



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 14 MARCH 2017 at 7PM**

PRESENT	Cr. Brian Cunial (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Colin Hampton Cr. Michael O'Reilly Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Dr. Gillian Kay, Director Communities Development Mr. Vito Albicini, Director CAA Development Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Natalie Cincotta, Coordinator Communications Ms. Vera Roberts, Executive Assistant to Mayor
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor Toms 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

The Mayor, Councillor Cunial read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor McCormack 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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1. PRESENTATION TO COMMUNITY GROUPS

The Mayor, Councillor Cunial on behalf of Frankston City Council presented a Letter under Seal to Former Deputy Mayor Councillor Hampton.

The Mayor welcomed former Councillor and Mayor James Dooley to the Chamber.

The Mayor, Councillor Cunial on behalf of Frankston City Council presented a Letter under Seal to Former Mayor James Dooley.

CR MCCORMACK LEFT THE CHAMBER AT 7.05PM

CR MCCORMACK RETURNED TO THE CHAMBER AT 7.06PM

COUNCILLOR MAYER ON BEHALF OF FRANKSTON CITY COUNCIL PRESENTED A CERTIFICATE OF APPRECIATION TO THE FRIENDS OF LANGWARRIN OUTDOORS AND WATERWAYS COMMUNITY GROUP.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM297 held on 20 February 2017.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor O'Connor

That the minutes of the Ordinary Meeting No. OM297 held on 20 February 2017 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

Special Meeting No. SP199 held on 20 February 2017.

Council Decision

Moved: Councillor Toms

Seconded: Councillor Aitken

That the minutes of the Special Meeting No. SP199 held on 20 February 2017 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

Special Meeting No. SP200 held on 6 March 2017.

Council Decision

Moved: Councillor O'Connor

Seconded: Councillor McCormack

That the minutes of the Special Meeting No. SP200 held on 6 March 2017 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

The Mayor, Cr Cunial declared an interest in Item 11.1 Planning Application 556/2016/P – 223 Beach Street, Frankston – To use the land to sell liquor (NQR Beach Street). The declaration has been made in writing to the Chief Executive Officer. The conflict is due to an interest in a similar business nearby. The Mayor will leave the Chamber during discussion and voting on the matter.

The Chief Executive Officer, Mr Dennis Hovenden declared a conflict of interest in Item C.3 Chief Executive Officer Performance Review Outcomes and will leave the Chamber during discussion and voting on the matter.

5. PUBLIC QUESTION TIME

One (1) person submitted three questions to Council with notice. 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.

Three (3) persons submitted questions to Council without notice. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. The Chief Executive Officer also advised the gallery that he would put the answers in writing to the submitters within seven (7) days. The questions and answers are contained in Appendix.

6. HEARING OF PUBLIC SUBMISSIONS

Ms. Gabe North-Harney made a submission to Council regarding Item 13.2 NOM 1287 – Mr Paul Bosdorf – Salvation Army.

7. ITEMS BROUGHT FORWARD

COUNCIL DECISION

MOVED: COUNCILLOR MAYER

SECONDED: COUNCILLOR TOMS

THAT

- ITEM 12.5: BUSKING PERMITS;
- ITEM 12.6: GRADE SEPARATION ANNOUNCEMENT – LEVEL CROSSING REMOVAL FRANKSTON LINE;
- ITEM 13.1: NOM 1286 – MARRIAGE EQUALITY; AND
- ITEM 13.2: NOM 1287 – MR PAUL BOSDORF – SALVATION ARMY BE BROUGHT FORWARD.

CARRIED UNANIMOUSLY

8. PRESENTATIONS / AWARDS

Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Petition – Planning Permit Application 392/2016/P 66A Cliff Road, Frankston South

Council Decision

Moved: Councillor McCormack

Seconded: Councillor Aitken

That the Petition containing 104 signatures to refuse Planning Permit Application 392/2016/P 66A Cliff Road, Frankston South, be tabled.

Carried Unanimously

10. DELEGATES' REPORTS

Nil

ITEMS BOUGHT FORWARD**12.5 Busking Permits**

(AM Community Development)

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

That Council:

1. Notes responses to NOM 1273.
2. Endorses the proposed fees for a 6 month permit, currently included in the draft 2017/18 budget, be adopted as at 3 April 2017.
3. Supports the Street Performance Guidelines 2017.

Carried Unanimously

12.6 Grade Separation Announcement - Level Crossing Removal Frankston Line

(VA CAA Development)

Recommendation (Director CAA Development)

That Council:

1. Notes the report that provides information on the recently announced preferred grade separation options for Eel Race Road, Seaford Road and Overton / Skye Road locations made by the Minister of Public Transport, the Hon. Jacinta Allan, MP and Level Crossing Removal Authority (LXRA);
2. Writes to the Minister for Public Transport, the Hon. Jacinta Allan, MP and LXRA highlighting Council's disappointment on the recent announcements and the lack of consideration given to Council's and the Community's input (Draft letters attached as Attachment E);
3. Seeks an urgent meeting with LXRA to discuss the matter including the still unanswered questions;
4. Does not accept any position that would locate the stabling for the trains having to utilise valuable industrial land in the Frankston municipality;
5. Call on the Victorian Government to immediately commence work on the business case for the electrification to Baxter and rail service improvements (third Rail line) and to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes for Frankston and the entire region;
6. Continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road;
7. Also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road;
8. Seek clarification from LXRA on the scope proposed for the \$10 million to be spent to revitalise the Seaford Community with extensive landscaping, a new shared user path, and huge upgrades to R.F Miles Reserve as announced by the State Government relating to Seaford Road however, there is no mention at Overton Road or Eel Race Road that similar funding will be available; and
9. Forwards a copy of the correspondence to the Member for Dunkley, Mr Chris Crewther, MP, Member for Isaacs, the Hon. Mark Dreyfus QC, MP, Member for Frankston, Mr Paul Edbrooke, MP, Member for Carrum, Ms Sonya Kilkenny, MP, Public Transport Victoria and the Chair of the South East Melbourne Group.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council:

1. Notes the report that provides information on the recently announced preferred grade separation options for Eel Race Road, Seaford Road and Overton / Skye Road locations made by the Minister of Public Transport, the Hon. Jacinta Allan, MP and Level Crossing Removal Authority (LXRA);
2. Writes to the Minister for Public Transport, the Hon. Jacinta Allan, MP and LXRA highlighting Council's disappointment on the recent announcements and the lack of consideration given to Council's and the Community's input (draft letters attached as Attachment E);

3. Does not accept any position that would locate the stabling for the trains at Kananook having to utilise valuable industrial land in the Frankston municipality and seeks in its meeting with the Minister detailed information and calls upon the Minister to enter into further discussion about suitable alternatives;
4. Prepares an in-depth submission to the Premier of Victoria, The Hon. Daniel Andrews, The Minister for Transport, The Hon. Jacinta Allan and the Opposition, Leader, The Hon. Matthew Guy opposing the placement of stabling facilities from Carrum to Seaford. The submission should consider the impact from noise pollution, amenities and community safety concerns on the residents and businesses that are living and working in the proposed area where the stabling yard will go. Also, the submission should highlight the impact on the Frankston municipality due to the loss of Seaford businesses that occupy the land identified for the proposed stabling (which could lead to hundreds of job losses). Finally, the submission should consider the economic, social and environmental consequences of moving the stabling yard from its present commercial location in Carrum to the mixed zoning of Seaford;
5. Expresses disappointment to the Member for Carrum, Ms Sonya Kilkenny MP and the Member for Frankston, Mr Paul Edbrooke MP regarding the relocation of the stabling yard from Carrum to Seaford;
6. Calls on the Victorian Government to immediately commence work on the business plan for the electrification to Baxter and rail service improvements (third Rail line) and to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes including significant employment opportunities for Frankston and the entire region including resolving the stabling issues associated along the line.
7. Continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road. On the basis that the Minister has adopted Council's position on Eel Race Road, the Minister be requested to advise what is happening with the \$150 million allocated in the budget for Skyrail;
8. Also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road;
9. Seeks clarification from the Minister for Public Transport, the Hon. Jacinta Allan, MP on the scope proposed for the \$10 million to be spent to revitalise the Seaford Community with extensive landscaping, a new shared user path, and significant upgrades to R.F. Miles Reserve as announced by the State Government relating to Seaford Road however, there is no mention at Overton Road or Eel Race Road that similar funding will be available; and
10. Forwards a copy of the correspondence to all members of Parliament representing our municipality including the Member for Dunkley, Mr Chris Crewther MP, Member for Isaacs, the Hon. Mark Dreyfus QC MP, Member for Frankston, Mr Paul Edbrooke MP, Member for Carrum, Ms Sonya Kilkenny MP, Public Transport Victoria and the Chair of the South East Melbourne Group.

Extension of Time

Moved: Councillor Mayer

Seconded: Councillor Hampton

That Cr Bolam be granted an extension of time.

Carried Unanimously

Chairperson's initials



Extension of Time**Moved: Councillor Bolam****Seconded: Councillor O'Connor**

That Cr Aitken be granted an extension of time.

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

13.1 NOM 1286 - Marriage Equality

(VR Chief Executive Office)

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

Council resolves to:

1. Publicly support marriage equality irrespective of sex or gender identity.
2. Write to all Federal Members of Parliament and the Commonwealth Human Rights and Equal Opportunity Commission advising them of council's support; and
3. Write to all political parties with representation in the Federal Parliament encouraging them to prioritise debating changes to the Marriage Act and allow a conscience vote on marriage equality.

Extension of Time**Moved: Councillor Aitken****Seconded: Councillor O'Connor**

That Cr Bolam be granted an extension of time.

Carried Unanimously**Extension of Time****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Cr Toms be granted an extension of time.

Carried Unanimously**The motion was then put
and Lost**

For the Motion: Crs Hampton, Mayer, O'Reilly and Toms

Against the Motion: Crs Aitken, Bolam, Cunial, McCormack and O'Connor

Council Decision**Moved: Councillor O'Connor****Seconded: Councillor Aitken**

That Frankston City Council writes to the Prime Minister of Australia, Malcolm Turnbull and the Opposition Leader of Australia, Bill Shorten, as well as Dunkley MP Chris Crewther, Isaacs MP Mark Dreyfus QC and all twelve of Victoria's federal senators, in relation to the following:

1. The formal request - without providing an official position - that a conscience vote take place in the Parliament of Australia on the contemporary definition of marriage in Australia; and
2. Support for same-sex couples insofar societal 'status equality'. This includes the same access to services, entitlements and privileges that are provided to heterosexual couples (i.e. access to the deceased estate of a spouse, superannuation benefits and taxation concessions etc).

Motion be put**Moved: Councillor O'Reilly****Seconded: Councillor Mayer**

That the motion be put.

Carried Unanimously**The motion was then put
and Carried**For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Nil

Abstain: Cr Hampton

13.2 NOM 1287 - Mr Paul Bosdorf - Salvation Army

(CM Chief Executive Office)

Councillor Recommendation

That:

1. A letter be sent from Council to Mr Paul Bosdorf congratulating him on the outstanding effort he has made collecting donations for the Salvation Army in the Shannon Mall area over a number of years.
2. Mr Bosdorf be invited to be reinstated to the location or immediate proximity he has previously occupied for the purpose of collection of donations.
3. Council kindly donate \$200.00 to the collection tin as a small gesture to acknowledge his dedication and the good esteem he is held in by our community.
4. A suggestion be put to Bayside Management that they may also like to offer a similar donation in recognition of voluntary work freely committed for others.
5. An informal discussion take place between Council and Bayside Management to clarify Council's proper role in governing public space.

Councillor Aitken sought leave of Council to amend his Notice of Motion 1287

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Bolam

That:

1. A letter be sent from Council to Mr Paul Bosdorf congratulating him on the outstanding effort he has made collecting donations for the Salvation Army in the Shannon Mall area over a number of years.
2. Mr Bosdorf be reinstated to a location that is suitable for all weather collection and discussion take place with Bayside Management to ascertain a possible outcome or alternately permission be granted for a portable shelter or similar option.
3. Council kindly donate \$200.00 to the collection tin as a small gesture to acknowledge his dedication and the good esteem he is held in by our community.
4. A suggestion be put to Bayside Management that they may also like to offer a similar donation in recognition of voluntary work freely committed for others.

**The motion was then put
and Lost**

For the Motion: Crs Aitken, Bolam, McCormack and O'Connor

Against the Motion: Crs Cunial, Hampton, Mayer, O'Reilly and Toms

The Meeting was adjourned at 9.02pm

The Meeting resumed at 9.14pm

11. CONSIDERATION OF TOWN PLANNING REPORTS

11.1 Planning Application 556/2016/P - 223 Beach Street, Frankston - To use the land to sell liquor (NQR Beach Street)

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 556/2016/P to use the land for the sale of packaged liquor at 223 Beach Street Frankston, subject to the following conditions:

No Alterations

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

Anti-Theft

2. The licensee/permit holder must install and maintain an anti-theft system to minimise the theft of products supplied by the licensee. The approved anti-theft system is to be installed within 28 days of the licensee commencing the supply of liquor from the increased red line area.

Liquor Licence Requirements

3. Unless with the prior written consent of the Responsible Authority, the sale of alcohol must only take place at the premises during the following hours:
 - Any day other than Sunday, Good Friday, Anzac Day or Christmas Day
9:00am to 8:00pm
 - Sunday 10:00am to 5:00pm
 - Anzac Day 12pm to 8:00pm

Amenity

4. 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.

Permit Expiry

5. This permit will expire if one of the following circumstances applies:
 - The use is not started within two (2) years of the date of this permit.
 - The use is discontinued for a period of two (2) years.

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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.

- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
 - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

The Mayor declared a conflict of interest in this item and left the Chamber at 9.14pm whilst discussion and voting takes place. His conflict relates to having an interest in a similar business nearby.

Deferral Motion to another Council Meeting

Council Decision

Moved: Councillor Hampton

Seconded: Councillor McCormack

That the matter be deferred to the 3 April 2017 Ordinary Meeting.

Carried Unanimously

The Mayor returned to the Chamber at 9.17pm

12. CONSIDERATION OF REPORTS OF OFFICERS

12.1 Progress of Council Resolutions resulting from Notice of Motions

(DH Chief Executive Office)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Bolam

That Council:

1. Receives the Notice of Motion Report as at 14 March 2017.
2. Notes that the following NOMs be archived from the Notice of Motion Report:
 - NOM 1230 - Foreshore Litter Collection
 - NOM 1234 - Weed Spraying Around Playgrounds
 - NOM 1235 - Removal of Nature strip planting ban
 - NOM 1237 - Status of Splash Card Program
 - NOM 1238 - Addressing Anti-Social Behaviour
 - NOM 1239 - 2017/18 Frankston City Council Rates
 - NOM 1240 - Progress of Council Resolutions resulting from Notices of Motion
 - NOM 1247 - Briefing on Staff Related Matters with Reputational/Litigious Reverberations
 - NOM 1253 - Pines Men's Shed
 - NOM 1266 - Homelessness Count
 - NOM 1267 - Citywide Footpaths Audit
 - NOM 1268 - Outstanding Notice of Motion's Backlog
 - NOM 1271 - Access to Frankston Nature Reserve - Sweetwater Creek
 - NOM 1282 - South East Rapprochement
 - NOM 1283 - Anti Truancy Efforts
 - NOM 1284 - Introduction of New test in Future Reports and Closed Council Rules
 - NOM 1280 - St Kilda Football Club Withdrawal

Carried Unanimously

12.2 Quarter Two 2016-2017 - Quarterly Performance Report - Council Plan
(TF Corporate Development)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor O'Connor

That Council receives and notes the Council Plan Quarterly Performance Report and LGPRF Quarterly Performance Report for quarter two.

Carried Unanimously

12.3 Setting of Mayoral and Councillor Allowances 2016 - 2020*(MC Corporate Development)***Moved: Councillor Aitken****Seconded: Councillor Mayer**

That

1. Having given public notice of Council's intention to set the Mayoral and Councillor allowances in accordance with section 223 of the *Local Government Act* 1989; and having heard and considered the submission received in accordance with section 74, Council hereby resolves that the Mayoral and Councillor allowances for the entire Council term (ie until November 2020) be set at the maximum levels for a Category 3 Council, as determined by the Minister for Local Government and published in the Victoria Government Gazette from time to time (currently \$29,630 for Councillors and \$94,641 for the Mayor).
2. A letter be sent to notify the submitter of Council's decision and the reasons for the decision.
3. The allowances be paid monthly in advance, with the amounts being subject to any variations or adjustments made by the Minister for Local Government during the four year Council term; and
4. Council notes that an amount equivalent to the superannuation guarantee contribution under the Commonwealth taxation legislation (currently 9.5%) is payable in addition to the allowance amounts. This contribution, which increases in accordance with the Commonwealth taxation legislation, is to be paid into the approved fund nominated by the Mayor and each Councillor, on a quarterly in-arrears basis for the 2016/17, 2017/18, 2018/19 and 2019/20 financial years.

CarriedFor the Motion: Crs Aitken, Cunial, Hampton, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Bolam

12.4 Election Report - Results of the Frankston City Council General Elections 2016
(MC Corporate Development)

Council Decision

Moved: Councillor Toms

Seconded: Councillor O'Connor

That Council notes the Victorian Electoral Commission's report on the conduct of the 2016 Frankston City Council general elections, and the election results.

Carried Unanimously

12.7 Proposed Membership of VLGA Victorian Local Government Authority

(AG Chief Executive Office)

Recommendation (Chief Executive Office)

That:

1. Council determine if it wishes to re-join the VLGA and in what capacity eg, Council or Individual Councillor.
2. In the event of Council re-joining the VLGA the appropriate financial allocation be included in the draft 2017/18 budget.

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Toms

That:

1. A briefing be conducted with Councillors, senior officers and the upper-echelon of the Victorian Local Government Association (VLGA) in relation to Frankston City Council's potential VLGA membership.
2. This report return to Council for determination once the aforementioned briefing has taken place.
3. In the event of Council rejoining the VLGA the appropriate financial allocation be included in the draft 2017 / 2018 budget.

Carried Unanimously

12.8 Councillor Request Process

(DH Chief Executive Office)

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

That Council:

1. Notes the contents of the report;
2. Notes the interim measures to be put in place (as outlined in the report) to initially improve the Councillor Request System process; and
3. Receives a final report on all enhancements to the Councillor Request System and process at its meeting in April 2017.

Carried Unanimously

13. NOTICES OF MOTION**13.3 NOM 1288 - Removal of Naturestrip Planting Ban**

(VR Chief Executive Office)

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

That

1. Council investigate and report back reviewing Council's permit fee structure regarding residents planting flowers and vegetables on their naturestrips at resident's cost.
2. In consultation with all Councillors, Council Officers prepare a guideline of height restrictions and suitable plants for naturestrips.
3. In the same frame that Council promotes responsible recycling of household waste within the municipality, Council should also actively encourage through social media and Frankston City News, that verge planting is a practice that is welcomed by Frankston City Council. This is successfully managed within other Councils around Victoria and interstate. Our closest neighbour Mornington Peninsula Shire manage this very well and actively support their residents planting on their nature-strip without permits, unless it involves the installation of infrastructure. (Please refer to the supporting information "Private Works on Naturestrips and Road Reserves – Mornington Peninsula Shire").
4. With our Sustainable City reputation, Frankston City Council should support and encourage innovative and creative practices within the community which could also benefit wildlife and be attractive to the eye. This would give residents the opportunity to take ownership and pride in their nature-strip, enhance and reinforce our neighbourhood character guidelines and contribute to the greening of our City.
5. Residents have widely endorsed this suggestion in social media and in contact with the Frankston Standard leader and therefore Council should investigate, review and respond accordingly.

Cr Hampton left the Chamber at 9.39pm

Cr Hampton returned to the Chamber at 9.43pm

Extension of Time**Moved: Councillor Hampton****Seconded: Councillor O'Connor**

That Cr O'Reilly be granted an extension of time.

Carried Unanimously**The motion was then put
and Lost**

For the Motion: Crs Mayer and Toms

Against the Motion: Crs Aitken, Bolam, Cunial, Hampton, McCormack, O'Connor and O'Reilly

13.4 NOM 1289 - Female Participation in Sports

(CM Chief Executive Office)

Council Decision**Moved: Councillor O'Connor****Seconded: Councillor Hampton**

That a report be provided at the June Ordinary Meeting outlining Frankston City Council and intergovernmental options (i.e. funding, grants etc) to further encourage female participation in sporting endeavours and/or sporting activities, including those that are traditionally dominated by the opposite sex.

Carried Unanimously

13.5 NOM 1290 - New Closed Council Rules

(VR Chief Executive Office)

Councillor Recommendation

1. That Council works towards achieving no less than 90% (i.e. an 18% improvement) of all decisions being made in Open Council, and the Chief Executive Officer highlight this annual result in future LGPRF reports to Council, and in future annual reports.
2. That the Audit and Ethics Committee considers quarterly, the appropriateness of matters referred to Closed Council. Where the Audit and Ethics Committee believes an item has been inappropriately put to Closed Council, or conditions within any outcomes could be deemed questionable, the matter (where practicable) must return to council for reconsideration with appropriate justification; and
3. In the public meeting agenda and minutes section relating to Closed Council items, in addition to the existing description field describing the Closed Council items, a new section be created explaining the FCC policy and/or state legislative justification for referral of given items.

Councillor Bolam sought leave of Council to amend his Notice of Motion 1290

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

1. That Council works towards achieving no less than 90% (i.e. an 18% improvement) of all decisions being made in Open Council, and the Chief Executive Officer highlight this annual result in future LGPRF reports to Council, and in future annual reports.
2. In the public meeting agenda and minutes section relating to Closed Council Items, in addition to the existing description field describing the Closed Council items, a new section be created summarising the exact reasoning for referral under LGA Sec. 89 (h) (2).
3. That the matter return to (open) council with recommendation/s for implementation in the next three months.

Extension of Time**Moved: Councillor O'Connor****Seconded: Councillor Aitken**

That Cr Bolam be granted an extension of time.

Carried Unanimously

**The motion was then put
and Carried**

For the Motion: Crs Aitken, Bolam, Hampton, Mayer, McCormack and O'Connor

Against the Motion: Crs Cunial, O'Reilly and Toms

13.6 NOM 1291 - Frankston & Seaford Piers - Use of Water Illumination Technology

(VR Chief Executive Office)

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

That a report be provided to Council at the May Ordinary Meeting exploring the use of water illumination technology at either, or both, Frankston and Seaford piers.

The report should consider:

1. The use of underwater illumination lighting such as LED and fish lighting. This is to include costings, maintenance and installation;
2. The use of intermittent multi-coloured lighting on the external facade of the piers. This is to include costings, maintenance and installation; and
3. Include maritime and touristic funding opportunities from other levels of government if council so wishes to formally pursue grant opportunities.

Extension of Time**Moved: Councillor McCormack****Seconded: Councillor O'Connor**

That Cr Bolam be granted an extension of time.

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

13.7 NOM 1292 - Nepean Highway Congestion for Frankston Commuters

(VR Chief Executive Office)

Cr Mayer left the Chamber at 10.40pm

Cr Mayer returned to the Chamber at 10.43pm

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

That Frankston City Council writes to the Victorian Minister for Transport, The Hon. Jacinta Allan, State MP for Frankston, Paul Edbrooke and State MP for Carrum, Sonya Kilkenny expressing concern about the seamlessness of vehicular movement to and from Frankston by use of Nepean Highway. Of specific concern, Frankston City Council pinpoints the strip of Nepean Highway in Chelsea.

The reasoning includes, but not limited to, the following:

1. The congestion created in the right-hand lane due to vehicles turning right on Chelsea Road and Station Street;
2. The congestion created in the left-hand lane due to vehicles seeking side-parking access to the Chelsea segment of shops; and
3. The congestion created in the left-hand lane due to the lack of clearway restrictions on the immediate outskirts of the Chelsea business zone.

The letter should request that the State Government considers these concerns in the context of the level crossing removal works, as well as other potential works not presently accounted for.

Lost

For the Motion: Crs Aitken, Bolam, Mayer and O'Connor

Against the Motion: Crs Cunial, Hampton, McCormack, O'Reilly and Toms

13.8 NOM 1294 - Renewed Advocacy for Frankston Magistrates Court Name Change

(AG Chief Executive Office)

Councillor Recommendation

That Frankston City Council renews its previous resolution in 2011 to call on the State Government to rename the Frankston Magistrates Court. The reasoning for this was, and remains, the reputational damage that is done to Frankston is great when new stories invoke the municipality by virtue of the court name. Much like the Frankston train line, many of the negative incidents reported are not committed by people (or occur) within the municipality. However the invocation of the Frankston name continues to create a negative perception of/for the Frankston area.

The following must occur:

1. Council seeks a bipartisan approach from the State MP, Mr Paul Edbrooke and Federal MP, Mr Chris Crewther in support for the renaming of the court;
2. That a letter be sent to the Premier and (state) Attorney-General, The Hon. Martin Pakula reinforcing Frankston City Council's position;
3. That support is solicited from the 'Committee for Frankston' and 'Frankston Business Network' in this endeavour; and
4. That the (state) Attorney-General, The Hon. Martin Pakula be invited to Frankston to discuss the renaming of the court with Mayor Brian Cunial, Mr Edbrooke and Mr Crewther.

Councillor Bolam sought leave of Council to amend his Notice of Motion 1294

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

That Frankston City Council renews its previous resolution in 2011 to call on the State Government to rename the Frankston Magistrates Court. The reasoning for this was, and remains, the reputational damage that is done to Frankston is great when new stories invoke the municipality by virtue of the court name. Much like the Frankston train line, many of the negative incidents reported are not committed by people (or occur) within the municipality. However the invocation of the Frankston name continues to create a negative perception of/for the Frankston area.

Council seeks a bipartisan approach from the State MP, Mr Paul Edbrooke and Federal MP, Mr Chris Crewther in support for the renaming of the court. Once support has been ascertained, a report be presented to Council during May 2017 on the way forward.

Extension of Time**Moved: Councillor O'Connor****Seconded: Councillor Aitken**

That Cr Bolam be granted an extension of time.

Carried Unanimously

**The motion was then put
and Carried**

For the Motion: Crs Aitken, Bolam, Hampton, Mayer, O'Connor and O'Reilly

Against the Motion: Crs Cunial, McCormack and Toms

Procedural Motion

Moved: Councillor Aitken

Seconded: Councillor Hampton

That the meeting be extended to 11.30pm.

Carried Unanimously

14. LATE REPORTS

Nil

15. URGENT BUSINESS

Nil

Chairperson's initials



16. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor O'Reilly****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 Recurrent Community Grants

Agenda Item C.1 Recurrent Community Grants 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 Tree Planting in Parks and Reserves

Agenda Item C.2 Tree Planting in Parks and Reserves 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 Chief Executive Officer Performance Review Outcomes

Agenda Item C.3 Chief Executive Officer Performance Review Outcomes is designated confidential as it relates to personnel matters (s89 2a)

Carried Unanimously

17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.5 Contractual Matters - Carrum Downs Recreation Reserve (considered at OM269 – 23 March 2015)****Council Decision****Moved: Councillor Hampton****Seconded: Mayor Mayer**

That Council:

1. Approves the negotiation of the sale of a 0.5 Ha parcel of land on the corner of Frankston Dandenong Road and Wedge Road in Carrum Downs and forming part of the Carrum Downs Recreation Reserve to the Country Fire Authority,
2. Agrees not to rely on the exemption from public consultation available under S191 of the *Local Government Act 1989* (because the matter involves the transfer of land to a public authority),
3. Resolves to place a public notice in the Frankston Leader and onsite for a 28 day period if agreement is reached with the Valuer General's Office that the Country Fire Authority has authorised the purchase of the land,
4. Commits the funds received through the sale of the land to facilitate State Government funding to complete the development of the new multi-use community sporting pavilion in the reserve.
5. Resolves to prepare a plan of subdivision and enter into a contract of sale with the Country Fire Authority that is contingent upon Council registering the plan of subdivision following the consideration of submissions and then,
6. Agrees to sign and seal the transfer instruments required to vest the subject land in the Country Fire Authority following the receipt of funds; and,
7. Resolves to release non-commercially sensitive information about this proposed transaction within a month after the plan of subdivision has been registered.

The Motion was put and Carried Unanimously

C.3 Proposed Exchange of Council Land - 40R & 30 Lakewood Boulevard Carrum Downs (considered at OM285 – 4 April 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. The owner of 30 Lakewood Boulevard Carrum Downs be advised, that Council agrees in principle to the exchange of part of Council's reserve at 40R Lakewood Boulevard, with part of the adjoining land at 30 Lakewood Boulevard, subject to:
 - (i) the satisfactory completion of statutory procedures for the exchange of Council land pursuant to s.189 of the Local Government Act 1989; and,
 - (ii) the owner meeting all costs, and undertaking all works associated with the exchange.
2. Council consents to the lodging of any required Town Planning and Certification Applications by the owner or owners representative, to facilitate the land exchange, in respect of its land at 40R Lakewood Boulevard Carrum Downs;
3. The Chief Executive Officer be authorised to commence the statutory procedures.
4. The recommendation be released once the statutory process has been completed.

The Motion was put and Carried Unanimously

Chairperson's initials



C.4 Awarding of Plant, Equipment, Plant and Operator Hire Contract (considered at OM288 – 6 June 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Cunial**

That:

1. Council approves the acceptance of the tenders from:

- Bastow Plant Operations Pty Ltd; ABN 76 143 007 130
- C & K Dawson (Aust) Pty Ltd; ABN 83 006 268 328
- D. J. Hall; ABN 80 112 216 574
- Kennards Hire Pty Ltd; ABN 66 074 228 014
- Kent & Company Pty Ltd; ABN 61 676 714 902
- Luxton Plant; ABN 86 132 170 622
- Mac Barrand Investments Pty Ltd; ABN 38 039 847 422
- Maw Civil Pty Ltd; ABN 56 112 216 574
- Highfred Petroleum P/L, t/a Narre Mini Diggers; ABN 64 060 948 567
- Orange Hire Pty Ltd; ABN 97 133 373 154
- Parsons Plant & Construction Pty Ltd; ABN 23 161 212 095
- Paul Hocking Landscaping Pty Ltd; ABN 86 701 234 270
- Penport Road Profiling; ABN 65 338 260 810
- Sherrin Rentals Pty Ltd; ABN 52 074 173 756
- State Plant Hire Pty Ltd; ABN 48 071 212 292
- TNM Road Services Pty Ltd; ABN 34 155 309 318
- Tutt Bryant Hire Pty Ltd; ABN 62 006 396 603

for Contract No 2015/16-80 "Plant, Equipment, Plant and Operator Hire" 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 to sign prior to the sealing of the Contract documents.
4. The recommendation (without commercially sensitive information) be released by July 2016.

The Motion was put and Carried Unanimously

C.5 Proposed Assignment of Lease – Sofias Restaurant – 5N Pier Promenade Frankston (considered at OM290 – 18 July 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Aitken**

That Council:

1. Resolves to approve the assignment of the sub-lease for Sofia's Restaurant and the deck to SHRI MAHAVIRA PTY LTD.
2. Authorises the Chief Executive Officer to sign and execute the requisite documentation.
3. Authorises the release of the recommendation only to the public, and only after the execution of the Deed of Assignment by all parties.

The Motion was put and Carried

C.7 Carrum Downs Recreation Reserve New Multi-Use Pavilion - Approval of Design and Authorisation to Tender for Construction (considered at OM290 – 18 July 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Hampton**

That Council:

1. Approves the pavilion final design as attached which has been developed in line with the Council endorsed concept design (OM279, 26 October 2015) and includes the following project scope:
 - community hall / social space that can be divided into two separate areas
 - two kitchen/bar areas with serveries to community hall and to external
 - four change rooms attached to the community hall (by operable wall) with attached separate unisex amenities
 - three unisex umpires rooms
 - two first aid rooms
 - community hall store and four externally accessible store rooms
 - male, female and accessible toilets accessed from the foyer
 - meeting room
 - two offices
 - time keepers room that doubles as a third office
 - entry, circulation and services cupboard
 - external paving and landscaping
 - sealed asphalt carpark (46 Spaces) and internal access road
 - stand-alone public toilet
2. Approves the estimated project cost to complete the project as scoped. The cost estimate includes 15% project contingency to mitigate potential project risks;
3. Authorises Council officers to commence the tender for construction
4. Authorises the Director Corporate Development or his nominated representative to enter into agreements with utility companies to facilitate services supply to the site.
5. The resolution be incorporated into the public minutes of this meeting (without commercially sensitive information).

The Motion was put and Carried Unanimously

C.9 PARC Slide Update(considered at OM290 – 18 July 2016)**Council Decision****Moved: Councillor Cunial****Seconded: Councillor Aitken**

That Council:

1. Notes the endeavours of Peninsula Leisure in negotiating an arrangement with White Water Canada to replace the Aquasphere at PARC at no cost to Council.
2. Notes that the early execution of agreements will allow White Water Canada to replace and commission the new slide prior to Christmas.
3. Authorises the Chief Executive Officer to execute agreements or vary existing agreements prior to signing and sealing agreements if required.

The agreements will generally comprise:

- A construction contract between Council and White Water Canada and/or White Water Australia for the decommissioning of the Aquasphere and construction and commissioning of the replacement slide at no cost to Council and with a bank guarantee for the full value of the replacement slide; and,
 - A Deed/s of Release that will provide indemnity to White Water Canada and/or White Water Australia and ADCO Constructions Pty Ltd from claims by Council for economic loss arising from financial losses in trade from the Aquasphere.
4. That the details regarding the commercial settlement remain confidential until the new slide has been completed and is commissioned.

*The Motion was put and Carried Unanimously***C.2 Community Roof Project Implementation Plan (considered at OM291 – 8 August 2016)****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That Council:

1. Releases Attachment B “Community Roof – May 2016 – SalvoCare Eastern Model Project Implementation Plan” determined by Council at its Closed Council Meeting on 6 June 2016 immediately after this meeting.
2. Releases this resolution following the Council meeting.

The Motion was put and Carried Unanimously

**C.4 Review of Kerbside Hardwaste and Bundled Greenwaste Collection Service
(considered at OM291 – 8 August 2016)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Spelman**

That Council:

1. Approves the one (1) year extension of the existing Contract No 2011/12 – 5 with WM Waste Management, for the Kerbside Hardwaste and Bundled Greenwaste collection service.
2. Authorises the Chief Executive Officer to execute the amended Contract documents.
3. Approves release of the recommendation only after the Contract documents as amended are sealed.
4. Notes that the CEO will approve the temporary employment of additional Compliance Officers to strictly enforce the volume restrictions and other conditions of the Annual Kerbside Hardwaste and bundled Greenwaste Collection service and the revise At-Call collection if it is considered appropriate.

The Motion was put and Carried Unanimously

C.5 Frankston Arts Centre Precinct Upgrade and Refurbishment Works (Amenities and Lift) - Award of Construction Contract (considered at OM292 – 29 August 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Approves the awarding of the tender to Merkon Constructions Pty Ltd for the Frankston Arts Centre Precinct Upgrade and Refurbishment Works - Amenities and Lift.
2. Notes that a project contingency will be reserved outside of the contract sum
3. Authorises the Chief Executive Officer to sign the contract prior to sealing; and,
4. Agrees that Council's resolution (without commercially sensitive information) be released at the next open meeting of council following signing of the contract.

The Motion was put and Carried Unanimously

**C.7 Building Facilities Maintenance, Cleaning and Security - Contract 2015/16-82
(considered at OM292 – 29 August 2016)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Agrees to award Ventia Pty Ltd the Building Facilities Maintenance, Cleaning and Security Contract No 2015/16-82 for an initial five (5) year term.
2. Authorises the Chief Executive Officer to negotiate with Ventia Pty Ltd any reduction to the cost of mobilisation and/or the removal of the reactive maintenance component from the tender sum for the additional 95 buildings not covered under the existing contracts.
3. Authorises the Chief Executive Officer to execute the contract prior to sealing.
4. Notes that the non-commercially sensitive components of this report will be released following the execution of the contract by Council and Ventia Pty Ltd.
5. Reports to Council the contract KPI's on an annual basis.

The Motion was put and Carried

**C.3 Centenary Park Sporting Precinct Development (considered at OM293 – 19
September 2016)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Council:

1. Notes the progress on the Centenary Park Sporting Precinct Development and the financial feasibility of the proposal.
2. Notes that the Centenary Park Golf Club has advised Council that it no longer wishes to be included in the plans for the redevelopment.
3. Authorises Officers to appoint an architect to develop concept designs to be submitted to Council for approval.
4. Submits an application to Sport and Recreation Victoria's Better Indoor Stadiums Fund.
5. Considers the allocation of funding to the detailed design and construction of the Centenary Park Sporting Precinct in financial years 2017/18 and 2018/19.

The Motion was put and Carried Unanimously

C.5 Contract No 2015/16-80 Plant, Equipment, Plant and Operator Hire Contract (correction to Council's Resolution of 6 June 2016) (considered at OM293 – 19 September 2016)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Mayer

1. That Council resolves to amend its resolution that gives effect to Council's Decision of 6 June 2016 – Item C.4: Awarding of Plant, Equipment, Plant and Operator Hire Contract in Ordinary Meeting OM288 by replacing incorrect entity identifiers (Australian Business Number or Australian Company Number) for the following organisations with the following:

- *C & K Dawson (Aust) Pty Ltd;* *ABN 80954953945*
- *D. J. Hall;* *ABN 71351884950*
- *Kennards Hire Pty Ltd;* *ABN 69001740727*
- *RK & JA Kent & Company Pty Ltd;* *ABN 30006592490*
- *Luxton Plant;* *ABN 14004772785*
- *Mac Barrand Investments Pty Ltd;* *ACN 614188046*

The Motion was put and Carried Unanimously

C.1 Violet Street Reconstruction Contract 2015/2016-50 Project Variation (considered at SP197 – 10 October 2016)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Mayer

That:

1. Council authorises the Chief Executive Officer to approve a variation of up to \$200,000 exclusive of GST under Contract No. 2015/16-50 for a stormwater detention system to be included in the Violet Street Reconstruction Works being undertaken by A1 Civil Pty Ltd.
2. The resolution be incorporated into the public minutes of this meeting.

The Motion was put and Carried Unanimously

C.1 Issuing Small Business Grants (considered at OM294 – 28 November 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Hampton**

That:

1. Council notes the report.
2. Council issues Small Business Grants to the following businesses (in accordance with recommendations of the Independent Assessment Panel):
 - (a) Cuvee Australia - \$15,000
 - (b) Dainton Family Brewery - \$10,000
 - (c) Sports Events Projects - \$12,500
 - (d) Modern Visual - \$12,500
 - (e) Geonbae - \$10,000
3. EWastec is nominated as a back-up grant recipient for the amount of \$10,000, should the primary recipients not meet conditions that are required for them to receive a grant.
4. The recommendations of this report be released to the public after 1 December 2016.

The Motion was put and Carried Unanimously

C.2 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2017 (considered at OM294 – 28 November 2016)**Deferral Motion to another Council Meeting****Moved: Councillor Aitken****Seconded: Councillor McCormack**

That the matter be deferred to the 19 December 2016.

The Motion was put and Carried Unanimously

C.1 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2017 (considered at OM295 – 19 December 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. Council awards the Citizen of the Year Award for 2017 to Rev Angel & Pastor Ulli;
2. Council awards the Young Citizen of the Year Award for 2017 to Louise Holtzinger;
3. Council awards the Senior Citizen of the Year Award for 2017 to Roy Giesemann;
4. Council awards the Community Event of the Year for 2017 to The Voice of Frankston;
5. The award recipients be notified of Council's decision after the meeting, and the names of the winners be embargoed until Australia Day 2017, where the awards will be presented to the winners at the Australia Day Citizenship Ceremony; and
6. The resolution be incorporated in the public minutes of the February Meeting.

The Motion was put and Carried Unanimously

C.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - July, August, September 2016 (considered at OM295 – 19 December 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor O'Connor**

That:

1. Council notes the funding allocations made under delegated powers, relating to grants in the Miscellaneous Grants Program, and community concessions and discounts in the Frankston Arts Centre.
2. The names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant made during the previous 12 months, be included on the list of donations and grants, in accordance with the requirements of the Local Government Act 1989 and regulation 12(g) of the Local Government (General) Regulations 2015; and
3. The report otherwise remain confidential indefinitely, except for Council's resolution in this matter which may be released to the public at the next Ordinary Meeting.

The Motion was put and Carried Unanimously

C.3 Landfill Services Contract Extension (considered at OM295 – 19 December 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That:

1. Council resolves to formally advise SUEZ Recycling and Recovery Pty Ltd (SUEZ) and the Metropolitan Waste Management Group (MWRRG) that it agrees to extend the Direct Deed 2010/1 with SUEZ for the provision of landfill services for a further two (2) year term;
2. Council delegate to the Chief Executive Officer (CEO) authority to sign the contract extension;
3. Council notes that the two year term contract sum is excluding the Victorian Landfill Levy; and
4. The recommendation (without commercially sensitive information) be released once the extension has formally been executed.

The Motion was put and Carried Unanimously

C.4 Meals and Social Inclusion Program (considered at OM295 – 19 December 2016)**Council Decision****Moved: Councillor Toms****Seconded: Councillor O'Connor**

That Council:

1. Notes the current status of the interim meal arrangements and progress by State Government to provide permanent meals service since the closure of City Life; including Council's expected contribution;
2. Considers and provides feedback on a Council preferred model (if any) including the State Government proposal to deliver a social inclusion and meals service, and if there is a preferred model, authorise officers to commence discussions with relevant parties and present a further report on opportunities and costs;
3. Releases this recommendation immediately following the Council meeting.

The Motion was put and Carried Unanimously

C.1 Appointment and Authorisation of Council Staff (considered at OM296 – 30 January 2017)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

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:
 - Meghan Doherty (Urban Designer)
 - Michael Churilov (Statutory Planner)
2. The Instrument of Appointment and Authorisation in respect of the Officers 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.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - October, November, December 2016 (considered at OM296 – 30 January 2017)**Council Decision****Moved: Councillor Toms****Seconded: Councillor Mayer**

That:

1. Council notes the funding allocations made under delegated powers, relating to grants in the Miscellaneous Grants Program, and community concessions and discounts in the Frankston Arts Centre.
2. The names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant made during the previous 12 months, be included on the list of donations and grants, in accordance with the requirements of the Local Government Act 1989 and regulation 12(g) of the Local Government (General) Regulations 2015; and
3. The report otherwise remain confidential indefinitely, except for Council's resolution in this matter which may be released to the public at the next Ordinary Meeting.

The Motion was put and Carried Unanimously

C.4 Appointment of Independent Member to the Audit and Risk Management Committee (considered at OM296 – 30 January 2017)**Council Decision****Moved: Councillor Toms****Seconded: Councillor Mayer**

That:

1. Council appoints Leanna La Combre to the Audit and Risk Management Committee for a three (3) year term, expiring on 30 November 2019.
2. This resolution be released to the public at the next Ordinary Meeting.

The Motion was put and Carried Unanimously

C.6 Boulevards - Nepean Highway South and Cranbourne Road (considered at OM296 – 30 January 2017)**Deferral Motion to another Council Meeting****Moved: Councillor Aitken****Seconded: Councillor O'Connor**

That the matter be deferred to a future Ordinary Meeting.

The Motion was put and Carried Unanimously

C.1 Appointment of Chairperson to the Audit and Risk Management Committee (considered at OM297 – 20 February 2017)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor O'Connor**

That:

1. Council resolves to reappoint Mr. Neil Greenaway to the position of Chairperson until 31 January 2018; and
2. The resolution be incorporated in the public minutes of this Meeting.

The Motion was put and Carried Unanimously

C.2 Recurrent Community Grants (considered at OM297 – 20 February 2017)**Deferral Motion to the next Council Meeting****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That the matter be deferred to the Ordinary Meeting being held on Tuesday 14 March 2017.

The Motion was put and Carried

C.3 Youth Grants (considered at OM297 – 20 February 2017)**Council Decision****Moved: Councillor Toms****Seconded: Councillor Mayer**

That Council:

1. Notes and refers funding recommendations to Council in the 2016/2017 Youth Grants Program as contained in the confidential report (Attachment A – not for public release).
2. Notes Youth Councillors view de-identified applications in their assessment and recommendations of Youth Grants.
3. Notes that immediately following Council endorsement, names of successful and unsuccessful applicants will be released for the purpose of informing them and facilitating grant payments.

The Motion was put and Carried

C.1 Recurrent Community Grants (considered at this meeting)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor O'Reilly**

That Council:

1. Endorses a position that all of Council's community grants require an application, subject to the Annual Community Grants Policy.
2. Notes that the following organisations are currently recipients of the 'as of right' grants each year:
 - a. Frankston Toy Library – Teddy Bears Picnic
 - b. Greek Orthodox Community of Frankston – Blessing of the Waters
 - c. Frankston Churches Community Breakfast
 - d. Open Door – St Francis Xavier Inc.
 - e. Operation Larder Inc.
 - f. City Life – Christmas Lunch
3. Endorses advice to the above organisations / groups of the requirement to apply for annual grants for activities through the Annual Community Grants Program:
4. As part of the annual budget process, refers funding previously provided as line items to the six groups above (1a.-1f.) to Community Grants; noting this will increase the annual Community Grants budget allocation by \$12,000.
5. That this recommendation be released immediately following the meeting.

The Motion was put and Carried Unanimously

C.2 Tree Planting in Parks and Reserves (considered at this meeting)**Deferral Motion to another Council Meeting****Moved: Councillor McCormack****Seconded: Councillor Hampton**

That the matter be deferred to the 3 April 2017 Ordinary Meeting.

*The Motion was put and Carried Unanimously***C.3 Chief Executive Officer Performance Review Outcomes (considered at this meeting)****Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Notes the report and recommendations of the CEO's Performance Review.
2. Notes that the CEO has declined Council's offer of a 1.4% increase to his Total Remuneration Package (TRP), and accordingly the CEO's TRP will remain at \$325,000 until the next annual review.
3. Endorses the Key Performance Indicators and measures for 2016/2017.
4. All annual leave applications must be signed by the Mayor.
5. Releases the resolution only in the Minutes of this meeting.

The Motion was put and Carried Unanimously

The meeting closed to the public at 11.10p.m.

CONFIRMED THIS

DAY OF

2017

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Brian Cunial, 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 Tuesday 14 March 2017, confirmed on Monday 3 April 2017.

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(Cr. Brian Cunial, Chairperson – Council Meeting)

Dated this

day of

2017