



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 22 FEBRUARY 2016 at 7.04 PM**

PRESENT	Cr. James Dooley (Mayor) Cr. Darrel Taylor Cr. Sandra Mayer Cr. Rebekah Spelman Cr. Glenn Aitken Cr. Suzette Tayler Cr. Brian Cunial Cr. Colin Hampton Cr. Michael O'Reilly
APOLOGIES:	Mr. Dennis Hovenden, Chief Executive Officer
ABSENT:	Nil.
OFFICERS:	Mr. Tim Frederico, Acting Chief Executive Officer Dr. Gillian Kay, Director Communities Development Mr. Vito Albicini, Director City Development Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Natasha Duckett, Communications Officer Media Ms. Vera Roberts, Officer Council Business Support
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor Taylor 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.*

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.”

Chairperson’s initials

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Hampton acknowledged the Boonerwung and Bunurong peoples – the traditional custodians of the land on which we stand and recognised all Aboriginal and Torres Strait Islander peoples who have given to Australia's identity – from the past, into the present and for the future.



Chairperson's initials

A handwritten signature in black ink, consisting of stylized initials, located at the bottom right of the page.

1. PRESENTATION TO COMMUNITY GROUPS.....	3
2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	3
Ordinary Meeting No. OM282 held on 1 February 2016.	3
3. APOLOGIES.....	3
4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST	3
5. PUBLIC QUESTION TIME.....	3
6. HEARING OF PUBLIC SUBMISSIONS	3
7. ITEMS BROUGHT FORWARD	4
8. PRESENTATIONS / AWARDS.....	4
9. PRESENTATION OF PETITIONS AND JOINT LETTERS.....	4
10. DELEGATES' REPORTS.....	4
ITEMS BROUGHT FORWARD.....	5
12.2 Down's Estate - Utilisation Options.....	5
11. CONSIDERATION OF TOWN PLANNING REPORTS	7
11.1 December Town Planning Progress Report	7
12. CONSIDERATION OF REPORTS OF OFFICERS.....	8
12.1 Election Period Policy 2016.....	8
12.3 Confirmation of Minutes for Frankston Cemetery Trust.....	9
12.4 Capital Works Quarterly Report (October - December) 2015/16	10
12.5 Council Plan Quarterly Performance Report - Quarter 2 October - December 2015-2016.....	11
12.6 December 2015 Quarterly Financial Performance Report.....	12
12.7 Record of Assemblies of Councillors	13
12.8 Frankston Basketball Stadium Expansion Project - Report for Approval to Commence Town Planning	14
13. NOTICES OF MOTION	15
14. LATE REPORTS	15
15. URGENT BUSINESS.....	15



16. CONFIDENTIAL ITEMS	16
C.1 Appointment of Chairperson to the Audit and Risk Management Committee	16
C.2 Award of Traffic Management Services Contract	16
C.3 Minutes of the Frankston Arts Board - January 2016	16
C.4 Awarding of Minor Stormwater Drainage Works Contract	16
C.5 Award of Minor Roads and Footpaths Maintenance Services Contract	16
C.6 Confidential Papers - Strategic Opportunity for PARC	16
C.7 Frankston Yacht Club - Commercial Operator Negotiations	16
C.8 Frankston Arts Centre Precinct Renewal, Compliance and Upgrade Works Stage 1 - Award of Contract.....	16
17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS.....	17
C.8 McClelland Drive Widening - Skye Road to Cranbourne Road - Contract No: 2015/16-17 (considered at OM281 7 December 2015)	17

Chairperson's initials



1. PRESENTATION TO COMMUNITY GROUPS

Nil.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM282 held on 1 February 2016.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Hampton

That the minutes of the Ordinary Meeting No. OM282 held on 1 February 2016 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES**Council Decision**

Moved: Councillor Aitken

Seconded: Councillor Cunial

That the apology be received and the Chief Executive Officer, Mr Dennis Hovenden be granted leave from the meeting.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

One (1) person submitted three (3) questions without notice to Council. At the request of the Mayor, the Acting Chief Executive Officer, Mr Tim Frederico, read the questions to the gallery. Mr Tim Frederico answered the first question and advised that a full response to all questions will be provided in writing within seven (7) days. The questions and answers are contained in Appendix.

6. HEARING OF PUBLIC SUBMISSIONS

Mr Noel Tudball made a submission to Council regarding Item 12.2: Down's Estate – Utilisation Options;

Ms Pat Bentley made a submission to Council regarding Item 12.2: Down's Estate – Utilisation Options;

Mr John McKenzie made a submission to Council regarding Item 12.2: Down's Estate – Utilisation Options;

Ms Maureen Griffin made a submission to Council regarding Item 12.2: Down's Estate – Utilisation Options.



7. ITEMS BROUGHT FORWARD**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Spelman**

That Item 12.2: Down's Estate – Utilisation Options be brought forward.

Carried Unanimously**8. PRESENTATIONS / AWARDS**

Nil.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That the petition containing 77 signatures in support of the Development of the Down's Estate asking the Council to retain, renovate and maintain existing structures and consults with the community be received.

Carried Unanimously**10. DELEGATES' REPORTS**

Nil



ITEMS BROUGHT FORWARD**12.2 Down's Estate - Utilisation Options**

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to support Option 3 for a Stage 1 Feasibility Project as listed below for the utilisation of the Down's Estate:

- A. Clean-up and maintain the site to a minimum standard, including fencing, that ensures a minimal risk to the public and liability for Council (\$44,000)
- B. Continue Spiny Rush control program and undertake additional environmental management requirements for the site as needed (\$7,000)
- C. Demolish the buildings (\$20,000)
- D. Support the DECWG proposal to establish a Steering Committee, refine the Master Plan with suitable community uses without the requirement for buildings (\$6,000)
- E. Allow volunteers on-site to undertake approved activities. *(Council requires all volunteers undertaking activities on Council's reserves to comply with a Code of Practice and to have an "Agreed Works Plan" in place. An example plan is attached for information purposes)*
- F. Bring the revised Master Plan Report back to Council in June 2016.

Council Decision**Moved: Councillor Aitken****Seconded: Councillor Spelman**

That Council resolves to support Option 1 (\$57,000) as an interim measure for a Stage 1 Feasibility Project as listed below for the utilisation of the Down's Estate:

- A. Clean-up and maintain the site to a minimum standard, including fencing that ensures a minimal risk to the public and liability for Council (\$44,000).
- B. Continue Spiny Rush control program and undertake additional environmental management requirements for the site as needed (\$7,000).
- C. Support the DECWG proposal to establish a Steering Committee to assess the feasibility of the proposal and refine the Master Plan (\$6,000).
- D. Allow volunteers on-site to undertake approved activities.
- E. Demolish the buildings as listed:
 - Front Double Carport No 2
 - Rear Outbuildings No 3
 - Outbuilding & Windmill Frame No 6
 - Chicken Pen No 8

Chairperson's initials



- F. Defer a decision on the following buildings until completion of Stage 1 of the DECWG proposal:
- Disused Dwelling No 1
 - Concrete Water Tank No 7 pending further investigation
 - Concrete Water Tank No 4 with another two at rear and side of dwelling
 - Large southerly side Shed No 5
- G. Bring the revised Master Plan Report back to Council in June 2016.

Cr Aitken left the Chamber at 7.32 pm

Cr Aitken returned to the Chamber at 7.32 pm

Extension of Time

Moved: Councillor Spelman

Seconded: Councillor Tayler

That Cr Darrel Taylor be granted an extension of time.

Carried Unanimously

**The Motion was then put and
Carried Unanimously**

Chairperson's initials



11. CONSIDERATION OF TOWN PLANNING REPORTS**11.1 December Town Planning Progress Report**

(MP Community Development)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Council receives and notes the report.

Carried Unanimously

Chairperson's initials



12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Election Period Policy 2016**

(MC Corporate Development)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Cunial**

That Council adopts the *Frankston City Council Election Period Policy 2016*.

Carried Unanimously

Chairperson's initials



12.3 Confirmation of Minutes for Frankston Cemetery Trust

(MC Corporate Development)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Council, acting as the Trustee of the Frankston Cemetery Trust, receives the Minutes of the Cemetery Trust Meeting held on Tuesday 24 November 2015 as a true and correct record of the meeting.

Carried Unanimously

Chairperson's initials



12.4 Capital Works Quarterly Report (October - December) 2015/16*(CD City Development)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That Council:

1. Receives and notes the quarterly (October - December) progress report for the 2015/16 Capital Works Program.
2. Endorses the release of the two Check Point Forms confirming approval to proceed in accordance with the Project Management Framework for the second quarter.

Carried Unanimously

Chairperson's initials



12.5 Council Plan Quarterly Performance Report - Quarter 2 October - December 2015-2016

(BA Corporate Development)

Council Decision**Moved: Councillor Mayer****Seconded: Councillor Taylor**

That Council receives and notes the Council Plan Quarterly Performance Report for quarter two from October to December 2015.

Carried Unanimously

Chairperson's initials



12.6 December 2015 Quarterly Financial Performance Report

(KJ Corporate Development)

Council Decision**Moved: Councillor Aitken****Seconded: Councillor Mayer**

That Council receives and notes the Financial Report for the quarter ended 31 December 2015.

Carried Unanimously

Chairperson's initials



12.7 Record of Assemblies of Councillors

(DH Chief Executive Office)

Council Decision**Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council receives the following written records:

- 30 November 2015;
- 5 December 2015;
- 7 December 2015;
- 14 December 2015;
- 27 January 2016; and
- 1 February 2016.

Carried Unanimously

Chairperson's initials



12.8 Frankston Basketball Stadium Expansion Project - Report for Approval to Commence Town Planning
(CD City Development)

Council Decision

Moved: Councillor Taylor

Seconded: Councillor Aitken

That Council:

1. Notes the current funding position of the project:

Federal Government:	\$4.95 M
State Government:	\$2.5 M
Frankston District Basketball Association	\$1.0 M
Frankston City Council:	\$4.0 M
Total	\$12.45 M
2. Notes Stage 1 - \$12.45 M scope which includes:
 - a. Four additional courts including 1 multipurpose show court ,
 - b. New southern entry and airlock
 - c. Foyer with café, reception and merchandising area
 - d. Vertical transport including stairs and lift
 - e. 662 Fixed seats with views to show court
 - f. Change rooms and supporting amenities
 - g. On grade gravel car parking and make good of existing sealed car parking
 - h. Relocation of FDBA administration
3. Approves the schematic design for Stage 1 and authorise council officers to submit town planning application for Stage 1.
4. Nominates Cr. Rebekah Spelman be a member of Project Steering Group Meetings for this project.

Cr Hampton left the chamber at 7.54 pm

Extension of Time

Moved: Councillor Taylor

Seconded: Councillor Cunial

That Cr Glenn Aitken be granted an extension of time.

Carried Unanimously

Cr Hampton returned to the Chamber at 7.56 pm

The Motion was then put and Carried Unanimously

Chairperson's initials



13. NOTICES OF MOTION

Nil

14. LATE REPORTS

Nil

15. URGENT BUSINESS

Nil.

Chairperson's initials



16. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Cunial****Seconded: Councillor Mayer**

That the Ordinary Council Meeting be closed to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the Local Government Act (LGA) 1989 for the reasons indicated:

C.1 Appointment of Chairperson to the Audit and Risk Management Committee

Agenda Item C.1 Appointment of Chairperson to the Audit and Risk Management Committee is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.2 Award of Traffic Management Services Contract

Agenda Item C.2 Award of Traffic Management Services Contract is designated confidential as it relates to contractual matters (s89 2d)

C.3 Minutes of the Frankston Arts Board - January 2016

Agenda Item C.3 Minutes of the Frankston Arts Board - January 2016 is designated confidential as it relates to contractual matters (s89 2d)

C.4 Awarding of Minor Stormwater Drainage Works Contract

Agenda Item C.4 Awarding of Minor Stormwater Drainage Works Contract is designated confidential as it relates to contractual matters (s89 2d)

C.5 Award of Minor Roads and Footpaths Maintenance Services Contract

Agenda Item C.5 Award of Minor Roads and Footpaths Maintenance Services Contract is designated confidential as it relates to contractual matters (s89 2d)

C.6 Confidential Papers - Strategic Opportunity for PARC

Agenda Item C.6 Confidential Papers - Strategic Opportunity for PARC is designated confidential as it relates to proposed developments (s89 2e)

C.7 Frankston Yacht Club - Commercial Operator Negotiations

Agenda Item C.7 Frankston Yacht Club - Commercial Operator Negotiations is designated confidential as it relates to contractual matters (s89 2d)

C.8 Frankston Arts Centre Precinct Renewal, Compliance and Upgrade Works Stage 1 - Award of Contract

Agenda Item C.8 Frankston Arts Centre Precinct Renewal, Compliance and Upgrade Works Stage 1 - Award of Contract is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

Chairperson's initials



17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.8 McClelland Drive Widening - Skye Road to Cranbourne Road - Contract No: 2015/16-17 (considered at OM281 7 December 2015)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Cunial**

That:

1. Council approves the acceptance of the tender from Services Southeast Pty Ltd for the McClelland Drive Widening Project;
2. Council notes that a project contingency will be reserved outside of the contract sum and vests specific authority in the contract Superintendent to authorise the payment of variations from that sum;
3. The Contract/s be signed and sealed; and
4. The recommendation (without commercially sensitive information) be released by the Ordinary Meeting on 1 February 2016.

The Motion was put and CARRIED unanimously

Chairperson's initials



The meeting closed to the public at 8.05 pm

CONFIRMED THIS

DAY OF

2016

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. James Dooley, 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, 22 February 2016, confirmed on Tuesday, 15 March 2016.

.....
(Cr. James Dooley, Chairperson – Council Meeting)

Dated this

day of

2016