



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 27 JUNE 2016 at 7PM**

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

COUNCILLOR STATEMENT

Councillor Hampton 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.”

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Taylor 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.



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Chairperson's initials



1. PRESENTATION TO COMMUNITY GROUPS

Nil.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Special Meeting No. SP195 held on 6 June 2016.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That the minutes of the Special Meeting No. SP195 held on 6 June 2016 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

Ordinary Meeting No. OM288 held on 6 June 2016.

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Hampton

That the minutes of the Ordinary Meeting No. OM288 held on 6 June 2016 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

Special Meeting No. SP196 held on 15 June 2016.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That the minutes of the Special Meeting No. SP196 held on 15 June 2016 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried

For the Motion: Crs Aitken, Cunial, Dooley, Hampton, O'Reilly and Spelman

Against the Motion: Nil

Abstained: Cr Taylor

3. APOLOGIES

Apology

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Spelman

That the apologies be received and Councillors Mayer and Tayler be granted leave from the meeting.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Cr Taylor declared an interest in Item C.2: Councillor Conduct Panel and will leave the chamber whilst discussion and voting takes place.

Cr Hampton declared an interest in Item C.2: Councillor Conduct Panel Determination and will stay in the Chamber whilst discussion and voting takes place.

5. PUBLIC QUESTION TIME

One (1) person submitted questions to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. The questions and answers are contained in Appendix.

6. HEARING OF PUBLIC SUBMISSIONS

Mr. Coleby O'Donough Colby McDonough made a submission to Council regarding Item 11.1: Planning application 167/2016/P - To use land to sell and consume liquor and to display one (1) internally illuminated business identification sign - 101 Wells Street Frankston.

7. ITEMS BROUGHT FORWARD**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Items Item C.2: Councillor Conduct Panel be brought forward into Open Council.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil

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

That the Joint Letter to support the part rezoning of the Langwarrin Low Density Residential Zone to General Residential containing 52 signatures be accepted.

Carried Unanimously

General Motion**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That the Joint Letter to support the installation of chicanes or speed humps in Galway Street, Seaford containing 45 signatures be accepted.

Carried Unanimously

General Motion**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That the Joint Letter to stop the closure of Citylife and protect the most vulnerable containing 1,663 entries on an online petition be accepted.

Carried Unanimously**10. DELEGATES' REPORTS**

Nil

ITEMS BROUGHT FORWARD

This matter was moved from Closed Council to Open as moved and seconded in Section 7.

C.2 Councillor Conduct Panel Determination

(MC Corporate Development)

Cr Taylor left the chamber due to an interest in this matter at 7.18 pm and was not present for debate

Extension of Time

Moved: Councillor Cunial

Seconded: Councillor Aitken

That Cr Hampton be granted an extension of time.

Carried Unanimously

Extension of Time

Moved: Councillor Cunial

Seconded: Councillor Hampton

That Cr Aitken be granted an extension of time.

Carried Unanimously

Extension of Time

Moved: Councillor Aitken

Seconded: Councillor Hampton

That Cr Cunial be granted an extension of time.

Carried Unanimously

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Aitken

That Council receives the Council Conduct Panel Determination and, pursuant to Section 81(M)2 of the *Local Government Act 1989*, incorporates the determination into the minutes of the meeting.

Carried Unanimously

Cr Taylor returned to the Chamber at 7.49pm after debate and voting had taken place

11. CONSIDERATION OF TOWN PLANNING REPORTS**11.1 Planning application 167/2016/P - To use land to sell and consume liquor and to display one (1) internally illuminated business identification sign - 101 Wells Street Frankston**

(MP Community Development)

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

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 167/2016/P for the use of land to sell or consume liquor (Restaurant and Café Licence)) and to display one (1) internally illuminated business identification sign at 101 Wells Street, Frankston, subject to the following conditions:

No Alterations

1. The use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Liquor Licence Requirements

2. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place at the premises during the following hours:

- 11:00 pm – 11.00 pm Monday – Sunday
- 12:00 noon – 10.30 pm Good Friday & Anzac Day

Amenity

3. The licensee/permit holder shall not cause or permit undue detriment to the amenity of the area to arise out of, or in connection with, the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.

Patron Numbers

4. A maximum of 120 patrons will be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Signage Requirements

5. The sign hereby permitted must not:
 - a. be animated;
 - b. be moving or rotating;
 - c. contain any flashing or intermittent light
 - d. be floodlit.
6. The sign hereby permitted must be constructed to the satisfaction of the Responsible Authority, and must be maintained to the satisfaction of the Responsible Authority.
7. Any external lighting of the sign must be designed, baffled and located so as to not cause glare or distraction to nearby persons or loss of amenity or any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
8. The permit expires 15 years from the date of issue of this permit.

Permit Expiry

9. This permit will expire if one of the following circumstances applies:

- The use is not commenced within two years of the date of this permit.
- The use is discontinued for a period of two (2) years or more.

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. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.

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 Unanimously

**11.2 Response to Petition - Planning Permit Application 725/2015/P - 7 Huon Court,
Frankston North**

(MP Community Development)

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

That:

1. Council notes the petition was tabled and that the matters raised in the petition will be addressed at a future Council meeting to determine Planning Permit Application 725/2015/P.
2. The Head Petitioner be advised in writing of the action to be taken.

Carried Unanimously

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Draft Building Asset Management Plan**

(CD Corporate Development)

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

That Council:

1. Receives and notes the responses from the public consultation period for the Draft Building Asset Management Plan; and
2. Adopts the Draft Building Asset Management Plan.

Carried Unanimously

12.2 Draft Integrated Water Action Plan - Outcomes of Public Consultation

(CD Corporate Development)

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

That Council:

1. Receives and reviews the summaries of the seven written submissions to Council on the draft *Integrated Water Action Plan*;
2. Considers officer recommendations in regards to the submissions received and provide feedback as required;
3. Acknowledges conclusion of the public consultation stage; and
4. Adopts Council's 10-year *Integrated Water Action Plan* with all recommended changes, and with Year 1 actions of the plan to come into effect from 1 July 2016.

Carried Unanimously

12.3 2016 - 2018 Rating Strategy
(KJ Corporate Development)

Council Decision

Moved: Councillor Taylor

Seconded: Councillor O'Reilly

That Council adopt the 2016-2018 Rating Strategy.

Carried Unanimously

12.4 2016 - 2017 to 2020 - 2021 Long Term Financial Plan

(KJ Corporate Development)

Council Decision**Moved: Councillor Taylor****Seconded: Councillor O'Reilly**

That Council adopt the 2016-2017 to 2020-2021 Long Term Financial Plan (LTFP).

Carried Unanimously

Chairperson's initials



12.5 Recovery of Rate Arrears Update

(KJ Corporate Development)

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

That Council:

1. Notes the status of the properties that are proposed for sale for the recovery of rate arrears.
2. Approves the 60 day extension of time before commencing the sale process.

Carried Unanimously

12.6 Adoption of Open Space Strategy

(DS Community Development)

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

That Council:

1. Receives the Open Space Strategy noting the recommended changes post public exhibition submissions.
2. Supports the aspirations of the Open Space Strategy.
3. Notes the Open Space Strategy forms the evidentiary basis for the development of a more specific developer contributions scheme.
4. Notes funding of actions within the Open Space Strategy will be considered in line with annual priorities.

Carried Unanimously

12.7 Jubilee and Baxter Car Parking Assessment

(DS Community Development)

Recommendation (Director Community Development)

That Council:

1. Supports the current schedule of additional car parks in Baxter car park as the highest priority compared to Jubilee Park where additional car parking is scheduled for construction in 2017/18.
2. Officers work with the clubs at Jubilee Park to implement directional signage enforcement to address concerns regarding parking.

Council Decision

Moved: Councillor Taylor

Seconded: Councillor Hampton

That Council:

1. Supports the current schedule of additional car parks in Baxter car park as the highest priority compared to Jubilee Park where additional car parking is scheduled for construction in 2017/18.
2. Officers work with the clubs at Jubilee Park to implement directional signage to address concerns regarding parking.

Carried Unanimously

Adjournment

Moved: Councillor Cunial

Seconded: Councillor Hampton

That the meeting be adjourned for five minutes at 8.30 pm.

Carried Unanimously

Meeting resumed at 8.40 pm

12.8 Community Development Division - Resolution Progress Report

(GK Community Development)

It was noted by the Mayor that the report had been published with incorrect wording under the Key Points/Issues. The wrong resolution had been quoted from 22 February 2016 meeting and below is the correct resolution as stated in the minutes for that meeting:

Key Points / Issues

- Downs Estate – At the Ordinary Council Meeting on 22 February 2016 Council resolved that:

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
- 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.

Council Decision

Moved: Councillor Taylor

Seconded: Councillor Aitken

That Council notes the Downs Estate report will be presented at the 18 July 2016 Ordinary meeting.

Carried Unanimously

Chairperson's initials



12.9 Results of Public Consultation on Proposed Extensions to the Smoke Free Outdoor Area in Frankston City Centre
(*LE Community Development*)

Extension of Time

Moved: Councillor Cunial

Seconded: Councillor Taylor

That Cr Aitken be granted an extension of time.

Carried Unanimously

Council Decision

Moved: Councillor Taylor

Seconded: Councillor Aitken

That Council:

1. Adopts and implements the proposed extensions to the existing CBD Smoke Free Outdoor Area inclusive of the east side of Young Street (from Beach Street to 71 Young Street Roundabout) and north and south sides of Wells Street (from Keys Street to Young Street) inclusive of Park Lane and Park Row.
2. The previous Council exception with regard to people seated at appropriately designated tables in outside dining areas, the existing smoke free outdoor areas remain in force.
3. Authorises erection of enforceable signs in the extended smoke free area zones.

Carried Unanimously

13. NOTICES OF MOTION**13.1 NOM 1213 - Gretana Reserve Tennis Courts**

(VR Chief Executive Office)

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

That the cost and feasibility of sealing the multi-purpose games and activities areas, formerly the two remaining tennis courts at Gretana Reserve with a material that is cost-effective and long-lasting be investigated.

That the findings are returned by way of memorandum to councillors before 31 July 2016.

Carried Unanimously

14. LATE REPORTS**A.1 Town Planning Application 599/2014/P - 433 Nepean Highway, Frankston 3199 and 19 Keys Street, Frankston 3199 - Section 72 Amendment - To construct alterations and additions and associated reduction of car parking associated with the use of the land for a restaurant (Extending the hours of operation & liquor licence)**

(MP Community Development)

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

That:

Council resolves to issue a Notice of Decision to amend the Planning Permit number 599/2014/P for use of the land for the sale of packaged liquor at 433 Nepean Highway/19 Keys Street, Frankston subject to the following conditions:

WHAT AMENDMENTS ARE BEING MADE TO THE PERMIT?

- A. Variation to Conditions 7 and 8 to alter the number of patrons and the hours for operation.

TO WHAT CONDITIONS IS THE AMENDMENT SUBJECT?

7. Not more than one hundred and forty one (141) seats may be available at any one time to patrons on the premises, unless with the prior written consent of the responsible authority.
8. The use hereby permitted may operate only between the hours of: 11am – 1am Monday to Sunday.

Carried Unanimously

15. URGENT BUSINESS**Urgent Business****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Aitken**

That the matter of the Council Decision from SP196 be accepted as urgent business.

Carried Unanimously**Suspension of Standing Orders****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Aitken**

That standing orders be suspended.

Carried

For the Motion: Crs Aitken, Cunial, Dooley and Hampton

Against the Motion: Crs O'Reilly, Spelman and Taylor

*Crs O'Reilly, Taylor and Spelman left the chamber at 9.14 pm**Cr Taylor returned to the chamber at 9.17 pm**Crs Spelman and O'Reilly returned to the chamber at 9.23 pm***Resumption of Standing Orders****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Hampton**

That standing orders be resumed.

Carried Unanimously**Council Decision from SP196 – 15 June 2016****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Aitken**

In the interest of transparency and clarity that the resolution from Item C.1 Media and Communications be published in the Open Minutes of this meeting under Item 17.

Carried Unanimously*The Mayor asked Cr Cunial to read out the resolution from SP196 – 15 June 2016
to the Chamber and Gallery*

Urgent Business**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Spelman**

That the matter of sponsorship of Frankston Bowls Club be accepted as urgent business.

Carried Unanimously

Sponsorship of Frankston Bowls Club**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Spelman**

That a report to Council be prepared for the next Ordinary Meeting investigating sponsorship for Frankston Bowls Club for the amount of \$5,000.

Carried Unanimously

16. CONFIDENTIAL ITEMS

Recommendation

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 Minutes of the Frankston Arts Board - May Meeting

Agenda Item C.1 Minutes of the Frankston Arts Board - May Meeting is designated confidential as it relates to proposed developments (s89 2e)

C.2 Councillor Conduct Panel Determination

Agenda Item C.2 Councillor Conduct Panel Determination 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)

This matter was moved to Open Council

C.3 Coastal and Marine Infrastructure Professional Services Panel - Contract Number 2015/16-81

Agenda Item C.3 Coastal and Marine Infrastructure Professional Services Panel - Contract Number 2015/16-81 is designated confidential as it relates to contractual matters (s89 2d)

C.4 Proposed Assignment of Lease - 4/1N Nepean Highway Seaford (Crackerjack Waterfront Cafe)

Agenda Item C.4 Proposed Assignment of Lease - 4/1N Nepean Highway Seaford (Crackerjack Waterfront Cafe) is designated confidential as it relates to contractual matters (s89 2d)

C.5 Ballam Park East Pavilion - Presentation of Schematic Design and Current Funding Position

Agenda Item C.5 Ballam Park East Pavilion - Presentation of Schematic Design and Current Funding Position is designated confidential as it relates to proposed developments (s89 2e)

17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.2 Fees & Charges Options Frankston Regional Recycling and Recovery Centre (considered at OM273 22 June 2015)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Cunial**

That Council:

1. As the Responsible Authority, approve the appointment of the two residents nominated for membership of the Waste Recycling Consultative Committee as required by the Town Planning permit.
2. *This item was published in OM274 – 13 July 2015.*
3. Requests a report be presented to the Council meeting on 17 July 2015, detailing the status of Contract 2011-12-5 “*Kerbside Hard waste and Bundled Green Waste Collection Service*” which includes the “*At-Call Kerbside Hard waste and Bundled Green Waste Collection Service*” and.
4. Adopts a full cost recovery basis for all users of the At-Call Kerbside Hard waste and Bundled Green Waste Collection Service with the exception of disadvantaged residents and community organisations which retain the 33% subsidy.
5. Approves the release of this recommendation after the FRRRC is operational.

The Motion was put and CARRIED unanimously

C.7 Award of Contract - Seaford Bowling Club Synthetic Green (considered at OM282 1 February 2016)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Hampton**

That:

1. Council approves the acceptance of the tender from McMahons Pty Ltd for the *Seaford Bowls Synthetic Green*.
2. Council notes that a project contingency of 10% will be reserved outside of the contract sum and vests specific authority in the 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 10 April 2016.

The Motion was put and CARRIED unanimously

**C.2 Award of Traffic Management Services Contract (considered at OM283
22 February 2016)****Council Decision****Moved: Councillor Spelman****Seconded: Councillor Taylor**

That:

1. Council approves the acceptance of the tenders from the following:-
 - Altus Traffic Pty Ltd;
 - Construct Traffic Pty Ltd;
 - Evolution Traffic Control Pty Ltd;
 - Samson Protection Pty Ltd (trading as Samson Hire)
 - Traffic Control Victoria Pty Ltd;
 - Traffica Pty Ltd;

for award of Contract No: 2015/16-41 – Traffic Management Services under a schedule of rates based contract for an initial (3) year contract term with two (2) by one (1) year extension options available at Councils discretion.
2. Council notes that this is a schedule of rates based contract awarded to a panel of Contractors.
3. The Chief Executive Officer be authorised to execute the Contract documents and sealing be arranged.
4. The recommendation (without commercially sensitive information) be released by April 2016.

The Motion was put and CARRIED unanimously

C.4 Awarding of Minor Stormwater Drainage Works Contract (considered at OM283 22 February 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Spelman**

That:

1. Council approves the acceptance of the tenders from:

- Bastow Plant Operations Pty Ltd;
- Citywide Services Solutions Pty Ltd;
- Comar Constructions Pty Ltd;
- CSA Specialised Services Pty Ltd;
- E & M Labour and Services Pty Ltd;
- Kalow Holdings Pty Ltd;
- Maw Civil Pty Ltd;
- Plumbrax Pty Ltd and
- R. A. Bell & Company T/A Bell Environmental

for Contract No 2015/16-40 "*Minor Stormwater Drainage Works*" for a 3 year period with the option of a further 2 x 1 year extension at Council's discretion.

2. Council notes that this is a schedule of rates contract that has been awarded to a panel of Contractors.
3. The Chief Executive Officer be authorised sign and seal the Contract documents.
4. The recommendation (without commercially sensitive information) be released by April 2016.

The Motion was put and CARRIED unanimously

**C.5 Award of Minor Roads and Footpaths Maintenance Services Contract
(considered at OM283 22 February 2016)****Council Decision****Moved: Councillor Taylor****Seconded: Councillor Mayer**

That:

1. Council approves the acceptance of the tender from
 - Citywide Services Solutions Pty Ltd;
 - Downer EDI Works Pty Ltd T/A Downer;
 - E & M Labour and Services Pty Ltd;
 - Fulton Hogan Industries Pty Ltd;
 - McDonough Contracting Pty Ltd;
 - Highfred Petroleum Pty Ltd T/A Narre Mini Diggers;
 - Penport Asphalt;
 - Prestige Paving Pty Ltd;
 - Rainstorm Dust Control Pty Ltd;
 - Road Maintenance Pty Ltd;
 - The Trustee for Supersealing Unit Trust;
 - TNM Road Services Pty Ltd;

for Contract No 2015/16-40 "*Minor Roads and Footpaths Services*" to the for a 3 year period with the option of a further 2 x 1 year extension at Council's discretion.

2. Council notes that this is a schedule of rates contract that has been awarded to a panel of Contractors.
3. The Chief Executive Officer be authorised sign and seal the Contract documents.
4. The recommendation (without commercially sensitive information) be released by April 2016.

The Motion was put and CARRIED unanimously

**C.8 Frankston Arts Centre Precinct Renewal, Compliance and Upgrade Works
Stage 1 - Award of Contract (considered at OM283 22 February 2016)****Council Decision****Moved: Councillor Mayer****Seconded: Councillor Taylor**

That:

1. Council approves the acceptance of the tender from SMI Group Pty Ltd for the *Frankston Arts Centre Precinct Renewal, Compliance and Upgrade Works Stage 1 – Award of Contract*
2. Council notes that:

a project contingency will be reserved outside of the contract sum and vests specific authority in the Superintendent or nominated Superintendent representative to authorize the payment of variations from that sum
3. The Chief Executive Officer be authorised to sign and sealed the contract ; and
4. The recommendation (without commercially sensitive information) be released by the next open meeting of council following signing of the contract.

The Motion was put and CARRIED

Chairperson's initials



**C.4 Proposed Extension of Smoke Free Outdoor Areas in the Frankston CBD
(considered at OM285 4 April 2016)****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Taylor**

That:

1. Council agrees in principal to adopt and implement the proposed extensions of the existing CBD Smoke Free Outdoor Area inclusive of the east side of Young Street (from Beach Street to 71 Young Street Roundabout) and north and south sides of Wells Street (from Keys Street to Young Street) inclusive of Park Lane, Park Row.
2. Council conducts public consultation for 4 weeks and bring a further report on the findings to an Ordinary Council meeting 27 June 2016.
3. Council with the exception of people seated at appropriately designated tables in outside dining areas, the existing smoke free outdoor areas be continued on a permanent basis.
4. The resolution be incorporated in the public minutes of this Meeting.

The Motion was put and CARRIED unanimously

**C.6 McClelland Reserve Soccer Pavilion Refurbishment - Award of Construction
Contract (considered at OM285 4 April 2016)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Tayler**

That:

1. Council approves the acceptance of the tender from ADM Structures Pty Ltd for the construction of McClelland Reserve Soccer Pavilion Refurbishment works;
2. Council notes that a project contingency will be reserved outside of the contract sum and vests specific authority in the Superintendent or nominated Superintendent representative to authorise the payment of variations from that sum;
3. Council authorises the Chief Executive Officer to sign the contract prior to sealing; and
4. The recommendation (without commercially sensitive information) be released by the next open meeting of Council following signing of contract.

The Motion was put and CARRIED unanimously

C.7 Kerbside Collection (Waste, Recyclables and Organics) Services Contract Extension (considered at OM285 4 April 2016)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Spelman**

That:

1. Council agree to the three (3) year extension option to the Kerbside Collection (Waste, Recyclables and Organics) Services Contract No. 2009/10-1.
2. Council accept the offer from Rico Enterprises Pty Ltd trading as Solo Resource Recovery for the three year extension to the Kerbside Collection (Waste, Recyclables and Organics) Services Contract No. 2009/10-1 ending 30 June 2019.
3. Council notes that the offer from Solo provides a saving for each of the 3 years of the contract extension providing a total saving over the life of the contract extension.
4. The Chief Executive Officer be authorised to execute the Contract documents and sealing be arranged.
5. The recommendation (without commercially sensitive information) be released once contract documents are executed.

The Motion was put and CARRIED unanimously

C.8 Ballam Park Playground Upgrade Tender Award (considered at OM285 4 April 2016)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That:

1. Council approves the acceptance of the tender from JMac Constructions Pty Ltd for the construction of the *Ballam Park Playground Upgrade works*;
2. Council notes that a project contingency will be reserved outside of the contract sum and vests specific authority in the Superintendent or nominated Superintendent representative to authorise the payment of variations from that sum;
3. Council authorises the Chief Executive Officer to sign the contract prior to sealing; and
4. Council authorises the Superintendent to approve variations under this contract; and
5. The recommendation (without commercially sensitive information) be released by the next open meeting of Council following signing of contract.

The Motion was put and CARRIED unanimously

C.1 Appointment and Authorisation of Council Staff (considered at OM288 6 June 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That:

1. Pursuant to the provisions of Section 147 (4) of the Planning and Environment Act 1987 (The Act), Council appoints the officer listed below to be an authorised officer for the purposes of The Act and the regulations made under The Act:
 - Luke English – Manager Community Safety
2. The Instrument of Appointment and Authorisation in respect of the Officer listed above be signed and sealed.
3. This resolution is incorporated in the public minutes of this Meeting.

The Motion was put and CARRIED unanimously

C.6 Community Roof Project Implementation and Report (considered at OM288 6 June 2016)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That Council:

1. Approves the Community Roof project implementation plan report.
2. Releases \$79,000 funding to SalvoCare Eastern to deliver the 12 month Community Roof pilot program.
3. Releases \$20,775 community donations to SalvoCare Eastern to assist delivery of the 12 month Community Roof pilot program.
4. Releases this resolution immediately following the Council meeting.

The Motion was put and CARRIED unanimously

C.1 Media and Communications (considered at SP196 15 June 2016)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That Council:

1. Notes the report.
2. Notes the recent media comments (including social media) are unacceptable and damaging to Council and may warrant further discussions when all Councillors have the opportunity to be present.
3. And accordingly develops a communications/social media policy to guide Council and Councillors in their use of social media.

The Motion was put and CARRIED unanimously

The meeting closed at 9.28 pm

CONFIRMED THIS

DAY OF

2016

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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, 27 June 2016, confirmed on Monday, 18 July 2016.

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

Dated this

day of

2016