



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 11 OCTOBER 2021 at 7.02PM**

PRESENT	Cr. Kris Bolam (Mayor) Cr. Nathan Conroy Cr. David Asker (via zoom) Cr. Sue Baker (via zoom) Cr. Claire Harvey (via zoom) Cr. Brad Hill (via zoom) Cr. Liam Hughes (via zoom) Cr. Steven Hughes (via zoom) Cr. Suzette Tayler (via zoom)
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Chief Financial Officer (via zoom) Dr. Gillian Kay, Director Communities (via zoom) Mr. Cam Arullanantham, Director Infrastructure and Operations (via zoom) Ms. Shweta Babbar, Director Business Innovation and Culture (via zoom) Ms. Brianna Alcock, Manager Governance and Information Mr. Sam Clements, Manager Statutory Planning (via zoom) Ms. Suzane Becker, Manager City Futures (via zoom) Ms. Tenille Craig, Team Leader Governance Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Supervising Technician Mr. Ric Rais, Desktop Support Officer
EXTERNAL REPRESENTATIVES:	Nil.

COUNCILLOR STATEMENT

Councillor Conroy made the following statement:

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

- *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.*

Chairperson's initials.....

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

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Conroy acknowledged the Bunurong People of the Kulin Nation – the Traditional Custodians of the land on which we stand, and paid respect to Elders past, present and future. Respect was also extended to Elders of other communities who may have been present.

DRAFT

Chairperson's initials.....

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The Chief Executive Officer, Mr Phil Cantillon made a statement regarding the COVID-19 status and acknowledged a pop-up vaccination centre at Carrum Downs Secondary Collage from 15 to 17 October where no appointments are necessary.

1. PRESENTATION TO COMMUNITY GROUPS

1.1 Certification of Appreciation to Women's Spirit Project

Cr Claire Harvey presented a Certificate of Appreciation to the Women's Spirit Project, with a particular acknowledgement to co-founder, Jodie Belyea, for the volunteer-led initiatives which aim to inspire, empower and support the transformation of women who experience disadvantage within the Frankston community.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM16 held on 20 September 2021.

Council Decision

Moved: Councillor Tayler

Seconded: Councillor Asker

That the minutes of the Council Meeting No. CM16 held on 20 September 2021 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Nil

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

One (1) person submitted questions to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers. The questions and answers will be provided in the Minutes of the next Council Meeting.

6. HEARING OF PUBLIC SUBMISSIONS

Mr John Hastings made a submission to Council regarding Item 12.11: Frankston City Extended Outdoor Dining and Activation Status Report; and

Mr Peter Anscombe made a submission to Council regarding Item 14.3: 2021/NOM11 - Nepean Highway Revitalisation.

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Baker

Seconded: Councillor Asker

That Items listed below be brought forward:

- 12.11: Frankston City Extended Outdoor Dining and Activation Status Report
- 14.3: 2021/NOM11 - Nepean Highway Revitalisation

Carried Unanimously

Chairperson's initials.....

12.11 Frankston City Extended Outdoor Dining and Activation Status Report*(SB Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Hill**

That Council:

1. Notes stakeholder consultation has been undertaken for a six (6) week period from 19 July – 29 August 2021, with responses informing recommendations outlined in this report;
2. Notes the success of the Extended Outdoor Dining program as evidenced by the compelling positive stakeholder feedback received and valuable difference the program has made to the recovery of participating businesses and surrounding commercial precincts;
3. Approves the extension of all current extended outdoor dining permits to 30 June 2022, to enable a review and update of the Kerbside Trading Guidelines to be completed with consideration given to the incorporation of updated standards and conditions applicable to the permanent operation and management of extended outdoor dining and activations;
4. Notes further extended outdoor dining activations are currently being designed and delivered at Carrum Downs (Lyrebird Community Centre and Library), Nepean Highway Boulevard (Commonfolk, Non Solo Vino, Olive and Fern, Iron River Bar and Grill, Ginseng, Pisces Dumplings, Spice club, Los Argentinos, A1Kebabs, Seagulls, Cosy and Tasty dumplings, HaLong2, Casa Della, Nepean Souvlaki and Cinars Shish & Kebabs), Playne Street (Gapfed) and at the Frankston Waterfront (Oliver's Corner);
5. Supports proactively seeking further opportunities and external funding to expand outdoor dining activations at various locations throughout the municipality;
6. Commits funding of \$65,000 at the mid-year budget review towards the Norman Avenue Precinct Master Plan and development of Kerbside Trading Guidelines; and
7. Endorses an increase in the number of short stay parking spaces allocated in front of non-hospitality businesses at Norman Ave and installs CCTV monitoring.

Carried Unanimously

14.3 2021/NOM11 - Nepean Highway Revitalisation*(SB Communities)***Recommendation****Moved: Councillor Tayler****Seconded: Councillor Hill**

That Council:

1. Supports the priority work being undertaken as part of the new Council Plan to revitalise the Nepean Highway, with its vision to create a vibrant and iconic boulevard and memorable sense of arrival to Frankston as a city by the Bay;
2. Notes the benefits anticipated to flow onto property owners and tenants along the highway with the opportunity for new development to capitalise on the success of Frankston's principal public address. It will also contribute to improved pedestrian connections across the Nepean Highway to better connect the city centre to the waterfront, Frankston's greatest tourism asset;
3. Notes the staged process to realise the Nepean Highway vision comprising:
 - i. Stage 1, Beach Street to Davey Street, which provides for creative accent lighting to median trees and median landscaping improvements at a cost of \$550,000. Through the work of the Frankston Revitalisation Board and the continued support of its Chair, Paul Edbrooke MP, the State Government has contributed \$475,000 towards the project, which is expected to be completed towards the end of 2022;

Coinciding with this are the current works underway by the Department of Transport to reduce the speed limit of the Nepean Highway to 40kmph between Fletcher Road and Plowman Place. These works will enable safer journeys for vehicles and improved pedestrian experience and are expected to be completed in December 2021;
 - ii. A further two stages, being Mile Bridge to Davey St and Davey St to Olivers Hill, are being progressed as a part of Council's development of its FMAC Structure Plan and Revitalisation Action Plan. Emerging ideas are expected to be presented to Council no later than early 2022, followed by community consultation and review and adoption by Council around mid-2022;
4. Supports the concepts developed for these further two stages to be added to Council's key advocacy priorities for the upcoming Federal and State elections; and
5. Notes that Council's Long Term Infrastructure Plan 2021 to 2031 commits an initial \$1M towards these further two stages over financial years 2022/23 and 2023/24 to enable detailed design and delivery in part, noting overall completion of delivery of these further two stages may be subject to the successful outcome of Council's advocacy efforts.

Extension of Time**Moved: Councillor Harvey****Seconded: Councillor Liam Hughes**

That Cr Tayler be granted an extension of time.

Carried Unanimously

*The motion lapsed due to Cr Suzette Tayler moving
an amendment to the motion*

Chairperson's initials.....

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

That Council:

1. Supports the priority work being undertaken as part of the new Council Plan to revitalise the Nepean Highway, with its vision to create a vibrant and iconic boulevard and memorable sense of arrival to Frankston as a city by the Bay;
2. Notes the benefits anticipated to flow onto property owners and tenants along the highway with the opportunity for new development to capitalise on the success of Frankston's principal public address. It will also contribute to improved pedestrian connections across the Nepean Highway to better connect the city centre to the waterfront, Frankston's greatest tourism asset;
3. Notes the staged process to realise the Nepean Highway vision comprising:
 - i. Stage 1, Beach Street to Davey Street, which provides for creative accent lighting to median trees and median landscaping improvements at a cost of \$550,000. Through the work of the Frankston Revitalisation Board and the continued support of its Chair, Paul Edbrooke MP, the State Government has contributed \$475,000 towards the project, which is expected to be completed towards the end of 2022;

Coinciding with this are the current works underway by the Department of Transport to reduce the speed limit of the Nepean Highway to 40kmph between Fletcher Road and Plowman Place. These works will enable safer journeys for vehicles and improved pedestrian experience and are expected to be completed in December 2021;
 - ii. A further two stages, being Mile Bridge to Davey St and Davey St to Olivers Hill, are being progressed as a part of Council's development of its FMAC Structure Plan and Revitalisation Action Plan. Emerging ideas are expected to be presented to Council no later than early 2022, followed by community consultation and review and adoption by Council around mid-2022;
4. Supports the concepts developed for these further two stages to be added to Council's key advocacy priorities for the upcoming Federal and State elections;
5. Notes that Council's Long Term Infrastructure Plan 2021 to 2031 commits an initial \$1M towards these further two stages over financial years 2022/23 and 2023/24 to enable detailed design and delivery in part, noting overall completion of delivery of these further two stages may be subject to the successful outcome of Council's advocacy efforts; and
6. Notes that the boundary of the FMAC Structure Plan does not extend to Olivers Hill.

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

Against the Motion: Cr Steven Hughes

Chairperson's initials.....

Block Motion**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That the items listed below be block resolved:

- 12.1: Council Resolution Status Update for 11 October 2021
- 11.1: Statutory Planning Progress Report - August 2021
- 12.3: Chief Executive Officer's Quarterly Report - July - September 2021 period
- 12.4: Appointment and Authorisation of Council Staff
- 12.5: Adoption of Procurement Policy 2021 - 2025
- 12.6: Final reporting for the Health and Wellbeing Plan 2017-2021 and Adoption of Health and Wellbeing Plan 2021-2025
- 12.7: Adoption of Disability Action Plan 2021-2025
- 12.8: Adoption of Play Strategy and Local Park Plan
- 12.15: Outcomes of the Audit & Risk Committee Meeting - 27 August 2021

Carried Unanimously**8. PRESENTATIONS / AWARDS***Councillor Liam Hughes left the chamber at 8:00 pm.**Councillor Liam Hughes returned to the chamber at 8:01 pm.***8.1 Presentation to outgoing staff member - Director Communities Dr Gillian Kay**

Mr Phil Cantillon, Chief Executive Officer and the Mayor, Cr Kris Bolam presented Dr Gillian Kay with a Letter of Appreciation in recognition for services provided to Frankston City Council.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

*The meeting was adjourned at 8.15pm**The meeting recommenced at 8.23pm*

11. CONSIDERATION OF TOWN PLANNING REPORTS**11.1 Statutory Planning Progress Report - August 2021**

(SC Communities)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives the Statutory Planning Progress Report for the month of August 2021; and
2. Resolves Attachment B - Applications of Councillor Interest to be retained as confidential, as it contains private development information and would, if prematurely released, impact the reputation of Councillors and Council.

Carried Unanimously

Note: Refer to page 7 of these Minutes where this item was Block Resolved

DRAFT

Chairperson's initials.....

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Council Resolution Status Update for 11 October 2021**

(BA Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives the Notice of Motion Report for 11 October 2021;
2. Receives the Urgent Business Status Update for 11 October 2021;
3. Notes there are no Notice of Motion actions that have been reported as being complete;
4. Notes there are three reports that are listed as being delayed in its presentation back to Council:
 - Kananook Creek - Review of Kananook Creek Governance Group
 - Response to Urgent Business – Disposal of Tree Debris arising from a Severe Weather Event
 - Response to 2021/NOM5 – Greening of Residential Nature Strips: Update to Naturestrip Planting Guidelines
5. Notes there is one report that will not be presented to Council at the 3 November 2021 Council Meeting:
 - Council Resolution Status Update for 3 November 2021
6. Notes, since the Council Meeting held on 20 September 2021, 21 resolutions have been completed, as listed in the body of the report;
7. Resolves to amend the resolution from 2021/CM11 Council Meeting 12.13 Adoption of 2021-2025 Council Plan and Budget and 2021-2025 Revenue and Rating Plan - Item 1.1, that Council:
 - Provides \$20,000, as a one-off cost, for enhanced initiatives under the 'Women's Spirit Project' initiative. This funding is only to be allocated on the proviso that:
 - i. At least one additional Council provides matched funding; and
 - ii. Sought milestones are agreed upon between Frankston City Council, other contributing councils and the 'Women's Spirit Project' initiative prior to the award of funding.The 'Women's Spirit Project' to be invited to apply for an annual standing grant for budget period 2022/2023 and onwards;
8. 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.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.2 Update on Coronavirus (COVID-19) and Recovery Grants Program report - 11 October 2021

(PC Chief Executive Office)

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

That Council:

1. Notes this report which outlines an update of its response to the impacts of the Coronavirus (COVID-19) and Recovery Grants Program;
2. Reallocate activities within the Relief and Recovery Package to the value of \$184,937. Total 2021-2022 package value remains \$3,862,000 by approving the financial adjustment in this report:
 - Waiving of winter seasonal sports club tenancy and ground allocation fees by \$149,337; and
 - Waiving school and personal trainer ground hire fees \$9,500; and
 - Waiving license fees and charges for licenced occupiers in Council-run community centres for the period 1 July 2021 – 30 September 2021 \$26,100.

This is to be funded from the reallocation of the Ratepayer Reward Redemption activity of \$184,937.

3. Notes that a detailed review will be presented at a future Councillor Briefing to consider the financial impact including funding options resulting from the continuation of COVID-19 lockdowns. The financial impact will be referred to the 2021-22 Mid-year Budget Review;
4. Adopts the recommendations for the Financial Year 2021/2022 COVID-19 Recovery Grants Program as contained in the confidential attachment (Attachment C);
5. Approves successful applicants in round three for the Financial Year 2021/2022 COVID-19 Recovery Grants Program (Attachment D) and the successful applicants' list be publically released immediately following the Council Meeting 2021/CM17; and
6. Resolves that Attachment C (Community Grant Assessment Score sheets) be retained as confidential indefinitely on the grounds that it includes 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 information concerns information about the nominees, who have not consented to their information being disclosed. Release of this information might undermine public confidence and make people reluctant to submit nominations in the future, which would compromise Council's ability to run similar grants programs in the future.

Carried Unanimously

Chairperson's initials.....

12.3 Chief Executive Officer's Quarterly Report - July - September 2021 period
(PC Chief Executive Office)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the Chief Executive Officer's Report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period July to September 2021 (attachment A), which will be made available after this meeting through Council's website; and
3. Resolves for attachment B to be retained confidential, as it contains Council business information, security information and information prescribed by the regulations to be confidential information and would, if prematurely released impact on Council's reputation and ability to function to its full capacity.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.4 Appointment and Authorisation of Council Staff

(BA Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

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* and section 313 of the *Local Government Act 2020* (Act);
2. Authorises the Instrument of Appointment and Authorisation to be signed and sealed; and
3. Resolves that Attachment A be retained as confidential indefinitely on the grounds that it includes 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 Instrument includes personal information of the officer which, if released, would breach privacy obligations.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

12.5 Adoption of Procurement Policy 2021 - 2025

(DW Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the draft Procurement Policy 2021 - 2025 (Policy) was publicly exhibited for a period of four (4) weeks, and no written submissions were received;
2. Notes the incorporation of Community Benefit procurement principles and objectives to achieve social, economic and environmental outcomes;
3. Adopts the Procurement Policy 2021 – 2025;
4. In the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020:
 - a) Delegates to the member of Council staff holding the position, or acting in or performing the duties of the Chief Executive Officer the powers, duties and functions set out in the attached S5 Instrument of Delegation Council to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;
 - b) Increases the financial delegation limit of the Chief Executive Officer from \$500,000 excluding GST to \$1 million excluding GST for the awarding of a contract or expenditure;
 - c) Authorises the Instrument of Delegation to be signed and sealed;
 - d) Notes the Instrument of Delegation will come into force immediately that the Common Seal of Council is affixed to the Instrument and will remain in force until Council determines to vary or revoke the Instrument;
 - e) Notes that on the coming into force of the Instrument, the previous Instrument of Delegation to the Chief Executive Officer dated 20 September 2021 is revoked; and
 - f) Notes the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be exercised, in accordance with any guidelines or policies.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.6 Final reporting for the Health and Wellbeing Plan 2017-2021 and Adoption of Health and Wellbeing Plan 2021-2025

(SB Communities)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Adopts the Annual Report (Year 4) for the outgoing Health and Wellbeing Plan 2017-2021, noting the annual review of the Plan is a statutory requirement;
2. Endorses the Final Evaluation Report for the outgoing Health and Wellbeing Plan 2017-2021, acknowledging the achievements of this Plan;
3. Notes the new Draft Health and Wellbeing Plan 2021-2025 was publically exhibited for a period of five weeks from 11 August to 14 September 2021 with 75 submissions received;
4. Notes all submissions have been considered and, where appropriate, changes have been incorporated into the final Health and Wellbeing Plan 2021-2025;
5. Adopts the Health and Wellbeing Plan 2021-2025 and its Year One Action Plan, noting its completion is a statutory requirement;
6. Endorses the Monitoring, Evaluation and Learning Framework for the Health and Wellbeing Plan 2021-2025; and
7. Notes officers will notify the submitters of its decision accordingly.

Carried Unanimously

Note: Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.7 Adoption of Disability Action Plan 2021-2025*(TB Communities)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the draft Disability Action Plan 2021-2025 was publicly exhibited for a period of four weeks between 2 August 2021 and 29 August 2021 with three (3) written submissions received.
2. Notes all submissions have been considered and, where appropriate, amendments made to the final draft;
3. Adopts the Disability Action Plan 2021-2025; and
4. Notes officers will notify the submitters of its decision accordingly.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

12.8 Adoption of Play Strategy and Local Park Plan*(SB Communities)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes two (2) rounds of consultation have been undertaken to inform the development of the Frankston Play Strategy and Frankston Local Park Action Plan;
2. Notes the draft Frankston Play Strategy and draft Local Park Action Plan were publicly exhibited for a period of 5 weeks from 11 August 2021 to 14 September 2021 with 70 responses received;
3. Notes all submissions have been considered and, where appropriate, changes have been incorporated into the final Frankston Play Strategy and Frankston Local Park Action Plan;
4. Notes the recommendations for the Frankston Play Strategy and Frankston Local Park Action Plan will be considered as part of Council's annual budget process and that funding and grant opportunities will also be pursued;
5. Adopts the Frankston Play Strategy and Frankston Local Parks Action Plan, and
6. Notes officers will advise the submitters of its decision accordingly.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.9 Adoption of 2021-2031 Financial Plan

(SW Chief Financial Office)

Council Decision

Moved: Councillor Conroy

Seconded: Councillor Harvey

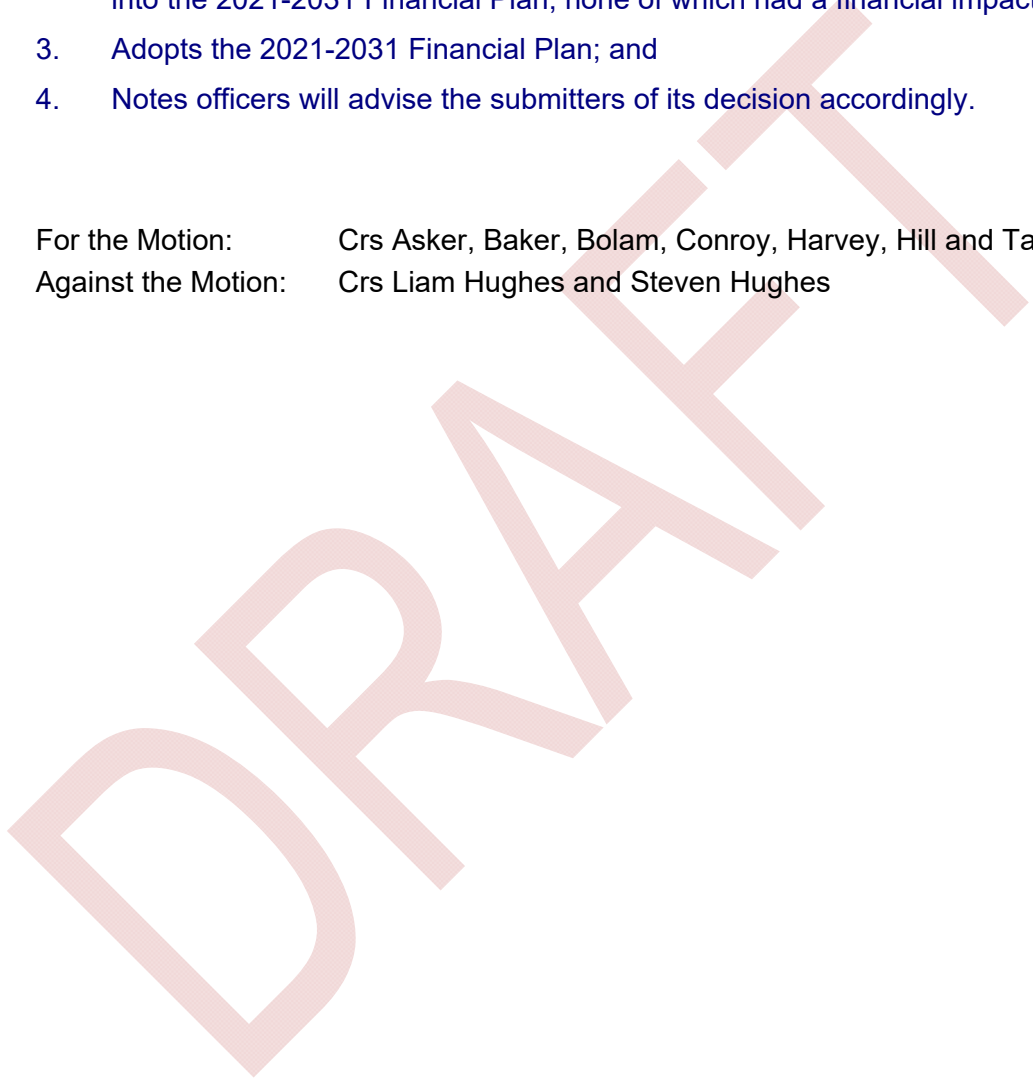
That Council:

1. Notes the draft 2021-2031 Financial Plan was publicly exhibited for a period of four (4) weeks with two (2) written responses received;
2. Notes the feedback was considered and minor clarifications were incorporated into the 2021-2031 Financial Plan, none of which had a financial impact;
3. Adopts the 2021-2031 Financial Plan; and
4. Notes officers will advise the submitters of its decision accordingly.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes



12.10 Adoption of Long Term Infrastructure Plan 2021-2031*(LU Infrastructure and Operations)***Council Decision****Moved: Councillor Hill****Seconded: Councillor Conroy**

That Council:

1. Adopts the Long Term Infrastructure Plan (LTIP) 2021-2031;
2. Notes that a key component of the LTIP is the Cost Escalation Factor (CEF) of 2.55% that is applied across the ten (10) year Program to allow for increasing costs of capital projects, particularly in civil and facility projects;
3. Notes the LTIP has forecast external income of \$118.55 million over the life of the Plan, which will be supported by Council's advocacy framework and priorities, and is integral to the funding strategy of the LTIP;
4. Notes since adoption of the 2021-2025 Council Plan and Budget on 28 June 2021, a number of capital works budget adjustments have been identified and reflected in the current LTIP, which will be committed at the Mid-Year Budget Review; and
5. Notes the substantial number of adjustments relate to Council resolutions that have been adopted since the adoption of the 2021-2025 Council Plan and Budget on 28 June 2021. These adjustments have also amended the potential future borrowings and grants over the term of the 2021-2031 Financial Plan.

Carried

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

Against the Motion: Cr Steven Hughes

Abstained: Cr Liam Hughes

12.12 CCTV Review and Requirements

(TB Communities)

Recommendation (Director Communities)

That Council:

1. Notes the status of the 2019-2021 CCTV program;
2. Notes the priority list for CCTV upgrades and new cameras as proposed by Community Safety officers and Victoria Police;
3. Refers \$228,000 to the 2022/23 capital works budget process for consideration to upgrade ageing cameras to current technology;
4. Refers \$100,000 to the 2022/23 capital works budget process to prepare new CCTV camera designs and costs; and
5. Notes a further report will be presented no later than March 2023 Council meeting, detailing an update on the proposed CCTV program costs and design options.

Council Decision

Moved: Councillor Baker

Seconded: Councillor Tayler

That Council:

1. Notes the status of the 2019-2021 CCTV program;
2. Notes the priority list for CCTV upgrades and new cameras as proposed by Community Safety officers and Victoria Police;
3. Investigates station Street, Seaford, as an additional camera location for inclusion in the CCTV priorities for detailed planning with a view for potential implementation in 2023/24;
4. Refers \$228,000 to the 2022/23 capital works budget process for consideration to upgrade ageing cameras to current technology;
5. Refers \$100,000 to the 2022/23 capital works budget process to prepare new CCTV camera designs and costs; and
6. Notes a further report will be presented no later than March 2023 Council meeting, detailing an update on the proposed CCTV program costs and design options.

Carried Unanimously

12.13 Change of Meeting Date - Election of the Mayor and Related Business

(BA Chief Financial Office)

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

That Council:

1. Notes the last meeting for election of the Mayor was held on 16 November 2020 upon which Council determined by resolution that the Mayor was to be elected for a 1 year term in accordance with section 26 (3) of the Local Government Act (LGA) 2020;
2. Notes that section 26 (4) of the LGA 2020 requires that if the Mayor is elected for a 1 year term the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable;
3. Notes that Rule 10 of the Governance Rules provides that Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public;
4. Notes that the current Mayoral term is 14 days less than the full 1 year term due to the last meeting to elect the Mayor being rescheduled last year to 16 November 2020 as a result of COVID delays impacting the general election;
5. Notes that the 1 year term for a Mayor elected in the final year of their term (2020-2024) will be less than the full 1 year term, due to the Mayor ceasing to hold the office of Councillor at 6am on 26 October 2024, being the day of the next general election, in accordance with section 29 (1b) of the LGA 2020;
6. Resolves to reschedule the date of the meeting for the upcoming election of the Mayor (and related business) from Thursday 4 November 2021 to Thursday 18 November 2021; and
7. Notes the revised meeting date will be advertised by way of public notice and on Council's website.

Councillor Tayler left the chamber at 9:03 pm.

Councillor Tayler returned to the chamber at 9:04 pm.

The motion was put and

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials.....

12.14 Councillor Training and Development - Australian Institute Company Directors Course

(BA Chief Financial Office)

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

That Council:

1. Endorses Cr Claire Harvey, Cr Brad Hill and Cr Sue Baker to undertake the Australian Institute of Company Directors' (AICD) Course and membership, commencing in 2021-2022 financial year;
2. Notes the Training and Development budget allocation for Councillors is \$3,000 per financial year;
3. Notes the cost of the AICD Course will be funded via each of the Councillor's respective Training and Development budget allocations over the following financial years:
 - Cr Claire Harvey: 2021-2022 and 2022-2023
 - Cr Brad Hill: 2021-2022, 2022-2023 and 2023-2024; and
 - Cr Sue Baker: 2021-2022, 2022-2023 and 2023-2024

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials.....

12.15 Outcomes of the Audit & Risk Committee Meeting - 27 August 2021

(SW Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives the unconfirmed minutes of the Audit and Risk Committee meeting held on 27 August 2021; and
2. Resolves the attachment remains confidential indefinitely on the grounds that it as it contains details of existing audits and other information which includes Council business information, security information, law enforcement information, legal privileged information, personal information, private commercial information and confidential meeting information (Local Government Act 2020, s.3(1)(a), (b), (d), (e), (f), (g) and (h)). Premature release of this information would impact the status of the audits and compromise the ability for future audits to be properly undertaken.

Carried Unanimously**Note:** Refer to page 7 of these Minutes where this item was Block Resolved

Chairperson's initials.....

12.16 Award of Contract No CN10523 - Evelyn Street Park Construction

(VG Infrastructure and Operations)

Recommendation (Director Infrastructure and Operations)

That Council:

1. Awards contract CN 10523 Evelyn Street Park construction works to LJM Construction Australia (ACN: 610 919 581) for \$1,010,929.91 GST exclusive;
2. Authorises the Chief Executive Officer to sign the contract;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments B and C to this report be retained confidential on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the Local Government Act 2020.

Deferral Motion to another Council Meeting

Moved: Councillor Conroy

Seconded: Councillor Hill

That the matter be deferred to the 15 November 2021 Council Meeting.

Carried Unanimously

12.17 Award of Contract No CN10572 - Jubilee Park Stadium Redevelopment*(MS Infrastructure and Operations)***Council Decision****Moved: Councillor Hill****Seconded: Councillor Harvey**

That Council:

1. Awards Contract No. CN 10572 – Jubilee Park Stadium Redevelopment to Lloyd Group Pty Ltd (ABN 96 069 674 479) for \$30,150,000 GST exclusive;
2. Authorises the Chief Executive Officer to sign the contract;
3. Delegates approval of contract variations to the Chief Executive Officer;
4. Notes Council's Long Term Infrastructure Plan (LTIP) applies a Cost Escalation Factor (CEF) of 2.55% towards the project budget from the project budget adoption date of 23 September 2019 to the construction completion date in 2023, which equates to \$422,000 GST exclusive towards the Council contribution;
5. Notes the valuable contribution received from Cricket Victoria of \$200,000 GST exclusive towards this project which will enhance the project outcome;
6. Endorses a revised Total Project Budget of \$35,322,000 GST exclusive following the budget adjustments - addition of \$422,000 GST exclusive and \$200,000 GST exclusive used to offset the Council Contribution;
7. Notes the costs for annual maintenance of the new facility will be recovered by Council through a lease agreement with Frankston and District Netball Association (FDNA) and a separate report will be brought to Council once the lease agreement is prepared; and
8. Resolves the attachments to this report be retained confidential on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the Local Government Act 2020.

Carried Unanimously

13. RESPONSE TO NOTICES OF MOTION

Nil

DRAFT

Chairperson's initials.....

14. NOTICES OF MOTION**14.1 2021/NOM9 - Councillor Call-In Protocol**

(TC Chief Financial Office)

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

That Council resolves to amend the Councillor call-in protocol pertaining to planning permit applications to reflect the following:

1. Written agreement (including by electronic means) from three Councillors before a Councillor call-in is effectual;
2. Two out of three of the written agreements must be from Ward Councillors where the planning proposal is to be located; and
3. The protocol be reviewed by the next Council, following the changeover from multi-Councillor wards to single Councillor Wards.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials.....

14.2 2021/NOM10 - National Asbestos Awareness Week 2021

(FM Business Innovation and Culture)

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

That Council:

1. Notes that there is a large amount of asbestos still present in Australian homes, workplaces and the built environment. Nationwide, 1 in 3 homes contain asbestos;
2. Notes that exposure to asbestos fibres can cause cancer. There is no known safe minimum level of exposure to asbestos fibres;
3. Notes that do-it-yourself (DIY) renovation or home maintenance activities exposes many people to asbestos fibres, often without them even knowing. Asbestos can be found anywhere in homes built before 1990 — including kitchens, bathrooms, roofs, eaves, under flooring and in out buildings;
4. Notes that we should encourage our community to 'Think twice about asbestos' and to encourage residents undertaking renovations or home maintenance to 'Get in the know, Take it slow, Get a pro';
5. Notes the likelihood of asbestos-containing materials being improperly disposed of in house hold 'red-bins' when residents are unaware of asbestos;
6. Agrees to participate in National Asbestos Awareness Week 2021 and engage in key awareness-raising activities throughout the campaign period (22-28 November) including: a press release from Council to the local paper, promoting asbestos awareness on social media, and promoting the week in the Frankston City News; and
7. Raises awareness in the communication materials on the advice it can offer residents in relation to the safe removal of asbestos.

Carried Unanimously

15. LATE REPORTS

Nil.

16. URGENT BUSINESS

Nil.

DRAFT

Chairperson's initials.....

17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Hill****Seconded: Councillor Harvey**

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

C.1 Peninsula Leisure P/L - Financial Sustainability Impacts from COVID-19

Agenda Item C.1 Peninsula Leisure P/L - Financial Sustainability Impacts from COVID-19 is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

Carried Unanimously

18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS**C.1 Peninsula Leisure P/L - Financial Sustainability Impacts from COVID-19
(considered at this Council Meeting)****Moved: Councillor Baker****Seconded: Councillor Conroy**

That Council:

1. Notes the letter received on 10 September 2021, with a request from Peninsula Leisure Pty Ltd (PL) for Council to provide a cash injection to address the financial impacts of COVID-19 on its ongoing financial sustainability;
2. Commits a provision of up to \$2,250,000 at the 2021-22 Mid-Year Budget Review to fund operational and capital expenditure of PL;
3. Notes an upfront funding of \$530,000 is paid immediately to PL;
4. Notes that on a monthly basis, proper assessment and acquittal will be undertaken and funding will be drawn down from the \$1,720,000 when required; and
5. Authorises the release of Council's resolution as part of the public minutes of this meeting, but resolves that the report and attachment are to remain confidential indefinitely on the grounds that they include private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (Local Government Act 2020, s.3(1)(g)). These grounds apply because the information is commercial information and would, if released, compromise Council's ability to obtain similar detailed information from Peninsula Leisure in the future.

The motion was put and carried

The meeting was closed to the public at 10.05 pm

**DRAFT MINUTES
CONFIRMED THIS**

14th

DAY OF

October

2021

.....
CHAIRPERSON

DRAFT

Chairperson's initials.....