



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 8 AUGUST 2016 at 7PM**

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:	Nil.
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. Naomi Neville, Coordinator Statutory Planning Mr. Taylor McVean, Communications Officer Social Media Ms. Andrea Gaynor, Executive Manager Mayor & CEO Office Ms. Vera Roberts, Officer Council Business Support
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor Cunial 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 Taylor 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.



Chairperson's initials

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1. PRESENTATION TO COMMUNITY GROUPS

Nil.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM290 held on 18 July 2016.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That the minutes of the Ordinary Meeting No. OM290 held on 18 July 2016 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

Cr Suzette Tayler declared an interest in Item 12.3: Response to Petition - Beckwith Grove Pedestrian Bridge but will not leave the chamber during discussion or voting.

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.

Cr Taylor noted that the former Mayor Mr Chris Bolam and former Councillor, Mr David Asker are present in the gallery

6. HEARING OF PUBLIC SUBMISSIONS

Mr Richard Umbers made a submission to Council regarding Item 11.1: Planning Application 816/2010/P – 325 Nepean Highway, Frankston – The construction of thirty seven (37) dwellings in a four storey building, alteration of access to a Road Zone and reduction of car parking requirements – Extension of Time Request;

Mr Paul Davies made a submission to Council regarding Item 13.3: NOM 1221 – Rescission Motion – Results of Beckwith Grove Bridge Replacement Consultation;

Ms Marj Thomas made a submission to Council regarding Item 13.3: NOM 1221 – Rescission Motion – Results of Beckwith Grove Bridge Replacement Consultation;

Ms Hilary Poad made a submission to Council regarding Item 11.2: Proposed Planning Scheme Amendment C111 to introduce a Parking Overlay and Schedule into the Frankston Planning Scheme for the Frankston Metropolitan Activity Centre.

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

That Item 11.1: Planning Application 816/2010/P – 325 Nepean Highway, Frankston – The construction of thirty seven (37) dwellings in a four storey building, alteration of access to a Road Zone and reduction of car parking requirements – Extension of Time Request and Item 12.3: Response to Petition - Beckwith Grove Pedestrian Bridge be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Frankston City Council received a Certificate of Appreciation from Brotherhood of St Lawrence for our support with the Youth Community Leadership Program. The Mayor that we had two youths attend and assist the last citizenship ceremony held in July 2016.

Late July, the McCulloch Avenue Boardwalk won the Australian Institute of Landscape Architects - Victoria Award of Excellence for design. The award is given to the work judged to be the most significant for the advancement of Landscape Architecture in each award category. The McCulloch Boardwalk will now automatically be entered in the National Awards and judged in October 2016.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

The Mayor James Dooley gave a verbal report to the Gallery on the Councillors attendance to Canberra to attend the ALGA Conference in Canberra in June.

ITEMS BROUGHT FORWARD

- 11.1 Planning Application 816/2010/P – 325 Nepean Highway, Frankston – The construction of thirty seven (37) dwellings in a four storey building, alteration of access to a Road Zone and reduction of car parking requirements – Extension of Time Request**

(MP Community Development)

Council Decision

Moved: Councillor Taylor

Seconded: Councillor Cunial

That Council resolves to grant an extension of time for Planning Permit No 816/2010/P issued 19 January 2012 for a further period of two (2) years for the commencement and for the completion of the development.

Carried Unanimously

Chairperson's initials



12.3 Response to Petition - Beckwith Grove Pedestrian Bridge

(BH Community Development)

Recommendation (Director Community Development)

That:

1. Council notes it's resolution made at Ordinary Meeting 290 on 18 July 2016:
'That this Council resolves to support the reconstruction of the Beckwith Grove bridge like for like aesthetically and requests that it be referred to in the 2016/17 mid year budget review and if not funded included in the 2017/18 Capital Works Program.'
2. The head petitioner be advised of Council's decision.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Taylor

That:

1. Council notes it's resolution made at Ordinary Meeting 290 on 18 July 2016:
'That this Council resolves to support the reconstruction of the Beckwith Grove bridge like for like aesthetically and requests that it be referred to in the 2016/17 mid year budget review and if not funded included in the 2017/18 Capital Works Program.'
2. Council amends its resolution made at Ordinary Meeting 290 on 18 July 2016 and resolves to complete the reconstruction of the Beckwith Grove bridge like for like aesthetically this financial year.
3. The head petitioner be advised of this council decision.

Carried Unanimously

11. CONSIDERATION OF TOWN PLANNING REPORTS**11.2 Proposed Planning Scheme Amendment C111 to introduce a Parking Overlay and Schedule into the Frankston Planning Scheme for the Frankston Metropolitan Activity Centre.**

(MP Community Development)

Councillor Taylor left the chamber at 8:05 pm.

Councillor Taylor returned to the chamber at 8:06 pm.

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

That Council:

1. Applies to the Minister for Planning in accordance with Section 9 (3) of the Planning and Environment Act 1987 to obtain authorisation to prepare and exhibit a Planning Scheme Amendment to introduce a Parking Overlay to the Frankston Planning Scheme that includes revised parking rates and a 'cash in lieu' provision for car parking in the Frankston Metropolitan Activity Centre.
2. Adopts the FMAC Parking Precinct Plan and Action Plan to be included as part of proposed Am C111
3. Authorises Council officers to prepare the amendment documentation.
4. Once the Minister's authorisation is received, exhibit the Planning Scheme Amendment in accordance with Sections 17-19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.

Carried Unanimously

Chairperson's initials



11.3 Proposed Amendment C114: Multi-Dwelling Visitor Parking Overlay
(MP Community Development)

Councillor Aitken left the chamber at 8:09 pm.

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

Councillor Aitken left the chamber at 8:25 pm

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

That Council:

1. Applies to the Minister for Planning in accordance with Section 9 (3) of the Planning and Environment Act 1987 to obtain authorisation to prepare and exhibit Planning Scheme Amendment Am C114 to introduce a Parking Overlay and related Schedule to the Frankston Planning Scheme.
2. Authorises Council officers to prepare the amendment documentation.
3. Once authorisation is received, exhibit the Planning Scheme Amendment in accordance with Sections 17 – 19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.
4. Authorises the preparation of a report on introducing a Resident's Parking Permit Scheme for selected residential and suburban locations within the City experiencing on-street parking conflicts.

Carried Unanimously

Note: Cr Aitken was not in chamber for vote

Chairperson's initials



11.4 Frankston Heritage Trail

(MP Community Development)

Councillor Tayler left the chamber at 8:27 pm.

Councillor Tayler returned to the chamber at 8:30 pm.

Councillor Aitken returned to the chamber at 8:32 pm.

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

That Council:

1. Supports a joint workshop of the Frankston Arts Board and Councillors to review the recommendations of the 2010 Frankston Heritage Trail report to identify preferred heritage signage and locations for the trail.
2. Notes that currently there is no allocated budget and any costs intended to be incurred this financial year may be referred to the mid-year budget review or alternatively the 2017/18 capital works program.

Carried Unanimously

Chairperson's initials



11.5 June Town Planning Progress Report

(MP Community Development)

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

That Council receives and notes the report.

Carried Unanimously

Chairperson's initials



12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Miscellaneous Grants Program Guidelines Review**

(LD Community Development)

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

That Council:

1. Notes review of Miscellaneous Grants Program
2. Approves the updated Miscellaneous Grants Program Guidelines (refer Attachment B).

Carried Unanimously

Chairperson's initials



12.2 Victorian State Disability Plan 2017 - 2020

(LD Community Development)

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

That Council:

1. Approves the attached draft response to the Discussion Paper on the Victorian State Disability Plan.
2. Notifies DHHS that the draft response is now formally adopted, and can be made public.

Carried Unanimously

Chairperson's initials



12.4 Adoption of the Carrum Downs Recreation Reserve Revised Masterplan
(DS Community Development)

Councillor Cunial left the chamber at 8:44 pm.

Councillor Cunial returned to the chamber at 8:48 pm.

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

That Council:

1. Receives the Carrum Recreation Reserve Revised Masterplan following the community consultation period.
2. Notes no changes were required to be made to the Masterplan as a result of the consultation.
3. Notes funding of actions within the Carrum Downs Recreation Reserve Revised Masterplan will be considered in line with annual priorities.

Carried Unanimously

Chairperson's initials



12.5 McClelland Reserve and Lawton Reserve Carparking Assessment

(DS Community Development)

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

That

1. Council notes the assessment of carparking development at McClelland Reserve and Lawton Reserve.
2. The McClelland Reserve carpark be referred to the mid year budget review.

Carried Unanimously

Chairperson's initials



12.6 Historic Drinking Fountain
(DS Community Development)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Taylor**

That Council:

1. Supports the reinstatement of the historic fountain in the memory of the Hon. Sir John Madden.
2. Confirms Central Wells, Beauty Park and the Library forecourt as the preferred locations for detailed costing and risk mitigations.
3. Supports a further report to Council to seek resolution of an optimal site for consideration as part of the capital program in the mid-year budget review.
4. Investigates applying an historical protection order upon the fountain once installed.

Carried Unanimously

Chairperson's initials



12.7 Heating / Cooling proposal for Langwarrin Men's Shed

(PS Corporate Development)

Councillor Taylor left the chamber at 9.05 pm.

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

That Council:

1. Council endorses the installation of split system air conditioning at the Langwarrin Men's Shed at a cost of no more than \$15,000.
2. That funding be referred to Council's mid year budget review, at which time a decision will be made on which other project(s) will be deferred to fund these works.

Carried Unanimously

Note: Cr Taylor was not in chamber for vote.

Chairperson's initials



12.8 Proposed renaming of a section Kananook Creek Blvd and Kananook Creek Blvd South

(AF Corporate Development)

Recommendation (Director Corporate Development)

That the formal process, including public consultation to rename the following sections of road be commenced:

1. The section of Kananook Creek Boulevard from Wells Street to Playne Street as the proposed name of "Anchor Point Promenade".
2. The Kananook Creek Boulevard South from Playne Street to the intersection of the Bay Trail Bridge as the proposed name of "Tidal Lane".
3. The Kananook Creek Boulevard South intersection from Nepean Highway to the Frankston Yacht Club as "Spinnaker Quays" or such other name as determined by Council.

This motion lapsed due to lack of a Mover and Seconder.

13. NOTICES OF MOTION**13.1 NOM 1219 - Alliance for Gambling Reform**

(VR Chief Executive Office)

Councillor Taylor returned to the chamber at 9:07 pm.

Councillor O'Reilly left the chamber at 9:09 pm.

Councillor O'Reilly returned to the chamber at 9:11 pm.

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

That Frankston City Council supports and signs the attached open letter on gambling reform to be sent to the Prime Minister Malcolm Turnbull and the Opposition Leader Bill Shorten by the Alliance for Gaming Reform.

Carried Unanimously

Chairperson's initials



13.2 NOM 1220 - Mini Visitor Information Pop Ups

(VR Chief Executive Office)

Notice of Motion

That Council considers establishing a visitor information facility at Bayside Shopping Centre and discuss the proposal with the centre management accordingly. And further that a similar discussion take place with Frankston Business Network with a proposal that participating businesses have a small leaflet rack instore.

This Notice of Motion was withdrawn

Chairperson's initials



13.3 NOM 1221 - Rescission Motion - Results of Beckwith Grove Bridge Replacement Consultation

(VR Chief Executive Office)

I, Councillor Aitken, hereby give notice that at the next appropriate meeting of Frankston City Council I will move that the following decision of Council made at Ordinary Meeting 290 held on Monday 18 July 2016 regarding Item 12.7: Results of Beckwith Grove Bridge Replacement Consultation be rescinded:

"This Council resolves to support the reconstruction of the Beckwith Grove bridge like for like aesthetically and requests that it be considered in the 2016/17 mid year budget review and if not funded included in the 2017/18 Capital Works Program."

Should the rescission be carried, I give notice of my intention to the following motion on this matter:

1. *That Council resolves to support the reconstruction of the Beckwith Grove bridge like for like aesthetically.*
2. *That the funding for this be found within the current 2016/2017 budget in order that the work can be proceeded with.*

This Notice of Motion was withdrawn

14. LATE REPORTS

Nil.

15. URGENT BUSINESS

Nil.

Chairperson's initials



16. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C3. Occupancy Fees for Occupation of Council Owned Public Space****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Council:

1. Resolves to adopt fees of \$6.00 and \$4.00 per square metre per week for commercial developments within the FMAC and outside the FMAC respectively where Council land is utilised for the purpose of carrying out works.
2. Adopts these fees as part of the Fees and Charges schedule.
3. Requests Officers to provide a report reviewing the implementation of the fees and charges after 6 months of operation.
4. Releases the recommendation immediately following the adoption of the Fees and Charges schedule by Council.

The Motion was put and CARRIED unanimously

C.5 Awarding of Annual Supply Concrete Works (considered at OM288 6 June 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. Council approves the acceptance of the tenders from:
 - A & V Creative Concrete Pty Ltd; ABN 98 947 414 573
 - Bastow Plant Operations Pty Ltd; ABN 76 143 007 130
 - Jasper Civil Pty Ltd; ABN 83 006 268 328
 - Morisons Concreting Pty Ltd; ABN 80 112 216 574
 - Rabot Paving Pty Ltd; ABN 66 074 228 014
 - Summerhill Maintenance Services Pty Ltd; ABN 61 676 714 902
 - Ultimate Group Australia; ABN 86 132 170 622
2. The Chief Executive Officer be authorised to sign prior to the sealing of the Contract documents.
3. The recommendation (without commercially sensitive information) be released by July 2016.

The Motion was put and CARRIED unanimously

Chairperson's initials



C.3 Coastal and Marine Infrastructure Professional Services Panel - Contract Number 2015/16-81 (considered at OM289 27 June 2016)**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Cunial**

That Council:

1. Approves the acceptance of the tenders from:
 - J J Ryan Pty Ltd ABN 69 145 797 726
 - Kellog Brown Root Pty Ltd ABN 91 007 660 317
 - Morphum Environmental Ltd ABN 80 159 252 669
 - GHD Pty Ltd ABN 39 008 488 373
 - BMT – WBM Pty Ltd ABN 54 010 830 421
 - A W Maritime Pty Ltd ABN 21 165 465 056

For the appointment to the “Coastal and Marine Infrastructure Professional Services Panel Contract No 2015/16-81” for an initial term of one (1) year with four (4) further one (1) year extension options exercisable by Council at Council’s discretion.

2. Notes that this is a schedule of rates contract that is based on hourly hire rates and the use of this panel requires express authority from the Director Community Development.
3. Authorise the Chief Executive Officer to sign the Contracts and that the Contract documents be sealed.
4. Authorise that the recommendation (without commercially sensitive information) be released once all contracts are signed and sealed.

The Motion was put and CARRIED unanimously

C.4 Temporary car parking for Frankston Hospital (considered at OM290 18 July 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Notes the combined sites provide adequate temporary parking for Peninsula Health (PH) during construction of its new car park.
2. Agrees to a Memorandum of Consent (MOU) being established with Peninsula Health for formal agreement to include:
 - a. PH bears construction, maintenance and reinstatement cost of Croquet Club car park
 - b. PH leases Site 1 and 2
3. Provides the CEO delegated authority to sign the MOU, noting that the above generates revenue for Council.
4. Agrees for officers to seek DELWP approval via Ministerial Consent to vary the land use and lease at the Croquet Club.
5. Agrees for lease agreements with the existing clubs be varied accordingly
6. Supports the temporary change of parking restrictions to 40 spaces at Site 2 (Williams Street north side between Yuille and Foot St) from 3P to Permit Parking for Hospital staff.

Carried

The Motion was put and CARRIED

Chairperson’s initials



C.3 Frankston City Motorcycle Club Interim Report (considered at OM290 18 July 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That the matter be deferred to 8 August 2016 Ordinary Meeting or Special Meeting called in accordance with Frankston City Council Local Law No 1, Division 1, Section 17.

The Motion was put and CARRIED unanimously

C.5 Sponsorship of City of Frankston Bowls Club (considered at this meeting)**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Tayler**

That:

1. Council does not provide cash sponsorship of \$5,000 to the 2017 City of Frankston Bowls Club Easter Classic.
2. The City of Frankston Bowls Club be encouraged to apply through Council's Tourism Event Attraction Program in 2017-2018.

Carried Unanimously

The Motion was put and CARRIED unanimously



17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Cunial****Seconded: Councillor Taylor**

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 Frankston Arts Board Minutes June 2016

Agenda Item C.1 Frankston Arts Board Minutes June 2016 is designated confidential as it relates to proposed developments (s89 2e)

C.2 Community Roof Project Implementation Plan

Agenda Item C.2 Community Roof Project Implementation Plan 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.3 Frankston Basketball Stadium Expansion Project - Approval of Design and Authorisation to Tender for Construction

Agenda Item C.3 Frankston Basketball Stadium Expansion Project - Approval of Design and Authorisation to Tender for Construction is designated confidential as it relates to contractual matters (s89 2d)

C.4 Review of Kerbside Hardwaste and Bundled Greenwaste Collection Service

Agenda Item C.4 Review of Kerbside Hardwaste and Bundled Greenwaste Collection Service is designated confidential as it relates to contractual matters (s89 2d)

C.5 Sponsorship of City of Frankston Bowls Club

Agenda Item C.5 Sponsorship of City of Frankston Bowls Club is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

Carried Unanimously

The meeting closed to the public at 9.17 p.m.

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, 8 August 2016, confirmed on Monday, 29 August 2016.

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

Dated this

day of

2016