Need a better approach to green waste and food scraps to achieve a 40% reduction in landfill.

#### Influencing waste attitudes and behaviours

- Need to involve and incentivise the right behaviours for households and local businesses.
- AWP would need to be supported with a community education program, e.g. in waste recycling, penalties for producing waste, and incentives for recycling.

#### Feasibility

- The future of waste supply for facilities and markets for WtE products is not clear, and the plant may not run at capacity
- Disposal of fly ash is only allowed at a single landfill in Victoria.
- Using the energy to power Councils vehicle fleet.

- Using the right technology may open up more location options.

#### Corporate governance, alternatives contracts

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*'What AWP paths are there, and what are the advantages of the current Recycling Victoria joint venture versus another?'*

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*'I fear WtE is being marketed to local councils and state government as a green and advanced technology, at a time when Europe is moving away from such facilities to more economical and renewable sources of energy and methods of resource recovery.'*

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- The long-term contract to provide feedstock to the AWP facility could be counterproductive to reducing waste over time

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*'Provision for shorter contracts and updated waste modelling are key, plus special provisions to ensure that fees don't rise as tonnage reduces'*

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- It makes sense to work with other councils if AWP is the best solution.
- The contract needs a caveat to enable withdrawal if there are excessive dangerous incidents at the facility and if the organic waste is reduced and the incineration of non-recyclable plastics is increased.



- There is a real need for a third-party oversight/operating committee, including Council and ratepayer representatives. They need to commit to providing public operational data, including emissions etc.

#### Inclusion and engagement

- Support for involving the community and business
- Need Council to improve how it keeps the community informed about AWP.

## 6. Facilitators' observations

### The deliberative process

The education process appeared to have clear benefits in panellist confidence about the material, and there was a demonstrable shift in thinking.

As panellists were presented with more information, they became more aware of the complexity of the issues about AWP and developed a greater appreciation for the challenge facing Council.

Some panellists took responsibility for their information gaps and undertook their own research into AWP. They were happy to share that information with others.

Panellists appreciated the opportunity to participate and make Council aware of their views. Expectations for ongoing community involvement and additional engagement were created.

Some panellists were uneasy about lending support when they did not have the time to consider the available information fully.

Some people found it difficult to focus on the issue of AWP and were interested in a more holistic approach to waste management. Advice about the forthcoming Circularity Plan engagement (to address the broader issues of waste minimisation and recycling) did not satisfy them.

### Qualified support and uncertainty

Panellists provided qualified support for AWP and detailed a wide range of issues that they believe need to be addressed if the project is to proceed.

There was also a strong view that collaboration with other councils is necessary if it is to proceed.

Many panellists were frustrated that this process took place during contract procurement, resulting in many aspects (such as location and technology) being unable to be shared. For some, this lack of transparency undermined the authenticity of the engagement process.

It was also clear during the first session that panellists thought the decision by Council to commit to AWP had already been made. We needed to more clearly explain the difference between the procurement process (that is underway) and the decision by Council about whether to participate.

Many believed that further information is required before commitments are made. Panellists queried whether sufficient attention had been given to alternatives to AWP and the proposal's feasibility. To address these concerns, Poll 2 questions were slightly reworded: panellists were asked to comment on the idea of Council pursuing AWP or collaborating with other councils.

Some panellists were concerned about an AWP contract length of 30 years. Project staff said 30 years is not necessarily going to be the contract term; this could be the focus of future communication.

#### Impact on other initiatives

Panellists consistently expressed concern about the potential for an AWP facility to diminish efforts to improve waste management.

#### Corporate governance

If the project was to proceed, panellists identified a wide range of corporate governance considerations, many of which formed the basis of their qualified support for AWP.

Concern was expressed about all aspects of the project's oversight, delivery and monitoring and the ability of all parties to ensure best practice is achieved.

#### Limitations

In addition to the above, the following limitations should be noted:

- The low numbers of Eols resulted in a relatively small panel. As a result, this engagement indicates the feedback that Council might receive from the community if given the full information and time to digest and query it.
- Duncan Lummis of Arcadis was the technical expert engaged by the project to assist with queries from the Panel. He could not attend Session 2, and not having access to his expertise may have influenced panel responses to questions in Poll 2.
- The staging of this deliberative process was contracted to meet Council timelines, and there was a significant delay in the completion of the Q&As document. This impacted panellists' access to information and may have influenced their Poll 2 responses.

## 7. Evaluation

Panellists were encouraged to provide comments to complement their feedback about the engagement process. These have been placed under the most relevant evaluation question.

A maximum of 25 of the 26 panellists responded to the evaluation questions during Session 2. A further 4 responses to selected questions were received by Session 1 participants who did not attend Session 2.

Panellists generally found the experience worthwhile and appreciated the opportunity to participate. However, it was clear that some would have preferred more information and more time to digest it to enable them to provide more informed feedback.

### Was your involvement in the community poll a worthwhile experience?

(5 = fully agree; 1=don't agree)



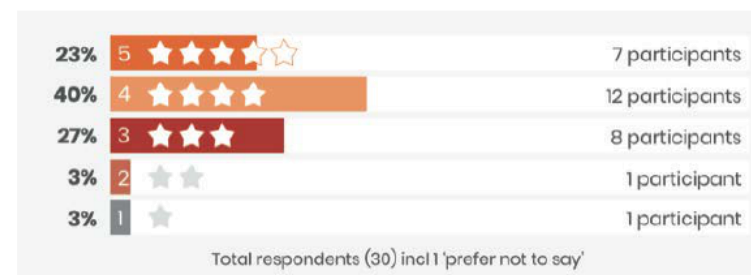
*'The involvement in the community poll was indeed worthwhile- I learned a lot.'*

*'It was good to hear other community members' points of view, and my views were also heard.'*

### We covered a lot of material in the first session. To what extent do you agree with the following?

(5 = fully agree; 1=don't agree)

#### The information was generally well explained on the night



*'I gained a good insight from the first session.'*

### It added to my understanding of waste issues in Frankston

(5 = fully agree; 1=don't agree)



### There was too much material presented in the meeting to process

(5 = fully agree; 1=don't agree)



### It added to my understanding of AWP & its potential in Frankston

(5 = fully agree; 1=don't agree)



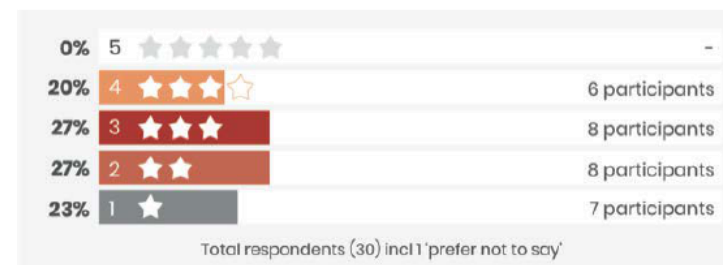
*'I learned a lot. It was a challenging technical journey. This was necessary before feeling comfortable in answering the questions. Community needs to be given the opportunity to learn about this.'*

*'It was a bit of information overload. I needed time to digest, analyse and evaluate.'*

*'Too much material in a very short time frame (5 minutes) was presented (very rushed).'*

### The information was too technical/hard to understand

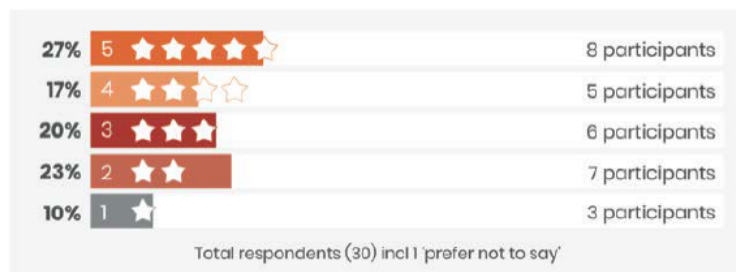
(5 = fully agree; 1=don't agree)



*'I felt out of my depth'*

### The follow-up information was sent too late for me to process

(5 = fully agree; 1=don't agree)



*'The answers to all the questions posed arrived very late for the session 2 meeting, meaning some (like myself) only had the chance to skim through the material.'*

*'More time to go through the supplementary material would have been helpful.'*

### Were you given enough opportunity to get your questions answered?

(5 = fully agree; 1=don't agree)



*'There was a big gap in the information given to participants, and it was difficult for participants to give an informed decision to support or not support FCC.'*

*'Not enough information was supplied, numerous questions remain unanswered, and numerous statements of commercial in confidence were stated. Unfortunately, I felt that this was more of a PR exercise.'*

### Were you given enough opportunity to have your say?

(5 = fully agree; 1=don't agree)

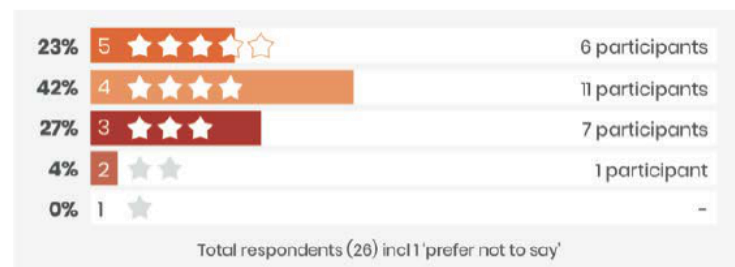


*'It was good to hear other community members' points of view, and my views were also heard.'*

*'This has been great to be heard.'*

### To what extent were your hopes for this process achieved?

(5 = fully agree; 1=don't agree)



*'I hope this process enables FCC to pursue a strategy with cross-community support.'*

*'I wanted to learn enough about AWP to form a view, and I was very interested in listening to the other group's views. I really liked Kylie's alternative presentation last week for balance!'*

### Other/general feedback

*'A great experience to learn about other people's viewpoints - particularly those with a scientific/tech background or a background in waste or similar industries.'*

*'While I support the overall concept of advanced waste management, this felt like an afterthought and was done to tick a box. The decision to enter into contract negotiation before community engagement demonstrates that the feedback from the community was not that important.'*

*'I appreciate the opportunity given by FCC to be involved in this process. Whilst I am not yet convinced that this is the only/best option, it has encouraged me to do more research into the subject with a view to formulating an informed opinion on the issue.'*

*'It would be great to have another consultation once we know the particulars of the contract terms, location etc. being offered.'*



## Attachment A – Session 1 Agenda

### The Future of Frankston City's Waste Community Poll and Panel – Session 1

5:50pm for a prompt start at 6:00-8:30pm  
12 July 2022



Via Zoom: (link provided)

Please turn on your video camera if possible

#### PURPOSE OF THE COMMUNITY POLL PROCESS:

The purpose of Session 1 is to learn about the household waste policies, regulations and standards that Frankston City must follow, the constraints we are facing in the next few years, and the potential of Advanced Waste Processing.

You'll need this information to advise Council in Session 2 (19 July) about critical decisions about how Frankston Household Waste is managed in the future.

In Session 2, together, we will answer the following questions:

1. Would you support Council pursuing Advanced Waste Processing (waste to energy) for Frankston City?
2. What are the advantages of Advanced Waste Processing for our municipality?
3. What are the disadvantages of Advanced Waste Processing for our municipality?
4. Would the location of the Advanced Waste Processing facility affect your level of support?
5. Would you support Council committing to an Advanced Waste Processing solution in collaboration with other South East Councils?

Frankston City will compare the answers to these questions with the poll you completed last week. This will help us understand what the broader Frankston community might think about Advanced Waste Processing if they were given the same level of information. It will also help us focus future waste education and engagement activities.

This process will be independently facilitated.

#### IN PREPARATION FOR THE SESSION:

Thank you for completing Poll 1.

Please read the information in the pack before the session.

**AGENDA (and questions to be discussed)**

5:50	Log in, check your audio and camera, and connect with other participants
6:00	Welcome and Introduction (Mayor Cr Nathan Conroy and Jen Lilburn) Background and Context
6:25	<p>Presentations (please put questions in the Zoom chat) as we go</p> <ul style="list-style-type: none"> <li>• Bruce Howden (Business Manager Recycling, Frankston City)</li> <li>• Sharnie Clifford (Project Manager Procurement Services, Recycling Victoria)</li> <li>• Duncan Lummis (Associate Technical Director, Arcadis Australia Pacific)</li> <li>• Kirsty Bishop-Fox (President, Zero Waste Victoria)</li> <li>• Stephen Adamthwaite (Manager Development Assessments, EPA Victoria)</li> </ul> <p>We will have a 15-minute break at approx. 7:05pm</p>
7:50	What do we still need to know to help us answer the 5 questions listed above for Session 2?
8:25	Wrap up, thanks and close
8:30	FINISH

Jen Lilburn (from Kismet Forward) will facilitate the workshop

## Attachment B – Session 2 Agenda

### The Future of Frankston City's Waste Community Poll and Panel – Session 2



5:50pm for a prompt start at 6:00-8:30pm

19 July 2022

Via Zoom (link provided)

#### PURPOSE:

The purpose of Session 2 is to use the information provided in Session 1 to advise Council about critical decisions about how Frankston Household Waste is managed in the future.

Council is interested in the range of community opinions – we will not be seeking a panel consensus

#### IN PREPARATION FOR THE SESSION:

Thank you for your time and contribution in Session 1.

Please read the responses to questions and review the presentations before the session.

#### AGENDA (and questions to be discussed)

5:50	Log in, check your audio and camera, and connect with other participants
	Welcome and Introduction (Jen Lilburn)
6:00	Reflecting on last week's discussions and the information provided, what sticks in your mind?
	Thinking about what we heard last week, <ul style="list-style-type: none"> <li>What might be some of the advantages/disadvantages of Advanced Waste Processing for our municipality?</li> <li>Would you support <b>the idea of</b> Council pursuing Advanced Waste Processing (waste to energy) for Frankston City?</li> </ul>
6:25	<ul style="list-style-type: none"> <li>Would the location of the Advanced Waste Processing facility affect your level of support?</li> <li>Would you support <b>the idea of</b> Council committing to an Advanced Waste Processing solution in collaboration with other South East Councils?</li> </ul> <p><i>We will discuss the above questions and then get your (anonymous) responses.</i></p> <p><i>We will have a 15-minute break at approx. 7:15pm</i></p>
8:10	Anything else you'd like to say about this Project?
8:20	Quick evaluation, review of hopes and expectations, wrap up, thanks and close
8:30	FINISH

**14.1 2022/NOM9 - Nature Strip Guidelines**

On 25 July 2022 Councillor Baker gave notice of her intention to move the following motion:

That Council seeks a report to the October 2022 Council meeting on the 'Nature strip planting guidelines (DRAFT)', updated in 2021, to address current controls and compliance with Frankston City Council requirements and Local Laws in relation to planting on nature strips.

**COMMENTS BY DIRECTOR COMMUNITIES**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>YES</b> Comments: The NoM has been discussed with the Director Communities, Manager City Futures and Coordinator Environment.
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b> Comments: This NoM is similar to 2021/NOM5 – “ <i>Greening of Residential Nature-strips</i> ” – which was positively resolved upon at the 28 June 2021 Council Meeting. A report came back to Council in response to 2021/NOM5 on 6 December 2021. This was lost by majority vote at that Council Meeting.
3. Is the NoM clear and well worded?	<b>YES</b> Comments: Nil.
4. Is the NoM capable of being implemented?	<b>YES</b> Comments: The NoM requires a report to come to the October Council Meeting. It is within the workload capacity of officers to achieve this timeframe.
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>NO</b> Comments: The NoM is clearly written. Discussions between Cr Baker and relevant officers as part of the development of this NoM, mean that officers are clear on the scope of the report required to come back to Council, if the NoM is positively resolved on.
6. Is the NoM within the powers of a municipal Council?	<b>YES</b> Comments: Nil.

## 14.1 2022/NOM9 - Nature Strip Guidelines

Question for Consideration	
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>YES</b> Comments: Natural strips generally fall within the remit of local government.
8. Is the NoM consistent with all relevant legislation?	<b>YES</b> Comments: Nil.
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b> Comments: Nil.
10. Is the NoM consistent with Council's adopted strategic plan?	<b>YES</b> Comments: Nil.
11. Can the NoM be implemented without diversion of existing resources?	<b>YES</b> Comments: The requirements of this NoM can be accommodated within existing officer workloads.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b> Comments: The NoM calls for a report to come to the October Council Meeting. This can be achieved without additional allocation of funds.
13. Are funds available in the adopted budget to implement the NoM?	<b>YES</b> Comments: The NoM in itself does not require the allocation of funds.
14. What is the estimated cost of implementing the NoM?	<b>NIL</b>

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ATTACHMENTS

Nil

**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).

Nil Reports

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Signed by the CEO