



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 22 DECEMBER 2014 at 7.02 PM**

PRESENT	Cr. Sandra Mayer (Mayor) Cr. Darrel Taylor Cr. James Dooley 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 Mr. Vito Albicini, Director City Development Ms. Liz Daley, Acting Director Communities Development Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Fiona Johnstone, Coordinator Statutory Planning Ms. Vera Roberts, Officer Council Business Support Ms. Marilyn Miller, Coordinator Media & Communications
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor O'Reilly 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 *S. Mayer*

PRAYER

At the request of the Mayor, Councillors, officers and members of the gallery stood while Councillor Aitken read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Spelman 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

Nil.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM264 held on 1 December 2014.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That the minutes of the Ordinary Meeting No. OM264 held on 1 December 2014 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Nil.

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

Nil.

6. HEARING OF PUBLIC SUBMISSIONS

Mr Janusz Kowal made a submission regarding Item 10.1 - Town Planning Application 546/2014/P - To use and develop the land for a five (5) storey mixed-use building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking - 4 and 16 Clyde Street Mall, and 36R Ross Smith Avenue East, Frankston.

7. ITEMS BROUGHT FORWARD

Nil.

8. PRESENTATIONS / AWARDS

The Mayor presented a photo received from Seaford Primary School thanking the Council for their generous support for their 2014 camp to Canberra.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil.

10. CONSIDERATION OF TOWN PLANNING REPORTS

10.1 Town Planning Application 546/2014/P - To use and develop the land for a five (5) storey mixed-use building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking - 4 and 16 Clyde Street Mall, and 36R Ross Smith Avenue East, Frankston

(NR Community Development)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 546/2014/P to use and develop the land for a five (5) storey building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking, at 4 and 16 Clyde Street Mall and 36R Ross Smith Avenue East, Frankston, subject to the following conditions:

Plans

- 1) Before the commencement of buildings and works, amended plans to the satisfaction of the Responsible Authority must be submitted to be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and three (3) copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:-
 - a) Removal of all redundant vehicle crossovers.
 - b) A minimum of one car space must be provided for each dwelling and twelve (12) spaces for the use of visitors of residents.
 - c) A minimum of one car space must be provided for the sole use of each retail tenancy.
 - d) Details of the car stackers including their specifications, if included in the design.
 - e) Swept path assessments of loading / waste truck ingress and egress between the subject site (carriageway easement) and Balmoral Street and Ross Smith Avenue East.
 - f) 150mm kerbs provided to both sides of the internal ramp between ground level and the car park at first floor.
 - g) If applicable, control points to the parking areas (such as doors, card scanners, etc.) complying with AS2890.1 including storage lanes.
 - h) Acoustic measures (if any) required to protect the internal amenity of the permitted dwellings in accordance with the recommendations of an expert acoustic report prepared to the satisfaction of the responsible authority;
 - i) Cross section of the carriageway easement / right-of-way with regard to reconstruction, finished surface levels and integration with building access points.
 - j) Details of treatment and lighting of the pedestrian entry and access to the dwellings.
 - k) Lighting of surrounding environment to provide a safe entry to the dwellings.
 - l) Model of lift and demonstrate with manufacturer's specification the lift facilities are adequate for the development.

- m) Increase of approximately 0.5m in floor to ceiling height of the car park level to provide car stackers throughout OR provide an additional level to the building for the purposes of car parking.
- n) The location and method of screening of external mechanical plant equipment on the site, in particular provision for the future installation of air-conditioning units associated with permitted apartments and dwellings.
- o) An amended Waste Management Plan (WMP) generally in accordance with the WMP prepared by Waste Tech dated 8 September 2014 but amended to reflect waste generation estimates for the revised commercial floor areas, adequate provision of bins for residential waste generation estimates and define the standard used to calculate waste generation estimates for commercial tenancies.
- p) Amended Sustainable Design Statement (SDS) generally in accordance with the SDS prepared by Norman Disney and Young dated 10 September 2014 but amended to benchmark and demonstrate compliance of the proposed sustainable design initiatives against industry accepted standards.
- q) Public Realm Plan in accordance with Condition 5.
- r) Detailed materials, finishes and color schedule in accordance with Condition 9.
- s) Car Park Management Plan in accordance with Condition 10.
- t) That the awnings in Clyde Street Mall to extend no more than 1.5m.

No Alterations

- 2) The use and development, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

Construction Prior to Occupation

- 3) Before the occupation of the building, all development as shown on the endorsed plans, must be completed to the satisfaction of the Responsible Authority. The development must thereafter be maintained to the satisfaction of the Responsible Authority.
- 4) Prior to the occupation of the building, the development must be constructed in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority.

Public Realm Plan

- 5) Before the commencement of buildings and works, a public realm plan(s) must be submitted to the satisfaction of and approval by the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of the permit. The plan(s) must be drawn to scale, with dimensions, and three (3) copies must be provided. The plan(s) provide for public realm works in Clyde Street Mall, Ross Smith Avenue and Balmoral Street which abut the subject site. The plan must include a construction / landscaping zone that limits and defines the extent of works and landscaping within the streets and must show:
 - a) Removal of all redundant crossovers to the subject site and alterations to line marking of on-street car parking spaces where appropriate.
 - b) Removal of the Plane Tree at the Ross Smith Avenue East site frontage and Ficus street trees in Clyde Street Mall and replacement with advanced trees in approved locations.
 - c) A planting schedule of all proposed plants including botanical names, common names, pot sizes, size at maturity and quantities of each plant;

- d) Section diagrams showing planting detail for new street trees and other public works.
 - e) Proposed crossover to Ross Smith Avenue East.
 - f) Proposed bicycle parking in Clyde Street Mall.
 - g) Any other public realm works that may include paving, bollards, street furniture, public art and lighting, where applicable.
 - h) All works in the public realm in accordance with Council's Streetscape Strategy and Guidelines and consistent with the adopted materials and palette for Young and Wells St, or otherwise to the satisfaction of the Responsible Authority.
- 6) Prior to occupancy of the building, all landscaping and public realm works as shown on the endorsed Public Realm Plan(s) must be completed to the satisfaction of the Responsible Authority, unless with the further written consent of the Responsible Authority.
- 7) All costs associated with landscaping and works shown on the Public Realm Plan must be borne by the owner / developer.
- 8) Street trees must be maintained in good condition at the expense of the owner / developer for a period of one (1) year from planting, to the satisfaction of the Responsible Authority.

Materials, finishes and colour schedule

- 9) Prior to the commencement of buildings and works, a detailed schedule of sample colours of all external materials and finishes including coloured copies suitable for endorsing must be submitted to the satisfaction of and approved by the Responsible Authority. When approved the schedule will be endorsed and form part of the permit. The schedule and sample panel must include details of all external materials including the various cladding and applied finishes, windows frames, verandas, glazing, art murals, decorative balcony treatments and screens, any control doors to car parking areas and visually interesting car park screen (which may include more than one type of screen, or integrating the design of the screen with the art murals, or the design reflecting coastal elements of Frankston including native flora) with low degree of visual permeability.

Car Park Management Plan

- 10) Before the commencement of buildings and works, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. The Car Park Management Plan must include, but not be limited to:
- a) Allocation of one car space to each commercial tenancy, tandem car spaces allocated to two bedroom dwellings and the remainder of the car spaces allocated to one bedroom dwellings.
 - b) Details of signing and line marking of parking spaces.
 - c) How parking spaces are to be secured for the intended use.

Green Travel Plan

- 11) Prior to the occupation of the building, a Green Travel Plan (GTP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. The GTP must:
- a) Describe the location of the development site in the context of alternative modes of transport and objectives of the GTP.

- b) Outline GTP measures for the development including, but not limited to:
 - i) Possible incentives (e.g. provision of public transport tickets, etc).
 - ii) Measures listed in Section 10.2 of the Traffic Report prepared by Cardno dated 11 September 2014 (ref: CG140243)
 - iii) Cycle parking and facilities included; and
 - iv) GTP management responsibilities, including ongoing monitoring and review.
- 12) Once approved the GTP must form part of the planning permit or any ongoing Management Plan for the site to ensure the plan continues to be implemented by residents/owners to the satisfaction of the Responsible Authority.

Construction and Environment Management Plan

- 13) Before the commencement of buildings and works and demolition of existing buildings, a Construction and Environment Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. Any plans submitted must be consistent with all other documents approved as part of this permit. The information must be drawn to scale with dimensions and three copies must be provided. The Plan is to include details of the following:
 - a) Contact Numbers of responsible owner/contractor including emergency/24 hour mobile contact details
 - b) Identification of possible environmental risks associated with development works
 - c) Response measures and monitoring systems to minimise identified environmental risks, including but not limited to creek protection, vegetation protection, fauna protection, runoff, erosion, dust, litter, noise and light.
 - d) Location and specifications of sediment control devices on/off site.
 - e) Location and specifications of surface water drainage controls.
 - f) Location and specifications of fencing for the protection of trees and/or vegetation as required by the permit.
 - g) Proposed drainage lines and flow control measures.
 - h) Location of all stockpiles and storage of building materials.
 - i) Location of parking for site workers and any temporary buildings or facilities.
 - j) Details to demonstrate compliance with relevant EPA guidelines.
 - k) Hours during which construction activity will take place.
 - l) Compliance with relevant standards including EPA Noise Control Guidelines (Publication 1254) and EPA guidelines (Environmental Guidelines for Major Construction Sites (1996).
 - m) Measures to protect street trees at the Balmoral Street frontage during construction.

Melbourne Water

- 14) Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

Infrastructure Requirements

- 15) Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority. These plans must include reconstruction of the carriageway easement to the east of the subject site and alterations to services where appropriate.
- 16) Storm water drainage shall be connected to stormwater Legal Point of Discharge as nominated and to the satisfaction of the Responsible Authority.
- 17) Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention and rainwater tanks.
 - Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
 - On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
- 18) Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
- 19) All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
- 20) Any Council assets that are damaged during construction shall be re-constructed at the Applicant's expense to the satisfaction of the Responsible Authority.
- 21) The loading and unloading of goods from vehicles must only be carried out on the land.
- 22) Before the occupation of the building, areas set aside for parked vehicles and bicycles, loading and access lanes as shown on the endorsed plans must be:-
 - a) Constructed to the satisfaction of the Responsible Authority;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - d) Drained and maintained to the satisfaction of the Responsible Authority;
 - e) Line marked to indicate each car space, loading bay and all access lanes;
 - f) sign marked identifying the allocation of car spaces; and
 - g) Properly lit.

Parking areas, bicycle spaces, loading areas and access lanes must be kept available for these purposes at all times.
- 23) Prior to commencement of buildings and works, Council's Asset Protection Officer must be consulted regarding the removal / replacement of existing pavers / bricks within the public realm.
- 24) Where the development involves work on or access to Council controlled land including roads, reserves and rights of way, the owner, operator and their agents under this permit shall at all times take adequate precautions to maintain works to the highest public safety standards.

Precautions are to include, appropriate signage to AS 1743 road works signing code of practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings sufficient to ensure public safety.

All relevant permits are to be obtained from Council for works within the existing road reserves in addition to the Planning Permit.

Section 173 Agreement

- 25) Prior to the commencement of any buildings and works, the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 and such agreement must provide that:
- a) The Owner constructs and uses the verandah within the airspace of the Clyde Street Mall at its own risk, and releases the Council from all claims resulting from any damage, loss, death or injury in connection with the verandah or any adverse impact on the adjoining structure, except to the extent that the Council is negligent or in breach of its statutory obligations.
 - b) The Owner indemnifies and holds harmless the Council against all claims resulting from any damage, loss, death or injury in connection with construction and use of the verandah or any adverse impact on the adjoining structure, except to the extent that the Council is negligent or in breach of its statutory obligations.
 - c) The Owner agrees that Council must consent to any signage proposed to be attached to or located on the verandah, and consent to the style; construction material and finishes of the verandah, such consent not to be unreasonably withheld.
 - d) The Owner assumes all maintenance obligations and must attend to all necessary repairs within a reasonable time of receiving a written notice from Council.

The Agreement must be registered on title pursuant to Section 181 of the Planning and Environment Act 1987.

The owner must pay all reasonable costs for the preparation, negotiation, execution and registration of the Section 173 Agreement.

Access across 36R Ross Smith Avenue East, Frankston

- 26) Prior to the occupation of the building, such part of the land at 36R Ross Smith Avenue East, Frankston as is necessary to provide safe and unobstructed vehicle access must be set aside as Road.

Environment Requirements

- 27) Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of trees on development sites to the satisfaction of the responsible authority.
- 28) Prior to the commencement of the development (including vegetation removal), a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed around the canopy drip line of street trees to be retained at the Balmoral Street frontage (but reduced where appropriate to allow vehicle and pedestrian access) or otherwise in a location to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

- a) No vehicular or pedestrian access.
 - b) The existing soil level must not be altered either by fill excavation.
 - c) The soil must not be compacted or the soil's drainage changed.
 - d) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible authority to tunnel beneath. If approval is given a qualified arborist must be on site to oversee this process;
 - e) No storage of equipment, machinery or material is to occur.
 - f) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
 - g) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.
 - h) No building or any other structure is to be erected.
 - i) Tree roots must not be severed or injured.
- 29) The tree protection fence must remain in place for the duration of construction, unless with the further written consent of the Responsible Authority.
- 30) All tree pruning is to be carried out by a qualified and experienced Arborist who has a thorough knowledge of tree physiology and pruning methods. Pruning must be carried out in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees. If pruning works are to be undertaken then these works should be carried out prior to any construction works beginning on site.

Services

- 31) Mailboxes shall be provided to the satisfaction of the Responsible Authority and Australia Post.
- 32) Any outdoor lighting of the site must be baffled to prevent light from the site causing any detriment to the locality.
- 33) Power and telephone lines to the development shall be placed underground from the main points of service outside the boundaries of the site.
- 34) All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwellings shall be concealed from general view.

Amenity

- 35) The amenity of the area must not be detrimentally affected by the use or development through the:-
- a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.
 - e) In any other way.
- to the satisfaction of the Responsible Authority

Use of Commercial Tenancy

- 36) Under this permit activities undertaken within the commercial tenancy must satisfy the as-of-right use provisions of the zoning of the land.

Completion of Buildings and Works

37) Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

38) This permit will expire if one of the following applies:-

- The development is not commenced within two (2) years of the date of this permit;
- The development is not completed within four (4) years of the date of this permit.
- Use of the land for dwellings is not commenced within one (1) year of the completion of development;
- Use of the land for dwellings is discontinued for a continuous period of two (2) years.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards

Permit Notes**A Melbourne Water**

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference 175166.

B Asset Protection Permit

Prior to the commencement of works, the operator of this Planning Permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.

C Extension of Time

Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

Carried Unanimously

11. CONSIDERATION OF REPORTS OF OFFICERS**11.1 Ballam Park Homestead Gardens**

(PC City Development)

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

That:

1. A Ballam Park Homestead Advisory Committee be established comprising representatives of the Frankston Historical Society, Frankston City Council Heritage Advisory Committee, Ward Councillors and Council staff, to consider and recommend on the preparation of a master plan for the Ballam Park Homestead precinct.
2. A budget line item be created within the Parks budget for maintenance of the Ballam Park Homestead precinct with an allocation of \$10,000 for 2014/15.
3. The Master Plan and maintenance program be prepared utilising Council staff and be fully costed and presented for consideration in the 2015/16 budget.
4. A representative of the Frankston Historical Society, Ballam Park Advisory Committee and Council Parklands staff be nominated as official contact for each party.
5. Minutes of all meetings of the Advisory Committee be made available to all Councillors.

Carried Unanimously

11.2 Response to residents' petition for footpath along Brighton Street, Frankston South

(GR City Development)

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

That:

1. Council considers the allocation of \$120,000 in the 2015/16 Capital Works Program for the design and construction of a footpath along Brighton Street along with a consideration of a special charge scheme as part of the development of the 2015/16 budget; and
2. The head petitioner be advised of Council's decision.

Carried Unanimously

11.3 Hearing of Submissions - Amendment to the Road Management Plan

(LU City Development)

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

That Council:

1. Receives and notes the public submission on the proposed amendment to the RMP in accordance with the Road Management (General) Regulations (2005) and Section 223 of the Local Government Act (1989);
2. Notes that the submitter does not wish to be heard in accordance with Section 223 of the Local Government Act (1989) and the Road Management (General) Regulations (2005); and
3. Acknowledges the conclusion of the formal consultation phase of the proposed amendment to the RMP and will receive another briefing and subsequent report in March 2015 to consider all (informal) feedback received prior to considering the adoption of the draft RMP.

Carried Unanimously

11.4 To formally name Wayne Landry Oval

(KS Corporate Development)

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

That:

1. Council, having complied with the principles of the Guidelines for Geographic Names for 2010 and that in accordance with the *Local Government Act 1989 (the Act)* and there being no submissions in relation to the proposal, hereby resolves to lodge with the Registrar for consideration a proposal to formally name Baxter Park Oval No 1 "Wayne Landry" as advertised in the local paper on Monday 1 September 2014.
2. That the Cricket Club be notified of Council's decision and be advised of the Registrar's decision when approval is received.

Carried Unanimously

11.5 Graffiti Management Review

(ML City Development)

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

That:

1. Council notes the report and the current success of the in-house graffiti management program; and
2. A full evaluation of the service including financial review be conducted in October 2015 and reported to Council in November 2015.
3. The CEO pass on Council's congratulations to the relevant staff.

Carried Unanimously

Councillor Aitken left the chamber at 7.20 pm

Councillor Aitken entered the chamber at 7.22 pm

11.6 Union Road Special Charge Scheme*(KP City Development)***Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Abandons the Special Charge Scheme and fully fund the construction of Union Rd, Langwarrin from Cozy Valley Road to Mathew Court.
2. Advises all contributors of this decision.
3. Allocates a further \$38,000 (contributors portion) towards the project.
4. Allocates the full funding amount to complete the project provided in 2015/16 capital works.

Carried Unanimously

12. NOTICES OF MOTION**12.1 NOM 1073 - Representative on the Board of the Frankston Regional Aquatic Centre Pty Ltd**

(JS Corporate Development)

That the current Council appointment to the board of the Frankston Regional Aquatic Centre Pty Ltd be revoked and we call for new nominations to fill this position.

This new position will be held until the next Statutory Meeting and there after the appointment to the board will become an annual appointment to align with all other Council committee appointments at every Statutory Meeting. That the Chairperson of the Board be asked to give a report to Councillors following each Board Meeting.

Rationale: Council's usual practice has been to appoint Councillors as Committee Members and Council representatives to its Committees and other roles on an annual basis. Such appointments are generally made at the Statutory Meeting of Council in each year and are for a one (1) year term. It would be appropriate for Council to bring its appointment of its representative to FRAC Pty Ltd into line with other appointments.

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

That the matter be moved into Closed Council. This item is considered confidential under Section 89(2) (h) of the Local Government Act, as it involves discussion of a matter which would prejudice the Council or any person.

Carried Unanimously

12.2 NOM 1074 - Donations for community support

(MT Chief Executive Office)

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

1. In the lead up to Christmas I am mindful of those residents who are financially disadvantaged and would benefit from additional support. I seek Council's support to donate \$2,000 for each of the following organisations from my discretionary fund.
 - City Life
 - St Paul's breakfast
 - Frankston Community Support
2. Councillors Spelman and O'Reilly also seek Councillor's support to donate \$1,000 to each of the above organisations from their own discretionary funds.

Carried Unanimously

12.3 NOM 1075 - Frankston Navy Memorial Club - Heartstart First Aid Machine - defibrillator

(AC Chief Executive Office)

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

That Council accepts the invoice from Frankston Navy Memorial Club, requesting financial assistance for a Heartstart First Aid machine "defibrillator" and that the amount of \$1895.00 be given to the Frankston Navy Memorial Club from Cr Mayer's Discretionary Fund.

Carried Unanimously

12.4 NOM 1076 - Community Raffle - Frankston North Rotary Club

(AC Chief Executive Office)

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

That Council accepts the invoice from Frankston North Rotary Club, requesting financial assistance for the printing of 120,000 raffle tickets for the 2015 Community Raffle and the amount of \$3,022.80 be given to the Frankston North Rotary Club from Cr Spelman's Discretionary Fund.

Carried Unanimously

13. LATE REPORTS

Nil.

14. URGENT BUSINESS

Nil.

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

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 - Membership

Agenda Item C.1 Frankston Arts Board - Membership is designated confidential as it relates to personnel matters (s89 2a)

C.2 Seaford Property, Occupancy, Legal and Associated Matters

Agenda Item C.2 Seaford Property, Occupancy, Legal and Associated Matters is designated confidential as it relates to legal advice (s89 2f)

C.3 Baxter Park Pavilion Refurbishment

Agenda Item C.3 Baxter Park Pavilion Refurbishment is designated confidential as it relates to contractual matters (s89 2d)

C.4 Contractual Matters

Agenda Item C.4 Contractual Matters is designated confidential as it relates to contractual matters (s89 2d)

C.5 Plowman Place Streetscape Project

Agenda Item C.5 Plowman Place Streetscape Project is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

16. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.1 Appointment of New Members - Foreshore Advisory Committee
(considered at OM261 29 September 2014)****Council Decision****Moved: Councillor Mayer****Seconded: Councillor Spelman**

That:

1. Council approves the appointment of the following three members to the Foreshore Advisory Committee as per the Committee's Terms of Reference:
 - Cassandra Holt
 - Ginevra Hosking
 - Barry Priestley
2. The recommendation be released at the next Ordinary Meeting

The Motion was put and CARRIED unanimously

C.1 Frankston City Council Capital Works Improvement Audit Report - October 2014 (considered at OM262 20 October 2014)**Council Decision****Moved: Councillor Dooley****Seconded: Councillor Mayer**

That Council:

1. Receives and notes this report;
2. Acknowledges the implemented improvements to systems, processes, training, cultural change, the 2013/14 result (90.3% expenditure of the adjusted budget) and that further ongoing improvements will continue to occur;
3. Continues to receive an annual report prepared by the Manager Sustainable Assets on the delivery of the Capital Works Program of which any improvement actions shall be noted; and
4. The resolutions be released by the 10 November 2014.

The Motion was put and CARRIED unanimously

C.4 PARC Activation Grants (considered at OM262 20 October 2014)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor O'Reilly**

That Council:

1. Approves Australian Multicultural Senior Support Group Inc. \$3,560 PARC Activation Grant.
2. Approves Biala Peninsula Inc. \$3,120.70 PARC Activation Grant.
3. Approves Seaford Life Saving Club \$2,000 PARC Activation Grant.

Chairperson's initials *S. Mayer*

4. Approves University of Third Age \$2,760 PARC Activation Grant.
5. Does not approve funding to Frankston Fabulous Fifties Swim Club but instead donate any remaining surplus equipment from Jubilee Park Pool not required at the Pines Pool.
6. Approves officers to source an appropriate group to direct remaining funds (\$8,559.30) to facilitate a program for disadvantaged children and young people having access to PARC.
7. Releases this recommendation immediately following the Council Meeting.

The Motion was put and CARRIED unanimously

C.5 Frankston Indoor Basketball Expansion Development (considered at OM262 20 October 2014)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Dooley

That Council:

- 1 Adopts the project scope for the recommended option, which includes 4 Indoor Basketball Courts, a show court including spectator seating, supporting amenities (change, referees, first aid rooms), foyer, café, store rooms and required car park extension;
- 2 Accepts the revised concept plan that realigns the expansion courts 3 and 4 to remove any impact on the Frankston & District Junior Football League Pavilion & to ensure the \$13 million budget is met;
- 3 Proceeds with schematic design phase for all project stages;
- 4 Includes the FDBA's proposal to include a 24 hour high performance area as part of the schematic design;
- 5 Proceeds with the funding advocacy for Stage 1 construction which recommends the funding for the development as follows:
 - State government \$4M (TBC)
 - Federal government \$4M (TBC)
 - Council \$4M (TBC)
 - FDBA \$1M (TBC);
- 6 Writes to State and Federal Government requesting the required funding commitments to the following Ministers:
 - Federal Ministers Include: Minister and Shadow Minister for Sport, Assistant Minister for Infrastructure and Regional Development, Shadow Minister for Sport, Shadow Minister for Infrastructure and Transport, Minister for Small Business (Bruce Billson MP).
 - State Ministers Include: The Premier, Opposition Leader, Minister and Shadow Minister for Sport and Recreation and Sitting Members;
 - Commitments to advocate for the required funding from the candidates for Frankston and Carrum.

- 7 Approves the submission of the funding application to the State Government for \$2.5 M for the project prior to the 4 November 2014 to secure the funds, and as part of the funding application seeks acknowledgement from the State Government that Council will be eligible to seek additional funds from the State Government to make up a contribution of \$4 M for this project;
- 8 Adopts the Project Implementation Plan, Project Budget, Project Program, Project Scope, Concept Design and Design Report as presented in the report to support the delivery of this project;
- 9 Writes to the FDDB advising the outcomes of this report and requesting a written undertaking to provide \$1M cash contribution towards this project and their commitment to fully fund the future development of the High Performance area they proposed be provided by 21 November 2014; and
- 10 Receives a report from the officers by June 2015 at the completion of the schematic design phase and advocacy campaign to confirm the budget / scope and to seek approval to proceed with the project and the preparation of a town planning application.
- 11 Does not release the recommendation until the next Council Meeting.

The Motion was put and CARRIED unanimously

C.4 Appointment and Authorisation of Council Staff (considered at OM263 10 November 2014)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Tayler

That:

1. Pursuant to the provisions of Section 147 (4) of the *Planning and Environment Act 1987* (The Act), Council appoint the officers listed below to be authorised officers for the purposes of The Act and the regulations made under The Act:
 - Nathalie Nunn,
 - Ian Wheatland,
 - Oliver Rees
 - Srimali Mellawa
 - Robert Lean
 - Tara Lambert
 - Michael Papageorgiou.
2. The Instruments 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.1 Issuing Small Business Grants (considered at OM264 1 December 2014)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That:

1. Council notes the report.
2. Council endorses Small Business Grants being issued to the following business (in accordance with recommendations by the Independent Assessment Panel):
 - Karisha Trading (Relocation Grant)
 - Clair de Lune Restaurant (Start-up Grant)
 - DCML Hodgson Pty Ltd (Green Business Grant)
 - Peninsula Larder (Home Based Graduation Grant)
 - Grateful Harvest (Relocation Grant)
3. The recommendation be released to the public after 10 December 2014.

The Motion was put and CARRIED unanimously

C.1 Frankston Arts Board – Membership (considered at OM265 22 December 2014)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Taylor**

That:

1. Council approves the re-appointment of Ms Jenni Colwill as an Arts Representative for a further 3 years to 31 January 2018.
2. That this resolution be incorporated in the public minutes of this Meeting.

The Motion was put and CARRIED unanimously

The meeting closed at 7.37 p.m.

CONFIRMED THIS

DAY OF

2014

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Sandra Mayer, Chairperson – Council Meeting hereby authorise the use of a stamp of my initials to initial each page of these Minutes of the Council Meeting held on 22 December 2014, confirmed on 19 January 2015

.....
(Cr. Sandra Mayer, Chairperson – Council Meeting)

Dated this

day of

2014