



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE FRANKSTON CENTRE, DAVEY STREET, FRANKSTON  
ON 20 SEPTEMBER 2021 at 7.11PM**

PRESENT	Cr. Kris Bolam (Mayor) Cr. Nathan Conroy (Deputy Mayor) 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. Suzette Tayler (via Zoom)
APOLOGIES:	Nil.
ABSENT:	Cr. Steven Hughes
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) Mr. Stuart Caldwell, Coordinator Statutory Planning (via Zoom) Ms. Suzane Becker, Manager City Futures (via Zoom) Ms. Fiona McQueen, Manager Community Relations (via Zoom) Ms. Tenille Craig, Team Leader Governance Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Supervising Technician Mr. Connor Rose, Business Analyst
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.

<b>1. PRESENTATION TO COMMUNITY GROUPS.....</b>	<b>3</b>
<b>2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>3</b>
Council Meeting No. CM15 held on 30 August 2021.....	3
<b>3. APOLOGIES.....</b>	<b>3</b>
<b>4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>3</b>
<b>5. PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>6. HEARING OF PUBLIC SUBMISSIONS .....</b>	<b>3</b>
<b>7. ITEMS BROUGHT FORWARD .....</b>	<b>4</b>
11.1 Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO).....	5
12.20 Proposed Lease of Council Land - Part of 151R East Road Seaford - St Kilda Football Club .....	11
12.8 Lighting Frankston Plan.....	15
<b>8. PRESENTATIONS / AWARDS.....</b>	<b>16</b>
8.1 LGPro VIC (Local Government Professionals) Customer Impact Award for 2021 .....	16
<b>9. PRESENTATION OF PETITIONS AND JOINT LETTERS.....</b>	<b>16</b>
<b>10. DELEGATES' REPORTS.....</b>	<b>16</b>
<b>12. CONSIDERATION OF REPORTS OF OFFICERS.....</b>	<b>17</b>
12.1 Council Resolution Status Update for 20 September 2021.....	17
12.2 Minutes of External Committee Meetings served upon by the Executive Management Team.....	18
12.3 Capital Works Quarterly Report - Q4 - April - June 2020/21.....	19
12.4 Consolidated Financial Report and Performance Statement ended 30 June 2021.....	20
12.5 Review of S5 Instrument of Delegation - Council to the Chief Executive Officer .....	21
12.6 Review of S7 Instrument of Sub-Delegation by Chief Executive Officer (CEO) to Members of Staff.....	22
12.7 Revised Reconciliation Action Plan - Frankston City .....	23
12.9 Pines Forest Aquatic Centre Draft Master Plan .....	24
12.10 Draft Complaints and Feedback Policy.....	25

12.11	Audit and Risk Committee – Chairperson's half-yearly report to Council in 2021 .....	26
12.12	Frankston Arts Advisory Committee - Report .....	27
12.13	MAV State Council Motions for 12 November 2021 State Council Meeting.....	28
12.14	McCormicks Precinct Local Area Traffic Management Study .....	29
12.15	Establishment of a night-time economy grant - Invest Frankston After Dark Activation Grant .....	30
12.16	Volunteer of the Year Awards 2021 .....	31
12.17	Frankston City Council's submission to Victorian Government's Decriminalising Sex Work Discussion Paper, August 2021 .....	32
12.18	Blue Carbon Proposal .....	33
12.19	Frankston Business Chamber .....	34
<b>13.</b>	<b>RESPONSE TO NOTICES OF MOTION .....</b>	<b>35</b>
<b>14.</b>	<b>NOTICES OF MOTION .....</b>	<b>36</b>
14.1	2021/NOM8 - Humanitarian Support for Fiji.....	36
<b>15.</b>	<b>LATE REPORTS .....</b>	<b>39</b>
<b>16.</b>	<b>URGENT BUSINESS.....</b>	<b>39</b>
<b>17.</b>	<b>CONFIDENTIAL ITEMS .....</b>	<b>40</b>

**1. PRESENTATION TO COMMUNITY GROUPS**

Cr Brad Hill presented a Certification of Appreciation to Jolene Gailitis for her contribution to the Frankston community.

Jolene volunteers for several community groups including Community Support Frankston and Orange Sky Laundry. She has also started her own not for profit, Project Fresh Start, delivering free meals to residents at the Ambassador.

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

**Council Meeting No. CM15 held on 30 August 2021.**

**Council Decision**

**Moved: Councillor Hill**

**Seconded: Councillor Asker**

That the minutes of the Council Meeting No. CM15 held on 30 August 2021 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

**3. APOLOGIES**

Cr Steven Hughes was noted as being absent due to his current suspension from Council.

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

Nil.

**5. PUBLIC QUESTION TIME**

Nil.

**6. HEARING OF PUBLIC SUBMISSIONS**

Ms Veronica Piatti made a submission to Council regarding Item 11.1: Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO);

Mr Dale Johns made a submission to Council regarding Item 11.1: Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO);

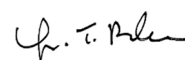
Mr Paul Truong made a submission to Council regarding Item 11.1: Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO); and

Ms Meredith MacKenzie made a submission to Council regarding Item 12.20: Proposed Lease of Council Land - Part of 151R East Road Seaford - St Kilda Football Club.

*Councillor Tayler left the meeting at 8:00 pm.*

*Councillor Tayler returned to the chamber at 8:01 pm.*

Chairperson's initials



**7. ITEMS BROUGHT FORWARD****Items Brought Forward****Council Decision****Moved: Councillor Conroy****Seconded: Councillor Harvey**

That the Items listed below be brought forward:

- Item 11.1: Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO)
- Item 12.20: Proposed Lease of Council Land - Part of 151R East Road Seaford - St Kilda Football Club
- Item 12.8: Lighting Frankston Plan

**Carried Unanimously**

**11.1 Planning Application 36/2021/P - 131 and 133 Fortescue Avenue, Seaford - To construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO)**

*(SC Communities)*

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

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 36/2021/P to construct five (5) double storey dwellings on a lot in a General Residential Zone (GRZ) To construct buildings and works in a Special Building Overlay (SBO) at 131 – 133 Fortescue Avenue, Seaford, subject to the following conditions:

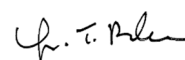
**Plans**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) Amendments to finished floor levels of dwellings and garages in accordance with condition 18 and 19 - Melbourne Water requirements.
  - (b) Demonstrated compliance with ResCode Standard B18 (Walls on Boundaries).
  - (c) Demonstrated compliance with ResCode Standard B20 (North Facing Windows).
  - (d) The location of all external plant and equipment illustrated and located to minimise any potential detriment from noise to adjoining properties.
  - (e) All trees growing on the site and on the adjoining properties within 3m of the boundaries must be clearly illustrated on all relevant plans. This must include canopy width, trunk location and be clearly labelled in accordance with the arborist report by Bluegum dated 05.02.21 and state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.
  - (f) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all retained trees and the location of tree protection fencing and or ground protection systems must be clearly illustrated on all relevant plans (including ground floor) to the satisfaction of the Responsible Authority.
  - (g) Notation of all relevant plans that the existing natural ground level (NGL) within the TPZ of Tree 21 (outside of endorsed building footprint) and neighbouring TPZs that extend into the site must be maintained and not be altered by excavations throughout all development phases.
  - (h) A Landscape Plan in accordance with Condition 4.
  - (i) Notation on all relevant plans that root-sensitive driveway paving to be in accordance with Condition 6.
  - (j) Tree protection conditions noted in accordance with Condition 7.

**No Alterations**

2. The use and/or development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Chairperson's initials



**Prior to Occupation**

3. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

**Landscape Plans**

4. Before the commencement of buildings and works, a landscape plan in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) A survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed.
  - (b) The tree number, TPZ, SRZ and notations regarding protection methods during construction of retained trees.
  - (c) Buildings on neighbouring properties within three metres of the boundary.
  - (d) All landscape design and construction to adhere to the tree protection requirements for all neighbouring trees.
  - (e) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site.
  - (f) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
  - (g) A range of plant types from ground covers to large shrubs and trees.
  - (h) Landscaping and planting within all open areas of the site.
  - (i) The provision of screen planting (minimum mature height of 1.5m) within a landscape strip of 60cm at the interface of the property boundary and driveway
  - (j) A planting theme of a minimum 20% indigenous and 40% native within each plant group.
  - (k) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.
  - (l) The provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority:
    - i. Two (2) trees within each of the front setbacks of Dwellings 1 and 5 with minimum mature heights of 8.0m and 6.0m.
    - ii. One (1) tree within the POS area of Dwellings 1 and 3 – 5 with minimum mature heights of 6m.



(m) The provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

(n) All tree stock used must be in accordance with AS2303-2015 Tree Stock for Landscape Use.

### Tree Protection

5. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority.

6. Within the radial TPZ for Trees 21 and 26 the driveway paving must be constructed above the existing soil grade and be of air and water permeable material.

7. Prior to the commencement of the development (including demolition and any initial site preparations) Tree Protection Fencing (TPF) must then be erected at the applicable radial TPZs.

The TPF must comprise temporary fencing panels (min. 1.8m height) and held in place with concrete feet. A fixed sign stating Tree Protection zone is to be provided on all visible sides of the TPF. All tree protection zones, fencing and signage must be to the satisfaction of the Responsible Authority.

The requirements below must be observed within this area –

- (a) Coarse mulch laid to a depth of 75 mm (excluding road reserve of street trees).
- (b) No vehicular or pedestrian access.
- (c) The existing soil level must not be altered either by fill or excavation.
- (d) The soil must not be compacted or the soil's drainage changed.
- (e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- (f) No storage of equipment, machinery or material is to occur.
- (g) No open trenching to lay underground services.
- (h) Nothing whatsoever is to be attached to any tree.
- (i) Tree roots must not be severed or injured.
- (j) All tree pruning (including to roots) is to be carried out by a professional arborist and in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees.

### Drainage Requirements

8. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.

9. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.

10. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following

components or a combination thereof:

- On-site stormwater detention and rainwater tanks.
- Soil percolation.
- Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc.
- On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.

### Engineering Requirements

11. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
12. Prior to occupation of the dwellings hereby permitted by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be:-
  - Constructed to the satisfaction of the Responsible Authority;
  - Properly formed to such levels that they can be used in accordance with the plans;
  - Surfaced with an all-weather sealcoat; and
  - Drained and maintained to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

13. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

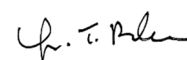
### Urban Design

14. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
15. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
16. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
17. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

### Melbourne Water Requirements

18. The dwelling/s must be constructed with finished floor levels set no lower than

Chairperson's initials



- 2.50 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 2.20 m to AHD.
19. The garage/s must be constructed with finished floor levels set no lower than 2.20 metres to AHD.
  20. Any new verandahs /decking must be constructed with unenclosed foundations to allow for the passage of overland flows.
  21. All open space within the property including (all setbacks) must be set at existing natural surface level so as not to obstruct the passage of overland flows.
  22. Any new fencing/gates must be of an open style of construction (minimum 50% open) to allow for the passage of overland flows.
  23. No fill outside of the proposed buildings footprints except for minimal ramping into garages.
  24. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

#### **Satisfactorily Completed**

25. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

#### **Permit Expiry**

26. This permit will expire if one of the following circumstances applies:
  - The development is not started within two years of the date of this permit.
  - The development is not completed within four years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

#### **Notes**

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
  - a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
  - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

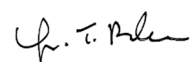
If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Carried

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

Against the Motion: Crs Asker and Liam Hughes

Chairperson's initials



**12.20 Proposed Lease of Council Land - Part of 151R East Road Seaford - St Kilda Football Club**

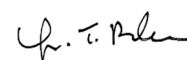
*(TB Communities)*

**Recommendation (Chief Financial Officer)**

That Council:

1. Notes the following has been undertaken at the direction of the Council resolution of the 27 January 2021 (OM 2021/CM1.12.5):
  - a. Councillor-led delegation negotiated and reached consensus with the St Kilda Football Club (SKFC) and its representatives, on terms and conditions for a new proposed lease including operational KPI's, governance and reporting procedures;
  - b. Legal and expert advice applied to the proposed terms and conditions to ensure appropriate rigour in the contractual safeguards will protect the interests of Council and ensure community benefit;
  - c. Consultation with Belvedere Community Centre and the positioning of the needs of its service within the proposed new lease documentation with SKFC and the facility redesign;
  - d. Development of a concept plan, with costings for repurposing the internal structure of the Belvedere Facility, to suit use by community organisations;
2. Notes that the negotiations with SKFC have been constructive, with good will demonstrated by both parties. SKFC have demonstrated openness and transparency with their financial modelling along with the content of their discussions with the proposed sub-tenant service providers;
3. Notes the assessment of the facility requirements and support the specific recommendations outlined below in order to manage the costs of the project:
  - a. The construction of an overflow carpark, which was resolved per Council's resolution at OM 2021/CM1.12.5 at an estimated cost of \$400,000, is recommended to be deferred for consideration as part of the 2023/24 Council budget to enable further consideration and community/stakeholder engagement in relation to the requirements once the site is fully operational;
  - b. The construction of permanent community change rooms to support future oval use at the site which was resolved per Council's resolution at OM 2021/CM1.12.5 at an estimated cost of \$600,000, is recommended to be sought from AFL Victoria through an advocacy partnership with SKFC;
4. Notes the total remaining project budget is \$2.85M however, the total cost of the repurposing works is \$3.576M, and thus additional funding of \$726,000 is required;
5. Notes the funding strategy options outlined in this report to address the shortfall of \$726,000, which will be reviewed in a future briefing with Councillors, to decide on the preferred option to commit the additional funds required as a part of the 2021/22 Mid-Year Budget Review;
6. Acting in its capacity as registered proprietor, supports in principle to the leasing of Council land to SKFC for a term of 7 years, with two further terms of 7 years (providing there are no unresolved lease obligations), for the sum of \$10,000 plus GST per annum in year 1 and 2, \$15,000 in year 3 and \$20,000 in year four and for the remainder of the first term, for the purposes of the development and use of a community health and well-being hub. This is subject to the satisfactory completion of community engagement processes pursuant to s.115 of the Local Government Act 2020, at 151R East Road Seaford, being part of Lot 1 Title Plan

Chairperson's initials



- Numbers 215097 and 845727 and known locally as the Belvedere Park Reserve;
7. Authorises the Chief Executive Officer to notify SKFC of Council's decision; and commencement of a community engagement process for the leasing of Council land, including public notification, pursuant to s.115 (4) of the Local Government Act 2020;
  8. Notes a further report will be submitted to Council no later than December 2021 to report back on the submissions arising from the statutory community engagement process, enabling Council to make a determination in relation to the new lease, noting a public hearing of submitters may be required;
  9. Notes these actions and timeframes are subject to the impacts of COVID-19; and
  10. Resolves that Attachment A (Term Sheet and KPIs) and Attachment F (Officer Assessment) and Attachment G (Full Concept Design Report - Belvedere Facility Repurposing) be retained as 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 concerns commercial information pertaining to St Kilda Football Club and would, if released, expose St Kilda Football Club to disadvantage and would also result in a loss of confidence by other businesses who may be reluctant to deal with Council in the future.

### Council Decision

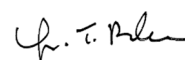
**Moved: Councillor Baker**

**Seconded: Councillor Harvey**

That Council:

1. Notes the following has been undertaken at the direction of the Council resolution of the 27 January 2021 (OM 2021/CM1.12.5):
  - a. Councillor-led delegation negotiated and reached consensus with the St Kilda Football Club (SKFC) and its representatives, on terms and conditions for a new proposed lease including operational KPI's, governance and reporting procedures;
  - b. Legal and expert advice applied to the proposed terms and conditions to ensure appropriate rigour in the contractual safeguards will protect the interests of Council and ensure community benefit;
  - c. Consultation with Belvedere Community Centre and the positioning of the needs of its service within the proposed new lease documentation with SKFC and the facility redesign;
  - d. Development of a concept plan, with costings for repurposing the internal structure of the Belvedere Facility, to suit use by community organisations;
2. Notes that the negotiations with SKFC have been constructive, with good will demonstrated by both parties. SKFC have demonstrated openness and transparency with their financial modelling along with the content of their discussions with the proposed sub-tenant service providers;
3. Notes the assessment of the facility requirements and support the specific recommendations outlined below in order to manage the costs of the project:
  - a. The construction of an overflow carpark, which was resolved per Council's resolution at OM 2021/CM1.12.5 at an estimated cost of \$400,000, is recommended to be deferred for consideration as part of the 2023/24 Council budget to enable further consideration and community/stakeholder

Chairperson's initials





- engagement in relation to the requirements once the site is fully operational;
- b. The construction of permanent community change rooms to support future oval use at the site which was resolved per Council's resolution at OM 2021/CM1.12.5 at an estimated cost of \$600,000, is recommended to be sought from AFL Victoria through an advocacy partnership with SKFC;
  4. Notes the total remaining project budget is \$2.85M however, the total cost of the repurposing works is \$3.576M, and thus additional funding of \$726,000 is required;
  5. Notes the funding strategy options outlined in this report to address the shortfall of \$726,000, which will be reviewed in a future briefing with Councillors, to decide on the preferred option to commit the additional funds required as a part of the 2021/22 Mid-Year Budget Review;
  6. Acting in its capacity as registered proprietor, supports in principle to the leasing of Council land to SKFC for a term of 7 years, with two further terms of 7 years (providing there are no unresolved lease obligations), for the sum of \$10,000 plus GST per annum in year 1 and 2, \$15,000 in year 3 and \$20,000 in year four and for the remainder of the first term, for the purposes of the development and use of a community health and well-being hub. This is subject to the satisfactory completion of community engagement processes pursuant to s.115 of the Local Government Act 2020, at 151R East Road Seaford, being part of Lot 1 Title Plan Numbers 215097 and 845727 and known locally as the Belvedere Park Reserve;
  7. Authorises the Chief Executive Officer to notify SKFC of Council's decision; and commencement of a community engagement process for the leasing of Council land, including public notification, pursuant to s.115 (4) of the Local Government Act 2020;
  8. Notes a further report will be submitted to Council no later than December 2021 to report back on the submissions arising from the statutory community engagement process, enabling Council to make a determination in relation to the new lease, noting a public hearing of submitters may be required;
  9. Notes these actions and timeframes are subject to the impacts of COVID-19; and
  10. Other than for identifying the parties who are to be the subject of the potential lease (and sub-lease) arrangements, resolves that Attachment A (Term Sheet and KPIs) and Attachment F (Officer Assessment) and Attachment G (Full Concept Design Report - Belvedere Facility Repurposing) be retained as 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 concerns commercial information pertaining to St Kilda Football Club and would, if released, expose St Kilda Football Club to disadvantage and would also result in a loss of confidence by other businesses who may be reluctant to deal with Council in the future.
  11. Releases Attachment B (Value Management Table) with the minutes of this Council meeting, noting it was mistakenly identified as a confidential attachment in the Open Council report, which can in fact be released to the public.

**Carried Unanimously**

## ATTACHMENT B: Value Management Table – Belvedere Facility Repurposing

## VALUE MANAGEMENT REVIEW

## Linen House Redevelopment

Stage : concept

Date : 14.09.2021



Item	Description	Amount	Remarks
1	Delete Air-lock	\$ -	Saving not taken up
	Include air-curtian in lieu of Air-lock	\$ -	Addition not required with Airlock included
2	Remove AFL change from scope (fund separately)	-\$ 600,000.00	SKFC and FCC to seek alternative funding for Women friendly change rooms. On-going rental of current change rooms to continue until funding is found. Note: confirmation from Ausco says this will be \$500,000
3	VM electrical budget cost - remove all new lighting/switchboards/comms racks and only replace required.	-\$ 300,000.00	Minimal impact. Less environmentally friendly reusing non LED lights. Only replace switchboards that are non compliant.
4	Delete wall tiles to Change Rooms (Paint only in lieu)	-\$ 27,600.00	On-going maintenance of paint finish will increase maintenance costs
5	Delete Acoustic Treatment for admin and consulting	-\$ 10,000.00	Acoustic environment will be less appealing
6	Delete 'quiet pod' joinery	-\$ 2,400.00	Nice to have to break up tightly packed admin area, provides alternate quiet workspace with greater confidential offer
7	Economise Café Equipment	-\$ 5,000.00	\$20k remains for required equipment. Reusing all of current equipment
8	Reduce AV allowance and reuse what is on site	\$ 20,000.00	\$5k remains for relocation and an additions required. Cabling covered in services costs
9	Delete allowance for whiteboards	-\$ 10,000.00	Re-use existing / alternative funding
10	Delete Zip Taps to Tea Rooms	-\$ 21,200.00	Kettles only (supplied by others / operators?)
	<b>Sub-total</b>	<b>-\$ 956,200.00</b>	
	Construction Contingency @ 7.5%	-\$ 71,715.00	
	Design Contingency @ 5%	-\$ 47,810.00	
	Cost Escalation @ 3% p.a.	-\$ 14,343.00	to Feb 2022 (6 months)
	Professional Fee Allowance @ 6%	-\$ 57,372.00	
	Council Internal Costs @ 2.5%	-\$ 23,905.00	
	Authority Fees @ 1%	-\$ 9,562.00	
	<b>TOTAL</b>	<b>-\$ 1,180,907.00</b>	
	Budget as per Cost plan R2	\$ 4,757,341.00	
	Savings as per above	-\$ 1,180,907.00	
	<b>Total project budget</b>	<b>\$ 3,576,434.00</b>	

Chairperson's initial *J. T. P. [Signature]*



**12.8 Lighting Frankston Plan**  
(SB Communities)**Council Decision****Moved: Councillor Conroy****Seconded: Councillor Hill**

That Council:

1. Notes two (2) rounds of consultation have been undertaken to inform the development of the Lighting Frankston Plan;
2. Notes the draft Lighting Frankston Plan was publicly exhibited for a period of 6 weeks from 23 February 2021 to 4 April 2021 with eighteen (18) written submissions received;
3. Notes the Draft Lighting Frankston Plan was publicly exhibited for a period of 4 weeks from 12 July 2021 to 8 August 2021 with 191 contributions received;
4. Notes all submissions have been considered and, where appropriate, changes have been incorporated into the Lighting Frankston Plan;
5. Notes the recommendations for the Lighting Frankston Plan will be considered as part of Council's annual budget process and that funding and grant opportunities will also be pursued; and
6. Adopts the Lighting Frankston Plan, noting officers will advise the submitters of its decision accordingly.

**Carried Unanimously**

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

That the Items listed below be Block Resolved:

- Item 12.1: Council Resolution Status Update for 20 September 2021
- Item 12.2: Minutes of External Committee Meetings served upon by the Executive Management Team
- Item 12.3: Capital Works Quarterly Report – Q4 – April-June 2020/21
- Item 12.4: Consolidated Financial Report and Performance Statement ended 30 June 2021
- Item 12.5: Review of S5 Instrument of Delegation – Council to the Chief Executive Officer
- Item 12.6: Review of S7 Instrument of Sub-Delegation by Chief Executive Officer (CEO) to Members of Staff
- Item 12.10: Draft Complains and Feedback Policy
- Item 12.11: Audit and Risk Committee – Chairperson’s half-yearly report to Council in 2021
- Item 12.12: Frankston Arts Advisory Committee - Report
- Item 12.13: MAV State Council Motions for 12 November 2021 State Council Meeting
- Item 12.14: McCormicks Precinct Local Area Traffic Management Study
- Item 12.16: Volunteer of the Year Awards 2021
- Item 12.17: Frankston City Council’s submission to Victoria Government’s Decriminalising Sex Work Discussion Paper, August 2021
- Item 12.18: Blue Carbon Proposal

**Carried Unanimously****8. PRESENTATIONS / AWARDS****8.1 LGPro VIC (Local Government Professionals) Customer Impact Award for 2021**

The Chief Executive Officer, Mr Phil Cantillon, acknowledged that Frankston City Council was the winner of the LGPro VIC Customer Impact Award for 2021.

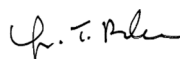
**9. PRESENTATION OF PETITIONS AND JOINT LETTERS**

Nil

**10. DELEGATES' REPORTS**

Nil

*The meeting adjourned at 8.43pm  
The meeting recommenced at 8.51pm*

Chairperson's initial 

**11. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Council Resolution Status Update for 20 September 2021**

*(BA Chief Financial Office)*

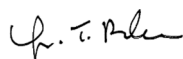
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Receives the Notice of Motion Report for 20 September 2021;
2. Receives the Urgent Business Status Update for 20 September 2021;
3. Notes there are no Notice of Motion actions that have been reported as being complete;
4. Notes there is one report that is listed as being delayed in its presentation back to Council:
  - Animal Orders & Regulations
5. Notes, since the Council Meeting held on 30 August 2021, 4 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.

**Carried Unanimously**

**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.2 Minutes of External Committee Meetings served upon by the Executive Management Team**

(BA Chief Financial Office)

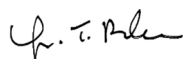
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Notes the requirement created by 2018 Accountability and Transparency Reform document to table minutes of external committees, attended by members of the Executive Management Team;
2. Recognises the new requirements arising from the *Local Government Act 2020* in relation to confidential information provisions and the associated penalties for disclosure;
3. Notes that there are alternative mechanisms for members of the Executive Management Team to report information to Council, such as the CEO's quarterly report; and
4. Resolves to no longer require the tabling of minutes of meetings of external committees served upon by the Chief Executive Officer or a member of the Executive Management Team, and for the Accountability and Transparency Reform status report to be updated accordingly.

**Carried Unanimously**

**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.3 Capital Works Quarterly Report - Q4 - April - June 2020/21**

*(LU Infrastructure and Operations)*

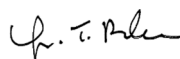
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Receives and notes the quarterly progress report (April – June 2021) for the 2020/21 Capital Works Program;
2. Notes that \$49.788M of expenditure was achieved in 2020/21 against a total Adjusted Capital Works Program budget of \$54.415M, which equates to an outstanding 91.5% program expenditure rate exceeding the Council Plan performance measure of 90%;
3. Notes there were no projects where variations exceeded the pre-approved variation amount in accordance with S7 Instrument of Sub-Delegation by CEO;
4. Endorses the list of project funding proposed to be carried forward into the 2021/22 Capital Works Program, an amount which totals \$5.400M; and
5. Resolves for attachments A and C to be retained confidential as they contain Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**Carried Unanimously**

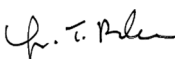
**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.4 Consolidated Financial Report and Performance Statement ended 30 June 2021**  
(NA Chief Financial Office)**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

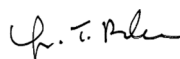
1. Approves in principle, of the draft Financial Report and Performance Statement for the year ended 30 June 2021;
2. Authorises the Mayor, Cr Kris Bolam and Councillor Claire Harvey (as Council nominated Audit and Risk Committee members) to certify the Consolidated Financial Report after agreement with Council's external auditors as to any changes that may need to be made and as considered appropriate; and
3. Authorises the Mayor, Cr Kris Bolam and Councillor Claire Harvey (as Council nominated Audit and Risk Committee members) to certify the Performance Statement after agreement with Council's external auditors as to any changes that may need to be made and as considered appropriate.

**Carried Unanimously****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

**12.5 Review of S5 Instrument of Delegation - Council to the Chief Executive Officer**  
(BA Chief Financial Office)**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. In the exercise of power conferred by Section 11(1) (b) of the *Local Government Act 2020* and all other legislation referred to in the S5 – Instrument of Delegation Council to the Chief Executive Officer, resolves that the powers, duties and functions set out in the instrument be delegated to the Chief Executive Officer, subject to the conditions and limitations specified in the Instrument of Delegation;
2. Notes the Instrument of Delegation referred to above will:
  - (i) be signed and sealed;
  - (ii) come into force immediately that the Common Seal of Council is affixed to the Instrument; and
  - (iii) remain in force until Council determines to vary or revoke the Instrument.
3. On the coming into force of the Instrument, notes the previous Instrument which was adopted by Council on 1 June 2020 is revoked; and
4. Notes the duties and functions set out in the Instrument of Delegation are performed and the powers, duties and functions be executed in accordance with any guidelines or policies that Council may from time to time adopt.

**Carried Unanimously****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

**12.6 Review of S7 Instrument of Sub-Delegation by Chief Executive Officer (CEO) to Members of Staff**

*(BA Chief Financial Office)*

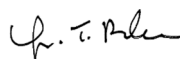
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Notes the changes made by the Chief Executive Officer (CEO) to the S7 Instrument of Sub-Delegation to members of staff which has been reviewed and updated to reflect all legislative, position title and responsibility changes since it was last updated on 12 August 2020 and *is attached as Attachment D*;
2. Notes the presented instrument facilitate continuation of Council's current decision making processes and ensures they have been reviewed within a 12 month period after a general election to remain compliant with legislation; and
3. Notes the duties and functions set out in the Instrument of Delegation are performed and the powers, duties and functions be executed in accordance with any guidelines or policies that Council may from time to time.

**Carried Unanimously**

**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 



**12.7 Revised Reconciliation Action Plan - Frankston City**

*(TB Communities)*

**Recommendation (Director Communities)**

That Council:

1. Notes the original draft Reconciliation Action Plan (RAP) was publicly exhibited for six weeks from 12 May to 23 June 2020;
2. Notes submissions were taken into account and adopted by Council on 21 September 2021;
3. Notes the feedback received from Reconciliation Australia and incorporated the amendments into the RAP;
4. Establishes and maintains a new Aboriginal and Torres Strait Islander Advisory Committee to provide ongoing oversight and advice on matters relevant to the implementation of the Reconciliation Action Plan, and authorises the Director Communities to approve the Terms of Reference and appoint members as appropriate; and
5. Adopts the revised Reconciliation Action Plan 2020-2022

**Council Decision**

**Moved: Councillor Baker**

**Seconded: Councillor Conroy**

That Council:

1. Notes the original draft Reconciliation Action Plan (RAP) was publicly exhibited for six weeks from 12 May to 23 June 2020;
2. Notes submissions were taken into account and adopted by Council on 21 September 2021;
3. Notes the feedback received from Reconciliation Australia and incorporated the amendments into the RAP;
4. Seeks a report to the November 2021 Council Meeting to establish the Terms of Reference and recommended appointments to the Aboriginal and Torres Strait Islander Advisory Committee; and
5. Adopts the revised Reconciliation Action Plan 2020-2022

**Carried Unanimously**

**12.9 Pines Forest Aquatic Centre Draft Master Plan***(TB Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Hill**

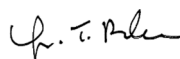
That Council:

1. Notes the Pines Forest Aquatic Centre Draft Master Plan was publicly exhibited for a period of six (6) weeks, from Thursday 13 May to Wednesday 23 June 2021, with 342 responses to the online survey;
2. Adopts the Pines Forest Aquatic Centre Master Plan and supports Option 3 as the community's preferred future development plan involving expansion of the overall site to include parkland located east and north of the PFAC (Monterey Reserve) and including a new outdoor learn to swim pool;
3. Notes the total estimated project cost of approximately \$30.9M which includes \$1.6M for an energy efficient seasonal heating option, on the assumption that the project is built in one stage and that construction commences in 2024/2025;
4. Together with Peak Sporting Associations, strongly advocates and calls on State and Federal Government seeking equal future funding contributions: 1/3 Federal Government, 1/3 State Government, 1/3 Council;
5. Notes funding of \$50,000 is currently allocated in FY 2021/22 Capital Work budget for the concept development and advocacy efforts; and commits a further \$50,000 part of the 2021/22 Mid- Year budgeted review for strengthening advocacy efforts;
6. Notes the exact timing for delivery of the project relies upon State and Federal Government funding being secured;
7. Notes the design development earmarked to commence 2023/24, will only commence once funding from the State and Federal Government is secured;
8. Notes that aside from native tree removal, no planning permit is required and therefore additional car parking supply is not a statutory requirement. Should additional car parking be required through further design development, Council will be required to investigate parking opportunities within Monterey Reserve, which will incur additional project / land acquisition costs;
9. Resolves that Attachment C (Pines Forest Aquatic Centre Costs Plan) and Attachment F (Costings Analysis Summary), and any references to the cost breakdowns of construction in the report be retained as confidential information until the conclusion of the tender process for the Pines Pool redevelopment on the grounds that it includes Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (Local Government Act 2020, s.3(1)(a)); and
10. Authorises disclosure of Attachment C (Pines Forest Aquatic Centre Costs Plan) and costings information to the State and Federal government for advocacy purposes.

**Carried**

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

Against the Motion: Crs Liam Hughes and Tayler

Chairperson's initial 

**12.10 Draft Complaints and Feedback Policy**

*(FM Business Innovation and Culture)*

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

That Council:

1. Notes the *Draft Complaints and Feedback Policy* was publicly exhibited for a period of 4 weeks from 20 July to 17 August with no written submissions received; and
2. Adopts the Complaints and Feedback Policy.

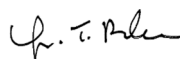
**Carried Unanimously**

**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

**12.11 Audit and Risk Committee – Chairperson's half-yearly report to Council in 2021**  
(KJ Chief Financial Office)**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

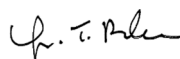
1. Acknowledges the work undertaken by the Audit and Risk Committee over the first six months of 2021, and the contribution it has made to the proper functioning of the Council and Management; and
2. Resolves for Attachment A to remain confidential indefinitely on the grounds that it includes confidential audit and risk information. These grounds apply because the information concerns existing audits and other information and would, if prematurely released, impact the status of the audits and release information that is considered confidential.

**Carried Unanimously****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

**12.12 Frankston Arts Advisory Committee - Report***(AM Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee (FAAC) meeting of 31 August 2021;
2. Refers \$10,000 to the 2021/22 midyear budget review to include the Frankston Life Christmas lunch in the standing grants program;
3. Notes the Major Local Community Events Grants panel has reviewed applications and, having found no new application met eligibility criteria for a grant, recommends not awarding grants for 2021/22 financial year;
4. Writes to all applicants and advises them of Council's decision; and
5. Resolves that Attachment A (Major Local Community Grants Outcome 2021/2022 – CONFIDENTIAL) 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 and the persons who nominated them, 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****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

**12.13 MAV State Council Motions for 12 November 2021 State Council Meeting**

*(BA Chief Financial Office)*

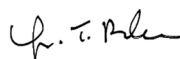
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Notes the Municipal Association of Victoria (MAV) State Council Meeting scheduled for 12 November 2021 will not proceed and the next MAV State Council Meeting will be held in May 2022, as per MAV advice;
2. Endorses the five (5) motions proposed for the MAV State Council Meeting to be held in May 2022:
  - i. Removal of Redundant Hybrid Fibre Coaxial (HFC) Cabling;
  - ii. Hoarding and Squalor Taskforce;
  - iii. Mandatory Dementia Training;
  - iv. State Government Levies;
  - v. Practical Mental Health Support; and
3. Approves for the motions to be submitted to MAV prior to the May 2022 deadline.

**Carried Unanimously**

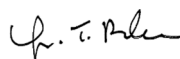
**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.14 McCormicks Precinct Local Area Traffic Management Study***(DD Infrastructure and Operations)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Adopts the recommended Local Area Traffic Management Plan for the McCormicks Precinct as detailed in the report McCormicks Precinct Local Area Traffic Management Study 2021;
2. Notes funding of \$900,000 is currently allocated in the 2021/22 and 2022/23 adopted Long Term Infrastructure Plan to commence design work and substantially complete the treatments in the Local Area Traffic Management Plan;
3. Refers further funding of \$66,500 for inclusion in 2022/23 Capital Works Budget as part of the annual budget development process to complete the McCormicks Precinct Local Area Traffic Management Plan;
4. Notes the extensive community consultation occurred within McCormick Precinct throughout this study since December 2020;
5. Notes further ongoing consultation with residents and property owners directly abutting the proposed traffic treatments will occur during the design and implementation stages of the project;
6. Continues to promote the use of Crime Stoppers as an effective tool to reduce incidents of irresponsible and anti-social driving behaviour in the precinct; and
7. Notes monitoring traffic speeds and behaviour will continue for a period of 12 months after implementation of McCormick Precinct Local Area Traffic Management Plan.

**Carried Unanimously****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

**12.15 Establishment of a night-time economy grant - Invest Frankston After Dark  
Activation Grant**  
(SB Communities)

**Council Decision**

**Moved: Councillor Conroy**

**Seconded: Councillor Baker**

That Council:

1. Adopt the Invest Frankston (IF) After Dark Activation Grant Guidelines; and
2. Commits funding of \$120,000 towards the IF After Dark Activation Grant in the 2022/23 Annual Budget.

**Carried Unanimously**



**12.16 Volunteer of the Year Awards 2021**

*(TB Communities)*

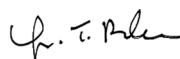
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council :

1. Approves the Community Panel's recommendations for the 2021 Annual Volunteer of Year Awards winners within the nominee categories: Service, Leadership Teamwork, Initiative and Organisation (as noted in the confidential Attachment A);
2. Approves awarding a \$1000 monetary prize to the winning recipient of the Outstanding Organisation award;
3. Authorises the public release of Attachment A following the announcement of the award recipients in October 2021;
4. Resolves Attachment B (Nomination Assessment) 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 and the persons who nominated them, 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 awards programs in the future.

**Carried Unanimously**

**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.17 Frankston City Council's submission to Victorian Government's Decriminalising Sex Work Discussion Paper, August 2021**

*(SB Communities)*

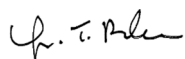
**Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Notes the Victorian Government's Decriminalising Sex Work Discussion Paper that was placed on public consultation from 13 August to 27 August 2021;
2. Endorses the officer's submission to the Discussion Paper, which was submitted 30 August 2021 as a draft, pending Council's endorsement; and
3. Notes that if Council does not endorse the draft submission officers will advise the Department of Justice and Community Safety and withdraw the submission.

**Carried Unanimously**

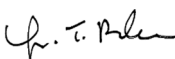
**Note:** Refer to page 16 of these Minutes where is item was Block Resolved

Chairperson's initial 

**12.18 Blue Carbon Proposal***(SB Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Supports the 'Biosphere Blue Carbon Opportunities Mapping' key project proposal, which is a key project of the Westernport Biosphere Foundation Pty Ltd (Biosphere) MoU;
2. Commits \$22,100 towards the 2021/2022 Annual Budget for the 'Biosphere Blue Carbon Opportunities Mapping' project; and
3. Resolves that Attachment A (Blue Carbon Proposal) be retained as confidential on the grounds that it includes 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, result in a loss of confidence by other businesses who may be reluctant to deal with Council in the future.

**Carried Unanimously****Note:** Refer to page 16 of these Minutes where is item was Block ResolvedChairperson's initial 

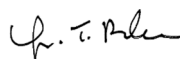
**12.19 Frankston Business Chamber**

(SB Communities)

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

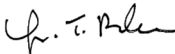
That Council:

1. Notes a briefing was provided to Councillors on the key elements recommended to be undertaken to establish the Business and Industry Chamber;
2. Endorses:
  - a) an open Expression of Interest to establish an industry representative, skills based working group led by a prominent chairperson to lead the design and delivery of the chamber; noting the selection of working group candidates will be subject to endorsement of Council
  - b) the facilitation of the working group by a Council appointed secretariat
  - c) the development of the chamber's strategic framework by the working group including a business plan i.e vision, mission, purpose, activities, financial and governance structure including voluntary status of board members, model rules and organisation structure on behalf of business and industry;
3. Notes the working group's recommendations will be presented in a further report to Council around April 2022, subject to ongoing impacts of the COVID-19 pandemic;
4. Notes Council has provided \$200,000 in the 2021/22 budget to support the establishment of the Frankston Business and Industry Chamber, however, further funds will be required in 2022/23/24, while the Chambers transitions to a self-sustaining model; and
5. Authorises the CEO to write to the Committee for Greater Frankston (C4GF) to advise Council's decision to support the establishment of the Business and Industry Chamber that is likely to alter Council's working relationship with the Committee.

**Carried Unanimously**Chairperson's initial 

**12. RESPONSE TO NOTICES OF MOTION**

Nil

Chairperson's initial 

**13. NOTICES OF MOTION****14.1 2021/NOM8 - Humanitarian Support for Fiji**

(TC Chief Financial Office)

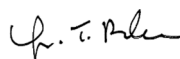
*In accordance with Governance Rules 26.4, the Mayor vacated the Chair and the Deputy Mayor took the Chair*

That Council:

1. Notes the letter from the Victorian Multicultural Sports Association seeking a \$10,000 contribution from Council for humanitarian support in Fiji;
2. Notes that Frankston and Suva (Fiji) have provisionally agreed to form a Friendship City relationship;
3. 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;
4. 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;
5. 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 - \$1,000 cash donation
  - DC Urban - \$1,000 cash donation
  - St Kilda Football Club - \$1,000 cash donation
  - Rotary Frankston - \$1,000 cash donation
  - Rotary Sunrise - \$1,000 cash donation
  - Rotary Peninsula 2.0 - \$1,000 cash donation
  - Private resident - \$500 cash donation
  - Kris Bolam (private resident) - \$800 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 (Asaleo Care) – bulk discount
  - Australian Dairy Park, Carrum 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
6. That formal letters of thanks be sent to the aforementioned donors;
  7. Supports a Council donation of \$6,000 to the Rotary Club of Frankston Sunrise towards the humanitarian aid to support Fiji's response to COVID 19 comprising \$2,000 for the purchase of sanitary products for mothers and baby products for newborns; and \$4,000 to ship the above humanitarian support to Fiji;

Chairperson's initial 

8. 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;
9. Writes to the Hon. Frank Bainimarama, the Prime Minister of Fiji, the Hon. Premila 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 Feakes; to advise of Council's decision and note the total donation of \$14,400 (comprising \$8,400 community donations and \$6,000 Frankston City Council donation).

### Leave of Council

**Moved: Councillor Bolam**

**Seconded: Councillor Baker**

That Cr Bolam be granted leave of Council to amend 2021/NOM8 - Humanitarian Support for Fiji.

**Carried Unanimously**

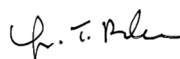
### Council Decision

**Moved: Councillor Bolam**

**Seconded: Councillor Baker**

That Council:

1. Notes the letter from the Victorian Multicultural Sports Association seeking a \$10,000 contribution from Council for humanitarian support in Fiji;
2. Notes that Frankston and Suva (Fiji) have provisionally agreed to form a Friendship City relationship;
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;
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;
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;
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;
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 - \$800 cash donation

Chairperson's initial 

- 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:

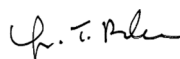
- Target Frankston – bulk discount
  - Libra (Asaleo Care) – bulk discount
  - Australian Dairy Park, Carrum Downs – excess product/aid
  - Golden Fields Nutrition, Dandenong – excess product/aid
  - Kellogg's – volunteered pallets of infant breakfast cereal
  - Community Support Frankston – volunteered pallets of sanitiser
8. That formal letters of thanks be sent to the aforementioned donors;
  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);
  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;
  11. Writes to the Hon. Frank Bainimarama, the Prime Minister of Fiji, the Hon. Premila 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 Feakes; 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.

**Carried**

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

Against the Motion: Nil

Abstained: Cr Hill

Chairperson's initial 



**14. LATE REPORTS**

Nil

**15. URGENT BUSINESS****Urgent Business****Council Decision****Moved: Councillor Asker****Seconded: Councillor Tayler**

That the matter concerning the impacts caused by the Southern Program Alliance, on behalf of Level Crossing Removal Authority (LXRA) be accepted as urgent business.

**Carried Unanimously**

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

That Council:

1. Notes and acknowledges the amenity impacts caused by the Southern Program Alliance activities (on behalf of Level Crossing Removal Authority), specifically the hauling of remnant coastal sand excavated as part of the Edithvale-Bonbeach crossing removals to the Skye Sands Quarry on Harold Road, twenty four hours a day, seven days a week for approximately seventeen;
2. Further notes that while acoustic modelling was undertaken by Southern Program Alliance to determine the extent of notification surrounding Skye Sands Quarry, and notification via a letter drop was undertaken by Southern Program Alliance Monday 13 September 2021 to noise affected residents surrounding the Skye Sands Quarry, and along the designated haulage route the transportation of sand was to occur 15 September 2021; and
3. Writes to Minister for Transport and the Southern Program Alliance to raise concerns about the inadequate level of notice and consultation to residents who may be affected and in particular the limited time period for residents to take up their concerns with the Southern Program Alliance; and a commitment to reinstating the condition of Harold Road should any damage be incurred by use of heavy transport vehicles.

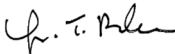
**Carried**

*Cr Nathan Conroy did not cast a vote for this item*

## 16. CONFIDENTIAL ITEMS

Nil Reports

The Mayor, Cr Kris Bolam closed the meeting with a plea to the Frankston Community to get vaccinated.

Chairperson's initial 

*The meeting was closed to the public at 9.33 pm*

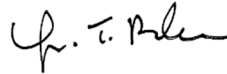
**CONFIRMED THIS**

11<sup>th</sup>

**DAY OF**

October

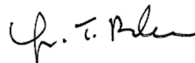
**2021**



.....  
**CHAIRPERSON**

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Kris Bolam, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday 20 September 2021 confirmed on Monday 11 October 2021.



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

Dated this

11<sup>th</sup>

day of

October

2021

Chairperson's initial 