



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 26 APRIL 2022 at 7.07PM**

PRESENT	Cr. Nathan Conroy (Mayor) Cr. Suzette Tayler (Deputy Mayor) Cr. Kris Bolam Cr. David Asker Cr. Sue Baker Cr. Claire Harvey Cr. Brad Hill Cr. Liam Hughes Cr. Steven Hughes
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Chief Financial Officer Ms. Angela Hughes, Director Communities Mr. Cam Arullanantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Business Innovation and Culture (via Zoom) Ms. Brianna Alcock, Manager Governance and Information Mr. Sam Clements, Manager Statutory Planning Mr. Bruce Howden, Manager Waste and Recycling Ms. Sally Prideaux, Manager City Futures Mr. Sam Clements, Manager Development Services Mr. Tim Bearup, Manager Community Strengthening Mr. Jeff Rogut, Business and Industry Chamber Leader Ms. Kate Harris, Coordinator Economy, Investment and Activation Ms. Kelly Eaton, Business Development Officer Ms. Tenille Craig, Team Leader Governance Ms. Rebecca Swann, Councillor Support Officer Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Supervising Technician Mr. Ric Rais, Systems Support Officer
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

The Deputy Mayor made the following statement:

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

Chairperson's initials.....

- *Based on the individual merits of each item;*
- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.*

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

PRAYER

At the request of the Mayor, the Deputy Mayor read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Deputy Mayor 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.

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1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM4 held on 4 April 2022.

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Asker

That the minutes of the Council Meeting No. CM4 held on 4 April 2022 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

There were no questions submitted to Council.

6. HEARING OF PUBLIC SUBMISSIONS

Mr. Robert Thurley made a submission to Council regarding Item 12.9 – Proposed renaming of RF Miles Reserve;

Ms. Sandi Grace made a submission to Council regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security;

Councillor Asker left the chamber at 7.37 pm.

Councillor Asker returned to the chamber at 7.38pm.

Ms Nikki Powell made a submission to Council regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security;

Ms Nikki Powell made a submission to Council on behalf of Ms Alex Powell regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security;

Ms Kylie Culshaw made a submission to Council regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security;

Councillor Asker left the chamber at 8:08 pm.

Councillor Asker returned to the chamber at 8:10 pm.

Ms Kerry Hyde made a submission to Council regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security; and

Councillor Liam Hughes left the chamber at 8:21 pm.

Ms Lisa-ann Smith made a submission to Council regarding Item 14.1 2022/NOM6 – Frankston Toy Library – Providing Financial Security.

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7. ITEMS BROUGHT FORWARD

Councillor Liam Hughes returned to the chamber at 8:23 pm.

Items Brought Forward**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Tayler**

That the following Items be brought forward:

- 12.9: Proposed renaming a section of RF Miles Reserve
- 14.1: 2022/NOM6 - Frankston Toy Library - Providing Financial Security
- 12.6: Draft 2022-2026 Budget (including 2022-2023 Council Plan initiatives)

Carried Unanimously

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

That the Items listed below be block resolved:

- 11.1: Statutory Planning Progress Report - February and March 2022
- 12.1: Council Resolution Status Update for 26 April 2022
- 12.2: Frankston Arts Advisory Committee – Report
- 12.4: Confirmation of Minutes for the Frankston Cemetery Trust held on 6 April 2022
- 12.5: Instrument of Appointment and Authorisation
- 12.7: Amendment of the Road Management Plan
- 12.8: Proposed Naming of Evelyn Reserve
- 12.10: Frankston Business and Industry Chamber
- 12.11: Award of Contract CN10692 - Carrum Downs Recreation Reserve - Destination Play Space
- 12.12: Award of Contract CN10600 - Ballam Park Athletics Track Surface Renewal Works
- 12.13: Award of Contract CN10554 (2019/20-101) - Litter Bin Collection Services

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

Meeting adjourned at 8.25 pm

Meeting resumed at 8.36 pm

Chairperson's initials

ITEMS BROUGHT FORWARD**12.9 Proposed renaming a section of RF Miles Reserve**

(BA Corporate and Commercial Services)

Recommendation (Director Corporate and Commercial Services)

That Council:

1. Notes community consultation on the Kananook Creek Gardens Vision Plan, adopted in July 2021, resulted in strong support to rename Kananook Creek Reserve;
2. Notes officers have investigated the suitability of renaming Kananook Creek Reserve, and identified the land parcel (located between Station Street and Seaford Road) is already formally named RF Miles Reserve;
3. Notes as a naming authority, Council must adhere to the Naming Rules for Places in Victoria 2017 and Council's Road Locality and Feature Naming Policy when seeking formal approval from Geographic Names Victoria to rename a place;
4. Notes proposed names from community feedback were provided to Geographic Names Victoria for preliminary consideration and feedback indicated these would not be supported whereas an indigenous name or another unique name, appropriate to the location's flora or fauna or history, would be supported;
5. Notes Bunurong Land Council Aboriginal Corporation (BLCAC) have formal requirements to request a Bunurong traditional (indigenous) language name;
6. Notes renaming will also require land owner consent from DELWP;
7. Endorses:
 - a) Officers to consult with BLCAC to commence the formal renaming process of a feature in a section of RF Miles Reserve, located between Seaford Road and Station, Street Seaford, to an **indigenous name**;

OR

- b) Public consultation with the wider community to commence the formal renaming process of a feature in a section of RF Miles Reserve, located between Seaford Road and Station Street Seaford, to a **unique name**, appropriate to local flora, fauna or the locations history; and
8. Notes a report with the proposed names will be provided to Council at the conclusion of the consultation period.

Council Decision**Moved: Councillor Liam Hughes****Seconded: Councillor Hill**

That Council:

1. Notes community consultation on the Kananook Creek Gardens Vision Plan, adopted in July 2021, resulted in strong support to rename Kananook Creek Reserve;
2. Notes officers have investigated the suitability of renaming Kananook Creek Reserve, and identified the land parcel (located between Station Street and Seaford Road) is already formally named RF Miles Reserve;
3. Notes as a naming authority, Council must adhere to the Naming Rules for Places in Victoria 2017 and Council's Road Locality and Feature Naming Policy when seeking formal approval from Geographic Names Victoria to rename a place;

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4. Notes proposed names from community feedback were provided to Geographic Names Victoria for preliminary consideration and feedback indicated these would not be supported whereas an indigenous name or another unique name, appropriate to the location's flora or fauna or history, would be supported;
5. Notes Bunurong Land Council Aboriginal Corporation (BLCAC) have formal requirements to request a Bunurong traditional (indigenous) language name;
6. Notes renaming will also require land owner consent from DELWP;
7. Endorses Officers to consult with BLCAC to commence the formal renaming process of a feature in a section of RF Miles Reserve, located between Seaford Road and Station, Street Seaford, to an **indigenous name**;
8. Notes a report with the proposed names will be provided to Council at the conclusion of the consultation period.

Carried Unanimously

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14.1 2022/NOM6 - Frankston Toy Library - Providing Financial Security

(AH Communities)

Councillor Recommendation

That Council:

1. Reallocate under-expenditure of \$50,000 from the 2021-2022 COVID-19 Recovery Package as one-off grant funding to the Frankston Toy Library (inclusive of the \$27,500 grant funding already provided this financial year) to shore up their funding due to lost revenue and membership decreases of 65% experienced during the COVID-19 pandemic.
2. Guarantee funding in the following amounts to the Frankston Toy Library in Financial Years 2022-23 and 2023-24 to be considered as part of the ongoing development of the next financial year budget, to safeguard the financial future of the Frankston Toy Library:
 - a) Provision of additional grant funding to address any shortfall (income minus expense) the Toy Library incurs against its budget in Financial Years 2022-23 and 2023-24, capped at \$85,000 plus 3.5% per annum (but expected to be no more than \$41,000 per annum).
 - b) Retains rent charges for the Toy Library at a peppercorn rate during Financial Years 2022-23 and 2023-24
 - c) Provision of additional grant funding to the Toy Library after the initial 3-year support period (or earlier if in any year during the 3-year support period the Toy Library ceases to make a loss). The additional funding will be in place for a period of 4 years upon its commencement, after which it will be reviewed for a further extension. The funding allocation is as follows:
 - i. Provision of grant funding of \$35,000 per annum
 - ii. An additional \$5,000 of grant funding per annum being allocated for the purchasing of toys, including special needs toys. Noting that special needs toys can cost up to \$500 for one set.

Leave of Council

Moved: Councillor Steven Hughes

Seconded: Councillor Liam Hughes

That Cr Steven Hughes be granted leave of Council to amend 2022/NOM6 - Frankston Toy Library - Providing Financial Security

Carried Unanimously

Council Decision

Moved: Councillor Steven Hughes

Seconded: Councillor Liam Hughes

That Council:

1. Reallocate under-expenditure of \$22,500.00 from the 2021-2022 COVID-19 Recovery Package as one-off grant funding to the Frankston Toy Library (in addition to the \$27,500 grant funding already provided this financial year) to shore up their funding due to lost revenue and membership decreases of 65% experienced during the COVID-19 pandemic.
2. Guarantee funding in the following amounts to the Frankston Toy Library in Financial Years 2022-23 and 2023-24 to be allocated as part of the ongoing development of the next financial year budget, to safeguard the financial future of the Frankston Toy

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Library:

- a) Provision of additional grant funding to address any shortfall (income minus expense) the Toy Library incurs against its budget in Financial Years 2022-23 and 2023-24, capped at \$85,000 plus 3.5% per annum (but expected to be no more than \$41,000 per annum).
- b) Retains rent charges for the Toy Library at a peppercorn rate during Financial Years 2022-23 and 2023-24
- c) Provision of additional grant funding to the Toy Library after the initial 3-year support period (or earlier if in any year during the 3-year support period the Toy Library ceases to make a loss). The additional funding will be in place for a period of 4 years upon its commencement, after which it will be reviewed for a further extension. The funding allocation is as follows:
 - i. Provision of grant funding of \$35,000 per annum
 - ii. An additional \$5,000 of grant funding per annum being allocated for the purchasing of toys, including special needs toys. Noting that special needs toys can cost up to \$500 for one set.

Extension of Time

Moved: Councillor Liam Hughes

Seconded: Councillor Harvey

That Cr Steven Hughes be granted an extension of time.

Carried Unanimously

Extension of Time

Moved: Councillor Harvey

Seconded: Councillor Tayler

That Cr Kris Bolam be granted an extension of time.

Carried Unanimously

Extension of Time

Moved: Councillor Steven Hughes

Seconded: Councillor Bolam

That Cr Liam Hughes be granted an extension of time.

Carried

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

Against the Motion: Cr Tayler

Motion be put

Moved: Councillor Tayler

Seconded: Councillor Asker

That the motion be put.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Abstained: Cr Conroy

**This motion was put and
Lost**

For the Motion: Crs Liam Hughes and Steven Hughes

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

Chairperson's initials

12.6 Draft 2022-2026 Budget (including 2022-2023 Council Plan initiatives)*(SW Corporate and Commercial Services)***Recommendation (Director Corporate and Commercial Services)**

That Council:

1. Notes the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives);
2. Endorses the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives) to be publicly exhibited for a period of four (4) weeks from Wednesday 27 April 2022 until 24 May 2022;
3. Notes the capital projects listed under the Financial Impact section, that may require budget reduction via Mid-Year Budget review, subject to the State and Federal Government election outcomes;
4. Notes that the rate in dollar calculations included in the budget are based on stage 4 (preliminary) valuations and may change based on the final valuations. In the event of any change, the updated figures will be included in the Council resolution and budget which will be considered for adoption on 6 June 2022.
5. Invites submissions from the community on any proposal contained in the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives).
6. Notes that submissions will be considered at a meeting of Council to be held on Monday 30 May 2022 at the Civic Centre, Davey Street, Frankston; and
7. Seeks a report back by no later than 6 June 2022 to consider for adoption the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives), taking into account any submissions received.

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

That Council:

1. Notes the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives);
2. Endorses the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives) to be publicly exhibited for a period of four (4) weeks from Wednesday 27 April 2022 until 24 May 2022;
3. Notes the capital projects listed under the Financial Impact section, that may require budget reduction via Mid-Year Budget review, subject to the State and Federal Government election outcomes;
4. Notes that the rate in dollar calculations included in the budget are based on stage 4 (preliminary) valuations and may change based on the final valuations. In the event of any change, the updated figures will be included in the Council resolution and budget which will be considered for adoption on 6 June 2022.
5. Invites submissions from the community on any proposal contained in the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives).
6. Notes that submissions will be considered at a meeting of Council to be held on Monday 30 May 2022 at the Civic Centre, Davey Street, Frankston;
7. Seeks a report back by no later than 6 June 2022 to consider for adoption the draft 2022-2026 budget (including 2022-2023 Council Plan Initiatives), taking into account any submissions received; and
8. a) Delays the planned funding reduction to the Frankston Toy Library for a period of 12 months (to instead take effect in 23/24 FY) to provide additional

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time for the Toy Library to review their operations, build their membership base and transition to a sustainable service model;

- b) Provides one-off marketing assistance to the Frankston Toy Library in hope of increasing its depleted membership base; and
- c) Provides the Frankston Toy Library with free access to a business mentorship initiative/s to assist in capability-building.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

Meeting adjourned at 9.30 pm

Meeting resumed at 9.38 pm

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11. CONSIDERATION OF CITY PLANNING REPORTS**11.1 Statutory Planning Progress Report - February and March 2022**

(SC Communities)

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

That Council:

1. Receives the Statutory Planning Progress Reports for the months of February and March 2022; and
2. Resolves for Attachment C - Applications of Councillor Interest to remain confidential indefinitely on the grounds that it contains land use planning information and private commercial information (*Local Government Act 2020, s.3(1)(c) and (g)*). These grounds apply because it contains private development information and would, if prematurely released, impact the reputation of Councillors and Council.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Council Resolution Status Update for 26 April 2022**

(BA Corporate and Commercial Services)

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

That Council:

1. Receives the Notice of Motion Report for 26 April 2022;
2. Notes there are no open Urgent Business items, as such this report has not been included;
3. Notes there are two Notice of Motion actions that have been reported as being complete:
 - 2022/NOM3 - Council's funding strategy towards the Barretts Road (North Section) Sealing and Construction;
 - 2022/NOM5 - Rate Reduction Relief for Frankston Residents (Lost: 2022/CM4);
4. Notes there are no reports that will be delayed in their presentation to Council;
5. Notes, since the Council Meeting held on 4 April 2022, 11 resolutions have been completed, as listed in the body of the report; and
6. Resolves for Attachment C 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 4 of these Minutes where this item was Block Resolved

12.2 Frankston Arts Advisory Committee - Report

(TR Customer Innovation and Arts)

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

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee (FAAC) meeting of 29 March 2022 (Attachment A);
2. Endorses the appointment of a new FAAC member as per the confidential Attachment B, with the candidate's name to be released as part of the Frankston Arts Advisory minutes of the next Council Meeting;
3. Endorses the recommended shortlist by FAAC of sculptures for lease by Sculptures by the Sea (Attachment C), and
4. Resolves that Attachment B 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 document includes personal information of the candidate which, if released, would breach privacy obligations.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.3 Chief Executive Officer's Quarterly report - January to March 2022 period

(PC Chief Executive Office)

Recommendation (Chief Executive Officer)

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 January to March 2022 (attachment A), which will be made available after this meeting through Council's website; and
3. Resolves for attachment B (Confidential Chief Executive Officer's report for January to March 2022 period) to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local Government Act 2020, section 3(1)(a), (d), (e), (f), (g), (i), (j) and (h) and would, if prematurely released impact on Council's reputation and ability to properly perform its functions.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Tayler

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 January to March 2022 (attachment A), which will be made available after this meeting through Council's website;
3. Seeks for a report to be provided at the December 2022 Council Meeting with an update on the Draft Ballam Park Masterplan, including the following considerations:
 - Improvements to the Cranbourne Road Retaining Wall
 - New lighting to the Play Precinct
 - Car park, lighting and greening improvements to the athletics precinct
 - New Cultural History Trail, including sister cities reference
 - New Park Wayfinding including a new Illuminated timber Gateway entry sign;
4. Seeks for a report to be provided at the June 2022 Council Meeting on the following unnamed locations with a view to honouring local historical and/or Indigenous luminaries:
 - Beauty Park Pond;
 - Ballam Park Water Pond 3x (to-be-developed);
 - Wedge Road reserve;
 - Any other locations of interest not presently formally named;
5. Pursues funding to the Office of Suburban Development for projector illumination of a site (yet to be determined) within the Frankston City Centre and that, if unsuccessful, the matter comes back to the mid-year Budget Review for consideration for Council funding; and
6. Resolves for attachment B (Confidential Chief Executive Officer's report for January to March 2022 period) to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local

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Government Act 2020, section 3(1)(a), (d), (e), (f), (g), (i), (j) and (h) and would, if prematurely released impact on Council’s reputation and ability to properly perform its functions.

Carried

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

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12.4 Confirmation of Minutes for the Frankston Cemetery Trust held on 6 April 2022
(BA Corporate and Commercial Services)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives and adopts the Minutes of the Frankston Cemetery Trust meeting held on 6 April 2022;
2. Notes the new design plan for the toilet block refurbishment; and
3. Notes the Abstract of Accounts 2020-2021 has been signed and sealed on 6 April 2022.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.5 Instrument of Appointment and Authorisation

(BA Corporate and Commercial Services)

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

That Council:

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

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.7 Amendment of the Road Management Plan

(LU Infrastructure and Operations)

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That Council:

1. Notes the amended Road Management Plan was publicly exhibited for a period of five (5) weeks and no public submissions were received;
2. Adopts the Road Management Plan 2022 to be effective as at 1 July 2022; and
3. Publishes the Road Management Plan 2022 on its public website.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

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12.8 Proposed Naming of Evelyn Reserve

(BA Corporate and Commercial Services)

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

That Council:

1. Notes *Evelyn Reserve* is located on the corner of *Fletcher Road* and *Evelyn Street*, Frankston and was rezoned as a public park in November 2021. A capital works project is underway to develop it into a park by July 2022;
2. Notes the *known as* name *Evelyn Reserve* is linked to the location and history of *Evelyn Street*, named after *Frederick Evelyn Liardet* (second son of *Wilbraham Evelyn Liardet*), who built *Ballam Park Homestead* in 1855;
3. Notes, as a naming authority, Council must adhere to the *Naming Rules for Places in Victoria 2017* and Council's *Road, Locality and Feature Naming Policy* when seeking formal approval from Geographic Names Victoria;
4. Endorses community consultation for a period of four weeks to commence the formal naming process of the feature known as *Evelyn Reserve*, to be formally named *Evelyn Park*; and
5. Seeks a report back at the completion of the consultation period to consider any submissions received.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12.10 Frankston Business and Industry Chamber

(FM Customer Innovation and Arts)

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

That Council:

1. Endorses the proposed operating structure for the Business Chamber, inclusive of plans for an operating Board;
2. Notes the community engagement that has been undertaken with the Business Chamber working group, and the additional engagement on social media and the Engage Frankston platform;
3. Endorses the preferred brand and naming of 'Frankston Business Collective' as informed by the community engagement;
4. Endorses the short listed nominations for the Board;
5. Authorises the public release of the names only of the shortlisted Board nominations at the conclusion of this meeting; and
6. Resolves that Attachment B (Frankston Business and Industry Chamber – Board nominations) otherwise be retained as confidential indefinitely on the grounds that it contains 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 of personal information on nominees, who have not consented to their information being disclosed.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.11 Award of Contract CN10692 - Carrum Downs Recreation Reserve - Destination Play Space

(VG Infrastructure and Operations)

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

That Council:

1. Awards Contract CN10692 for the construction of the Carrum Downs Recreation Reserve destination play space to JMAC Constructions Pty. Ltd. (A.C.N 065 374 414) for \$1,331,321.67 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 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 (*Local Government Act 2020 s3(1)(a)*). These grounds apply because the information concerns costings and would, if prematurely released, result in the tender process being compromised.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12.12 Award of Contract CN10600 - Ballam Park Athletics Track Surface Renewal Works

(VG Infrastructure and Operations)

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

That Council:

1. Awards contract CN10600 for Ballam Park Athletics Track Surface Renewal Works to Polytan Asia Pacific Pty Ltd (ACN 111 057 606) for \$1,018,774.20 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 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 (*Local Government Act 2020 s3(1)(a)*). These grounds apply because the information concerns costings and would, if prematurely released, result in the tender process being compromised.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12.13 Award of Contract CN10554 (2019/20-101) - Litter Bin Collection Services

(BH Corporate and Commercial Services)

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

That Council:

1. Awards contract CN10554 – Litter Bin Collection Services to Cleanaway Pty Ltd ACN 000 164 938 for the collection and disposal of materials from public litter bins, recycling bins and dog waste bins throughout the Municipality, for the sum of \$10,471,682 GST exclusive for an initial 6 year term with the provision for a further 2 x 2 year extensions;
2. Authorises the Chief Executive Officer to sign the contract and contract extensions based on the contractors' successful performance;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments A and B to this report be retained confidential, on the grounds that they contain:
 - a. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (Local Government Act 2020, section 3(1)(a); and
 - b. 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 4 of these Minutes where this item was Block Resolved

12.14 Update on the South East Metropolitan Advanced Waste Processing Project

(BH Corporate and Commercial Services)

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

That Council:

1. Notes at the Council meeting held on Monday 4 April 2022, it voted against a commitment to the South East Metropolitan Advanced Waste Processing Project ('project') owing to its concerns with the projects level of community engagement and the State's absence of financial underwriting of this regionally significant project;
2. Undertakes its own engagement to establish whether its community would support a future commitment to a project based on waste to energy technologies;
3. Seeks the development of a Community Engagement Plan for review of the Councillors at a future Councillor Briefing;
4. Notes this engagement will explore the issues and challenges we face without more landfill space being available in the southern eastern or eastern suburbs of Melbourne beyond 2025 and the opportunity presented by consideration of alternative waste processing solutions;
5. Notes this engagement will assist the development of Council's draft Waste Circularity Plan which is currently scheduled to be presented to Council in July 2022. This Plan sets a strategic direction to achieve the Victorian Government's mandated goal of 80 per cent diversion of waste from landfill, alongside Council's ambition for greater resource recovery, while finding an alternative to landfill disposal in the SE metropolitan region.
6. Calls on the Premier of Victoria, the Hon. Daniel Andrews MP and the State Minister for Energy, Environment and Climate Change, the Hon. Lily D'Ambrosio MP to provide a financial commitment and underwriting of the project by the Victorian Government in order to mitigate exposure to ongoing risks over the 25 year life of the contract;
7. Seeks a report back to Council no later the end of July 2022 to assist Council to decide on any potential recommitment to the project.
8. Resolves for Attachment B & C to be retained as confidential indefinitely, on the grounds that it contains information that is confidential pursuant to the Local Government Act 2020, as follows:
 - information that is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (s.3(1)(a));
 - 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 (s.3(1)(g));

and would, if prematurely released impact on Council's reputation and ability to properly perform its functions.

Carried Unanimously

Chairperson's initials.....

13. RESPONSE TO NOTICES OF MOTION

Nil

DRAFT

Chairperson's initials

14. NOTICES OF MOTION

Item 14.1: 2022/NOM6 - Frankston Toy Library - Providing Financial Security was brought forward and is referenced on page 7.

DRAFT

Chairperson's initials

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

DRAFT

Chairperson's initials

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

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, the Chief Executive Officer, pursuant to Section 3(1) of the Local Government Act 2020 on the following grounds:

C.1 Issuing Invest Frankston Business Grants 2022

- 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 (business) in the future.

Carried Unanimously

.....
Signed by the CEO

Chairperson's initials

18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS**C.1 Issuing Invest Frankston Business Grants 2022****Council Decision****Moved: Councillor Harvey****Seconded: Councillor Tayler**

That Council:

1. Awards the 2022 Invest Frankston Business Grants to eight (8) businesses totalling \$228,245.00;
2. Awards the 2022 Invest Frankston Business Grants to the following businesses in accordance with recommendations of the Independent Assessment Panel (IAP):
 - a) Little River Pty Ltd (trading as Little River coffeehouse) - \$25,000
 - b) The Living Earth Co - \$30,000
 - c) Lewin Street Pty Ltd (trading as The Commute) - \$30,000
 - d) Hotel Lona Pty Ltd - \$30,000
 - e) The Perpetual People Co Pty Ltd - \$28,245
 - f) AMR Management (trading as Ash Marton Realty) - \$30,000
 - g) Australian Academy of Dental Excellence Pty Ltd (trading as Sea Breeze Dentistry) - \$30,000
 - h) Young Folks Digital Pty Ltd - \$25,000;
3. Acknowledges not all monies awarded to grant recipients will be expended by 30 June 2022 due to timing, therefore it is requested that unspent monies are returned to the Strategic Asset Reserve to be drawn upon as expenditure occurs during the 2022/23 financial year;
4. Supports the redirection of \$50,000 of the unspent monies for a strategic review and audit of all Business Grant Programs adopted over the last ten years to be reported back to Council no later than the November 2022 Council Meeting and the remaining monies to be returned to the Strategic Assets Reserve for further review and decision at the Mid-Year Budget Review; and
5. Authorises the release of the resolution as part of the public minutes of this meeting, but resolves that the report and attachments 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 (business) in the future.

This motion was put and carried

Chairperson's initials.....

The meeting was closed to the public at 9.58 pm

DRAFT
CONFIRMED THIS

DAY OF

2022

.....
CHAIRPERSON

DRAFT

Chairperson's initials.....

The meeting was closed to the public at 9.58 pm

CONFIRMED THIS

DAY OF

2022

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Nathan Conroy, 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 26 April 2022 confirmed on 16 May 2022.

.....
(Cr. Nathan Conroy, Chairperson – Council Meeting)

Dated this

day of

2022

Chairperson's initials.....