



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 19 JULY 2021 at 7.04PM**

PRESENT	Cr. Kris Bolam (Mayor) Cr. Nathan Conroy Cr. David Asker (via Zoom) Cr. Sue Baker (via Zoom) Cr. Claire Harvey (via Zoom) Cr. Brad Hill (via Zoom) Cr. Liam Hughes (via Zoom) Cr. Steven Hughes (via Zoom) Cr. Suzette Tayler (via Zoom)
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Ms. Kim Jaensch, A/Chief Executive Officer Mr. Bruce Howden, A/Chief Financial Officer (via Zoom) Dr. Gillian Kay, Director Communities (via Zoom) Mr. Brad Hurren, A/Director Infrastructure and Operations (via Zoom) Ms. Shweta Babbar, Director Business Innovation and Culture (via Zoom) Ms. Brianna Alcock, Manager Governance and Information Mr. Sam Clements, Manager Statutory Planning (via Zoom) Mr. Doug Dickins, Manager Engineering Services (via Zoom) Mr. Stuart Caldwell, Coordinator Statutory Planning (via Zoom) Ms. Tammy Beauchamp, Manager Community Safety (via Zoom) Ms. Fiona McQueen, Manager Community Relations (via Zoom) Ms. Tenille Craig, Team Leader Governance Ms. Vera Roberts, Executive Assistant to the Chief Financial Officer (via Zoom) Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Supervising Technician Mr. Ric Rais, Desktop Support Officer
EXTERNAL REPRESENTATIVES:	Nil.

### COUNCILLOR STATEMENT

Councillor Conroy 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;*

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- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.*

*Any Councillor having a conflict of interest in an item will make proper, prior disclosure to the meeting and will not participate or vote on the issue."*

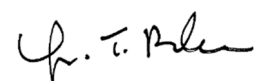
### **PRAYER**

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

### **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

Councillor Conroy acknowledged the Boon Wurrung 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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The Mayor made a statement in relation to the current COVID restrictions and urged the community to get themselves vaccinated.

## 1. PRESENTATION TO COMMUNITY GROUPS

### 1.1 Certificate of Appreciation to Ahmadiyya Muslim Community Victoria

The Mayor made a presentation of a Certificate of Appreciation to Ahmadiyya Muslim Community Victoria.

## 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**Council Meeting No. CM11 held on 28 June 2021.**

### Council Decision

**Moved: Councillor Conroy**

**Seconded: Councillor Hill**

That the minutes of the Council Meeting No. CM11 held on 28 June 2021 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

Ms. Gillian Kinnear made a submission to Council regarding Item 12.9: Animal Regulations and Council Orders;

Mr. Robert Thurley made a submission to Council regarding Item 12.12: Kananook Creek Gardens - Outcome of community consultation;

Mr. Simon Tiller made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

Ms. Diane Quirk made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

Mr. Peter Lazic made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

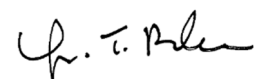
Mr. Ken Matthews made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

Ms. Liese Fulton made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

Mr. John Georgiou made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford;

Mr. Robert Williams made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford; and

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Mr Neville Smith made a submission to Council regarding Item 12.13: Response to Petition - Crossover at Ozone Ave, Seaford.

## 7. ITEMS BROUGHT FORWARD

### Council Decision

**Moved: Councillor Harvey**

**Seconded: Councillor Conroy**

That the Items the items listed below be brought forward:

- 12.9: Animal Regulations and Council Orders
- 12.12: Kananook Creek Gardens - Outcome of community consultation
- 12.13: Response to Petition - Crossover at Ozone Ave, Seaford

**Carried Unanimously**

### **Block Motion**

### Council Decision

**Moved: Councillor Harvey**

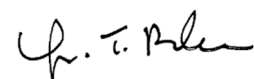
**Seconded: Councillor Hill**

That the Items listed below be Block Resolved:

- 11.1: Town Planning Application 494/2014/P/F - 560 Frankston-Dandenong Road, Carrum Downs - To use and develop the site for a Micro-brewery, sale and consumption of liquor, cafe (food and drink premises) and a variation to the car parking requirements. To amend the permit to extend the operating hours and increase patron numbers on the site
- 11.2: Application to Amend Planning Permit 343/2019/P - 24 & 26 Playne Street Frankston - To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme
- 11.3: Statutory Planning Progress Report - June 2021
- 12.1: Council Resolution Status Update for 19 July 2021
- 12.4: Councillor Induction Training - Declaration of Completion of Councillor Induction
- 12.5: Proposed Planning Scheme Amendment C141 - Planning Policy Framework Translation
- 12.6: Adoption of Governance Policies: Councillor Training & Development, and Councillor Enquiries
- 12.8: Draft Municipal Early Years Plan 2021-2025 Adoption
- 12.15: Proposed Lease of Council Land - 151R East Road Seaford and 83R-85R Hillcrest Road Frankston - Electrical Sub-station (existing and proposed)
- 12.16: Award of Contract CN10567 - CCTV Works & High Pressure Drain Cleaning
- 12.17: Award of Contract CN10518 - Horticultural Maintenance Services Panel
- 12.18: Award of Contract CN 10562 - McClelland Reserve No 1 Soccer Pitch Reconstruction

**Carried Unanimously**

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**8. PRESENTATIONS / AWARDS**

Nil.

**9. PRESENTATION OF PETITIONS AND JOINT LETTERS**

Nil.

**10. DELEGATES' REPORTS**

The Mayor provided a verbal report on his recent travel to Canberra from 21 to 24 June 2021 with Mr Phil Cantillon, Chief Executive Officers and the Coordinator Advocacy & Engagement to advocate to the Federal Government.

**General Motion****Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That the verbal report provided by the Mayor on his trip to Canberra from 21 to 24 June 2021 to advocate to the Federal Government be accepted.

**Carried Unanimously**

Councillor Tayler provided a verbal report on her recent travel to Canberra from 20 to 23 June 2021 with Councillor Conroy to attend the 2021 National General Assembly.

**General Motion****Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That the verbal report provided by Councillor Tayler on her recent trip to Canberra with Councillor Conroy from 20 to 23 June 2021 to attend the National General Assembly be accepted.

**Carried Unanimously**

The Mayor acknowledged the Motion, regarding Economic Recovery support for Councils in the face of COVID, including its subsidiaries, which was raised by the Councillor Delegates on behalf of Council at the National General Assembly, and was subsequently passed.

*The meeting adjourned at 9.01pm*

*The meeting commenced at 9.09pm*

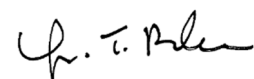
**ITEMS BROUGHT FORWARD****12.9 Animal Regulations and Council Orders***(TB Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Conroy**

That Council:

1. Authorises the commencement of the formal process to consider amending the existing Council Orders under the Domestic Animals Act 1994, with a view to:
  - Implementing a 24/7 Cat Curfew;
  - Implementing a designated free roam area on the foreshore; and
  - Revoking the existing Council Order that prohibits dogs on lead in the Frankston Central Activities Area (CAA);
2. Endorses the proposed changes to the Council Orders to be publicly exhibited for a period of 4 weeks from Tuesday 20 July to Tuesday 17 August 2021; and
3. Notes that any submissions will be heard by Council and a final report will be presented at the September Council Meeting to enable Council to formally consider whether to proceed with amending the existing Council Orders under the Domestic Animals Act 1994.

**Carried Unanimously**

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**12.12 Kananook Creek Gardens - Outcome of community consultation**

*(VG Infrastructure and Operations)*

**Council Decision****Moved: Councillor Hill****Seconded: Councillor Baker**

That Council:

1. Notes the community consultation in relation to the 2021 Kananook Creek Gardens Vision Plan;
2. Adopts the 2021 Kananook Creek Vision Plan;
3. Notes Council Officers will investigate the suitability of renaming the Kananook Creek Reserve in accordance with the Geographic Place Names Act 1988; and
4. Authorises Council Officers to finalise detailed design and proceed to public tender, noting that construction is expected to be completed by June 2022.

**Carried Unanimously**

**12.13 Response to Petition - Crossover at Ozone Ave, Seaford**

*(DD Infrastructure and Operations)*

**Recommendation**

That Council:

1. Notes a petition was tabled requesting Council deny an application for an additional vehicle crossing in Ozone Avenue Seaford from 231 Nepean Highway, Seaford, containing 17 signatures, at its Meeting on 28 June 2021;
2. Supports the decision by Council officers under delegation on 22 June 2021 to issue a permit for an additional vehicle crossing into Ozone Avenue, Seaford from 231 Nepean Highway, Seaford, subject to conditions; and
3. Authorises officers to notify the head petitioner of Council's decision accordingly.

**Deferral Motion to another Council Meeting**

**Moved: Councillor Steven Hughes**

**Seconded: Councillor Liam Hughes**

That the matter be deferred to the next Council Meeting.

**Lost**

For the Motion: Crs Asker, Liam Hughes and Steven Hughes

Against the Motion: Crs Baker, Bolam, Conroy, Harvey, Hill and Tayler

**Council Decision**

**Moved: Councillor Baker**

**Seconded: Councillor Conroy**

That Council:

1. Notes a petition was tabled requesting Council deny an application for an additional vehicle crossing in Ozone Avenue Seaford from 231 Nepean Highway, Seaford, containing 17 signatures, at its Meeting on 28 June 2021;
2. Resolves for Council officers to investigate traffic concerns in Ozone Ave that have been raised, including a process of community consultation, and based upon the investigation implement local area traffic measures as appropriate;
3. Supports the decision by Council officers under delegation on 22 June 2021 to issue a permit for an additional vehicle crossing into Ozone Avenue, Seaford from 231 Nepean Highway, Seaford, subject to conditions; and
4. Authorises officers to notify the head petitioner of Council's decision accordingly.

*Meeting adjourned at 9.35pm*

*Meeting recommenced at 9.39pm*

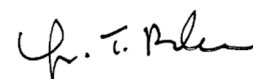
**The Motion was put and**

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler

Against the Motion: Crs Liam Hughes and Steven Hughes

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**11. CONSIDERATION OF TOWN PLANNING REPORTS****11.1 Town Planning Application 494/2014/P/F - 560 Frankston-Dandenong Road, Carrum Downs - To use and develop the site for a Micro-brewery, sale and consumption of liquor, cafe (food and drink premises) and a variation to the car parking requirements. To amend the permit to extend the operating hours and increase patron numbers on the site.***(HF Communities)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council resolves to issue a Notice of Decision to Grant an Amended Planning Permit in respect to Planning Permit Application number 494/2014/P/F for a Micro-brewery, sale and consumption of liquor, café (food and drink premises) and a variation to the car parking requirements' at 560 Frankston-Dandenong Road, Carrum Downs, subject to the following conditions:

**Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and 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 copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
  - (a) The seating capacity plan for the Dainton Micro-brewery is modified to reflect seating for a maximum of 200 patrons at any one time.

**No Alterations**

2. The use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Once the development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
4. The licensed area as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Liquor Licence Requirements**

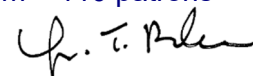
5. The selling or consumption of alcohol; tasting room and café (Manufacturing sales and food and drink premises) must only take place at the premises during the following hours:

Monday to Wednesday	12 noon – 10:30 pm
Thursday	12 noon – 10:30 pm
Friday and Saturday	12 noon – 12:00 am
Sunday	12 noon – 10:30 pm

6. Not more than the following number of patrons may be present on the premises at any one time in association with the tasting room and café (Manufacturing sales and food and drink premises):

Monday to Thursday	12 noon – 10:30 pm – 110 patrons
Friday - Saturday	12 noon – 6:00 pm – 110 patrons

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- Connected to reticulated sewer, in accordance with the Trade Waste Agreement; or
  - Collected by an EPA permitted contractor, as appropriate.
17. A secondary containment system shall be provided for liquids and chemicals which if split are likely to cause pollution or pose an environmental hazard, in accordance with the Building Guidelines (EPA Publication No. 347, 1992).
18. Noise emissions from the premises must meet the objectives of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) N-1.
19. Odours offensive to the senses of human beings must not be discharged beyond the boundaries of the premises.
20. All putrescible waste (including spent grains/yeast etc.) must be sorted in sealed and lidded bins and removed from the premises as frequently as required to prevent the discharge of offensive odours.
21. There must be no visible discharge of dust beyond the boundary of the premises. All waste discharges to the external atmosphere must be:
- Discharged from a stack outlet at least 3 metres above the roofline of any building or
  - Obstruction within a 15 metre radius;
  - Discharged with an efflux velocity of at least 10 metres per second; and
  - Not be obstructed at the stack outlet by a weather cap, cowl or other obstruction.

### Drainage

22. 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.
23. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
24. Concrete kerbs and barriers shall be provided to the satisfaction of the responsible authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
25. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

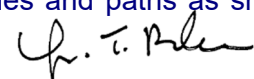
Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

### Car Parking and Access

26. Before the occupation of any development hereby permitted commences areas set aside for parking vehicles, loading bays, access lanes and paths as shown

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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
- 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 and if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

### **Satisfactorily Completed**

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

### **Permit Expiry**

28. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
  - The development is not completed within four years of the issued date of this permit.
  - The use is not commenced within two (2) years of the date of this permit.
  - The use ceases for a continuous period of two (2) or more 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.

**Asset Protection Permit**

E. 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:

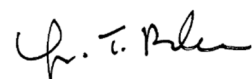
- On-site stormwater detention and rainwater tanks.
- Soil percolation
- Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc

On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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**11.2 Application to Amend Planning Permit 343/2019/P - 24 & 26 Playne Street Frankston - To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

*(SC Communities)*

**Council Decision**

**Moved: Councillor Harvey**

**Seconded: Councillor Hill**

That Council resolves to issue a Notice of Decision to Grant an Amended Planning Permit in respect to Planning Permit Application number 343/2019/P to use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme at 24 & 26 Playne Street Frankston subject to the following conditions:

**Plans**

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and 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 copies must be provided. The plans must be substantially in accordance with the amended plans submitted with the application (or some other specified plan) but modified to show:
  - (a) The access and turning area for waste collection vehicles at the rear of the site via Arthurs Lane.
  - (b) The six (6) car parking spaces at the rear of the site clearly annotated on site plan to indicate that the spaces are to be used in association with the use of 26 Playne Street.
  - (c) Delete the footpath seating area unless approval is obtained under Local Laws.
  - (d) The Venue/Patron Management Plan amended in accordance with Condition 9.

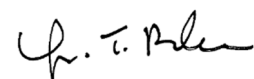
**No Alterations**

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

**Amenity**

4. The amenity of the area must not be detrimentally affected by the use and 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; others as appropriate; or
  - e) In any other way.
5. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.

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**Liquor Licence Requirements**

6. The sale and consumption of alcohol must only take place at the premises during the following hours:
  - a) Hotel premises - Sale and consumption of liquor  
Sunday 12noon to 11.30pm  
Monday 12noon to 11pm  
Tuesday and Wednesday 12noon to 11.30pm  
Thursday to Saturday 12noon to 1am the following day.  
Good Friday and Anzac day – 1pm to 10pm
  - b) Bottle shop - Sale and consumption of liquor  
Monday to Sunday 12noon to 11pm  
Anzac Day and Good Friday 1pm to 9pm

**Patron Numbers**

7. Not more than 250 patrons may be present on the premises (including the rear courtyard) at any one time.
8. Not more than 20 patrons may be present in the rear courtyard at any one time.

**Car Parking availability**

9. A total of 6 car parking spaces to the rear of the land and as shown on the endorsed plans must be made available at all times for the exclusive use of 26 Playne Street to the satisfaction of the Responsible Authority.

**Satisfactorily Completed**

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

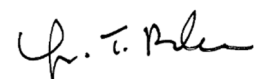
**Patron/Venue Management Plan**

11. Prior to the commencement of use, an amended Patron/Venue Management Plan must be submitted, for approval to the satisfaction of the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must be generally in accordance with the Patron/Venue Management Plan including details as follows:
  - a) Renaming of the plan to Patron/Venue Management Plan;
  - b) Hours of Operation (on the premises and off the premises);
  - c) Venue shut down procedures to encourage the patrons to leave the premises sporadically.
  - d) The number of patrons admitted on site at any one time;
  - e) Signage to be used to encourage responsible off-site patron behaviour;
  - f) The training of staff and the management of patron behaviour;
  - g) Measures to control noise emissions from the premises and amenity control;
  - h) Measures to prevent vandalism and antisocial behaviour;
  - i) Details to address waste including bottles, rubbish and reduce generated by the use;All to the satisfaction of a Responsible Authority.

**Signage Requirements**

12. The signs hereby permitted must be constructed to the satisfaction of the

Chairperson's initials



Responsible Authority, and must be maintained to the satisfaction of the Responsible Authority.

13. For the advertising signs the permit expires 15 years from the date of this permit.
14. Upon expiry of the approved signage, all structures built specifically to support the structure must subsequently be removed.

#### Permit Expiry

15. This permit will expire if one of the following circumstances applies:
  - The development is not started within two (2) years of the date of this permit.
  - The development is not completed within four (4) years of the issued date of this permit.
  - The use is not commenced within two (2) years of the date of this permit.
  - The use ceases for a continuous period of two (2) or more 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.

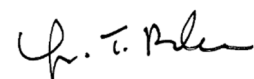
#### This permit has been amended as follows:

Date of Amendment	Brief Description
	This permit was amended pursuant to section 74 of the Planning and Environment Act 1987, by amending Condition 7, adding Condition 8, subsequent renumbering of conditions and considering amended p

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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**11.3 Statutory Planning Progress Report - June 2021**

*(SC Communities)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

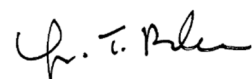
That Council:

1. Receives the Statutory Planning Progress Report for the month of June 2021;
2. Notes the Frankston Liquor Accord no longer exists, however, Police continue to monitor CCTV of the Safe taxi Rank; and
3. Resolves for attachment B to be retained confidential, as it contains private development information and would, if prematurely released, impact the reputation of Councillors and Council.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Council Resolution Status Update for 19 July 2021**

*(BA Chief Financial Office)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

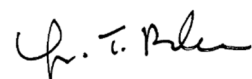
That Council:

1. Receives the Notice of Motion Report for 19 July 2021;
2. Receives the Urgent Business Status Update for 19 July 2021;
3. Notes there is one (1) Notice of Motion that has been reported as being complete:
  - 2020/NOM3 - Acknowledgement to Government decision on the AGL Gas Terminal at Crib Point
4. Notes there no reports that are listed as delayed in their presentation back to Council;
5. Notes, since the Council Meeting held on 28 June 2021, 32 resolutions have been completed, as listed in the body of the report; and
6. Resolves for Attachment D remain confidential, as it contains Council business information that is prescribed by the regulations to be confidential information and would, if prematurely released impact on Council's reputation and ability to function to its full capacity.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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**12.2 Update on Coronavirus (COVID-19) and Recovery Grants Program - 19 July 2021**

(PC Chief Executive Office)

**Recommendation**

That Council:

1. Notes this report which outlines an update of its response to the impacts of the Coronavirus (COVID-19) and Council's total spend on COVID-19 Relief and Recovery for 2020-21 and 2021-22 will be \$9.128 million;
2. Reallocates an activity within the 2020-21 Relief and Recovery Package to the value of \$8,200. Provide an additional \$8,200 grant to the Belvedere Community Centre funded from Activity 25 Community Grants in support of their relocation;
3. Notes the 2021-22 COVID-19 Relief and Recovery related grant funds available for eligible applicant individuals, community groups, small businesses and not-for-profit organisations is \$100K (or \$118K if including reference to the \$18K for Youth Grants funded through the State Government Engage Program).
4. Approves the revised guidelines and delegations for the COVID-19 Recovery Grants program comprising:
  - One funding round in August 2021 (Up to \$3,000 per application);
  - The Assessment Panel membership of the Mayor, the Deputy Mayor, Cr Suzette Tayler, Director Communities and Chief Financial Officer;
  - Approval by Council.
5. Approves the revised guidelines and delegations for the COVID19 Urgent Grants program comprising:
  - One funding round assessed monthly (Up to \$1,000 per application);
  - The Assessment Panel membership of the Mayor, the Deputy Mayor, Cr Suzette Tayler, Director Communities and Chief Financial Officer;
  - Approved by the Assessment Panel and reported to Council.
6. Approves the revised guidelines and delegations for the Youth Grants comprising:
  - One funding round in July (Up to \$600 per application)
  - Assessed by designated Senior Youth Workers;
  - Approved by the Manager, Community Strengthening and reported to Council.
7. Approves the revised guidelines and delegations for the Inclusion Support Grants program comprising:
  - Open funding round assessed monthly (75% of Club Fees or up to \$200 per application);
  - Assessed by the Grants Officer; and
  - Approved by the Manager, Community Strengthening and reported to Council.

**Council Decision**

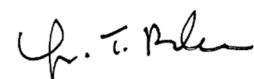
**Moved: Councillor Baker**

**Seconded: Councillor Conroy**

That Council:

1. Notes this report which outlines an update of its response to the impacts of the Coronavirus (COVID-19) and Council's total spend on COVID-19 Relief and Recovery for 2020-21 and 2021-22 will be \$9.128 million;
2. Reallocates an activity within the 2020-21 Relief and Recovery Package to the value of \$8,200. Provide an additional \$8,200 grant to the Belvedere Community Centre funded from Activity 25 Community Grants in support of their relocation;

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3. Notes the 2021-22 COVID-19 Relief and Recovery related grant funds available for eligible applicant individuals, community groups, small businesses and not-for-profit organisations is \$100K (or \$118K if including reference to the \$18K for Youth Grants funded through the State Government Engage Program).
4. Approves the revised guidelines and delegations for the COVID-19 Recovery Grants program comprising:
  - One funding round in August 2021 (Up to \$3,000 per application);
  - The Assessment Panel membership of the Mayor, the Deputy Mayor, Cr Suzette Tayler, Director Communities and Chief Financial Officer;
  - Approval by Council.
5. Approves the revised guidelines and delegations for the COVID19 Urgent Grants program comprising:
  - One funding round assessed monthly (Up to \$1,000 per application);
  - The Assessment Panel membership of the Mayor, the Deputy Mayor, Cr Suzette Tayler, Director Communities and Chief Financial Officer;
  - Approved by the Assessment Panel and reported to Council.
6. Approves the revised guidelines and delegations for the Youth Grants comprising:
  - One funding round in July (Up to \$600 per application)
  - Assessed by designated Senior Youth Workers;
  - Approved by the Manager, Community Strengthening and reported to Council.
7. Approves the revised guidelines and delegations for the Inclusion Support Grants program comprising:
  - Open funding round assessed monthly (75% of Club Fees or up to \$200 per application);
  - Assessed by the Grants Officer; and
  - Approved by the Manager, Community Strengthening and reported to Council.
8. Seeks a further report for the 9 August 2021 Council Meeting to consider waiving of fees for winter Sports Clubs.

**Carried Unanimously**

*Councillor Harvey was absent at the time of voting having left the Meeting*

*Councillor Harvey returned to the Meeting at 9.58pm*

### **12.3 Chief Executive Officer's Quarterly Report - April - June 2021 period**

*(PC Chief Executive Office)*

#### **Recommendation (Chief Executive Office)**

That Council:

1. Notes the Chief Executive Officer's Report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period April to June 2021 (attachment A), which will be made available after this meeting through Council's website; and
3. Resolves for attachment B to be retained confidential, as it contains Council business information, security information and information prescribed by the regulations to be confidential information and would, if prematurely released impact on Council's reputation and ability to function to its full capacity.

#### **Council Decision**

**Moved: Councillor Conroy**

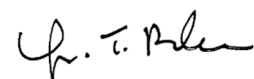
**Seconded: Councillor Tayler**

That Council:

1. Notes the Chief Executive Officer's Report;
2. Notes the 'public' version of the Chief Executive Officer's Quarterly Report for the period April to June 2021 (attachment A), which will be made available after this meeting through Council's website;
3. a) Notes the successful budget delivery of its two-year CCTV program;
- b) Provides a report to the October 2021 Council Meeting reviewing the CCTV needs in relation to ten new locations (i.e. Seaford Road Beach Access, Armstrong's Road Beach Access, Pines Flora and Fauna Reserve Car Park - Skye Access - and Mahogany Avenue Shopping Strip) based on crime data and statistics from Victoria Police and current network capabilities. This feasibility report will also address an ongoing replacement and maintenance program to ensure all current equipment is suitable and maintained to a high standard. This should also include any technology and network upgrades required for existing and new CCTV;
4. Provides a report to the November 2021 Council Meeting with amendments to Council's existing Privacy Policy to reflect best practice within the Local Government sector, specific legislative privacy obligations and the Public Records Act;
5. Provides a report to the September 2021 Council Meeting on the use of Night-time Economy Activation Grants to stimulate evening economic activity throughout the Frankston municipality, notably Central Frankston. The report is to provide potential costings, grant terms and emphasis on sought economic night-time activities (i.e. economic, social, tourism etc.); and
6. Resolves for attachment B to be retained confidential, as it contains Council business information, security information and information prescribed by the regulations to be confidential information and would, if prematurely released impact on Council's reputation and ability to function to its full capacity.

**Carried**

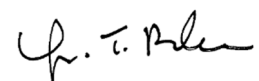
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For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes  
and Tayler

Against the Motion: Cr Steven Hughes

Chairperson's initials





**12.4 Councillor Induction Training - Declaration of Completion of Councillor Induction**  
(BA Chief Financial Office)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Notes the completion of the Councillor Induction Training; and
2. Receives the written *Declaration of Completion of Training* from all Councillors, which will be made publicly available on Council's website after the conclusion of this meeting.

**Carried Unanimously****Note:** Refer to page 4 of these Minutes where is item was Block Resolved

**12.5 Proposed Planning Scheme Amendment C141 - Planning Policy Framework Translation**

(SB Communities)

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

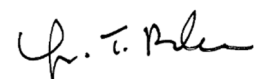
That Council:

1. Notes the substantial work undertaken in relation to the proposed Frankston Planning Scheme Amendment C141;
2. Authorises the Chief Executive Officer to sign the letter of support which authorises the Minister for Planning to:
  - a. Be exempted from the public notification requirements of the Planning and Environment Act 1987 for Frankston Planning Scheme Amendment C141 pursuant to Section 20(4) of the *Planning and Environment Act 1987*; and
  - b. Prepare, adopt and approve Frankston Planning Scheme Amendment C141 pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to replace the Local Planning Policy Framework of the Frankston Planning Scheme with a new Municipal Planning Strategy at Clause 02, local policies within the Planning Policy Framework at Clauses 11-19 and a selected number of local schedules to overlays and operational provisions consistent with changes to the Victorian Planning Provisions introduced by Amendment VC148.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

Chairperson's initials



**12.6 Adoption of Governance Policies: Councillor Training & Development, and Councillor Enquiries**

*(BA Chief Financial Office)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

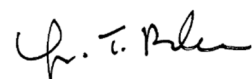
That Council:

1. Notes the draft Councillor Training & Development Policy, and draft Councillor Enquiries Policy was publicly exhibited for consultation with the community for a period of four weeks, and no submissions were received; and
2. Adopts the Councillor Training & Development Policy and Councillor Enquiries Policy.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

Chairperson's initials



**12.7 Complaints and Feedback Policy**

*(FM Business Innovation and Culture)*

**Council Decision****Moved: Councillor Baker****Seconded: Councillor Hill**

That Council:

1. Notes the Draft Complaints and Feedback Policy (Policy);
2. Endorses the Policy to be publicly exhibited for a period of four (4) weeks from Tuesday 20 July to Tuesday 17 August 2021; and
3. Seeks a report back no later than the 20 September 2021 Council Meeting, taking into account any submissions received.

**Carried Unanimously**

**12.8 Draft Municipal Early Years Plan 2021-2025 Adoption***(LR Communities)***Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Notes the Draft Municipal Early Years Plan 2021-2025 (Plan) was publicly exhibited for four weeks from 21 April to 19 May 2021 with twenty survey submissions received and an additional four responses submitted via email and through an on-line meeting;
2. Notes the feedback from submissions have been incorporated into the final draft of the Plan;
3. Adopts the Plan; and
4. Notes officers will notify the submitters of its decision accordingly.

**Carried Unanimously****Note:** Refer to page 4 of these Minutes where is item was Block Resolved

**12.10 Pines Men's Shed – Alteration works to meet energy efficiency requirements under the current Building Code of Australia (BCA)**

*(FC Communities)*

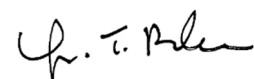
**Council Decision****Moved: Councillor Steven Hughes****Seconded: Councillor Baker**

That Council:

1. Notes heating and cooling installation works have been completed in the Pines Men's Shed as part of FY 2018/19 Capital Works Program;
2. Notes non-compliance with the Building Code was identified on the existing Shed resulting in additional Capital Works expenditure of \$98,000;
3. Notes, while a budget of \$129,905 and tender process was approved, funding is insufficient to complete the compliance works; and
4. Approves additional funding of \$98,000 ex GST through savings identified from FY2021/22 Capital Works Program to complete the project and achieve Building Code compliance.

**Carried Unanimously**

Chairperson's initials



**12.11 Frankston City Jobseeker Alliance Memorandum of Understanding**  
(SB Communities)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the progress establishing the Strategic Alliance to improve the experience and support provided to job seekers in their pathway to employment in Frankston City;
2. Notes the Strategic Alliance will continue to work closely with the Jobs Victoria Advocates program in Frankston ensuring the needs of job seekers, employers and the employment support sector are aligned and activities coordinated;
3. Endorses the attached draft Memorandum of Understanding (MOU), which forms the foundation and ground rules for the establishment and ongoing governance of the Job Seeker Alliance; and
4. Authorises the Chief Executive Officer to sign the MOU on behalf of Frankston City Council.

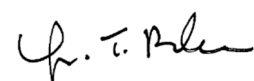
**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the progress establishing the Strategic Alliance to improve the experience and support provided to job seekers in their pathway to employment in Frankston City;
2. Notes the Strategic Alliance will continue to work closely with the Jobs Victoria Advocates program in Frankston ensuring the needs of job seekers, employers and the employment support sector are aligned and activities coordinated;
3. Endorses the attached draft Memorandum of Understanding (MOU), which forms the foundation and ground rules for the establishment and ongoing governance of the Job Seeker Alliance;
4. Authorises the Chief Executive Officer to sign the MOU on behalf of Frankston City Council; and
5. Seeks a report to a future Council Meeting to review the effectiveness of the funded proposal and costs three months before the end of the funding.

**Carried Unanimously**

Chairperson's initials



**12.14 Response to Petition - Cloth Nappy and Reusable Sanitary Product Rebate**

*(BH Chief Financial Office)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Conroy**

That Council:

1. Notes a petition was tabled in relation to the introduction of a rebate for cloth nappies and reusable sanitary products, containing 14 signatures, at its Meeting on 28 June 2021;
2. Notes officers will undertake further analysis via the development of Council's Waste Circularity Master Plan including potential rebates and other initiatives that aim to increase the uptake of cloth nappies and reusable sanitary products to reduce solid waste being sent to landfill;
3. Resolves to defer a decision on the introduction of a rebate to enable a holistic review as part of the draft Waste Circularity Master Plan that will be presented to Council no later than January 2022 followed by community consultation; and
4. Notes a final report on the Waste Circularity Master Plan will be presented to Council including public feedback no later than May 2022 to ensure impact on the 2022-23 Annual Budget are considered.

**Carried**

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill, Liam Hughes and Tayler

Against the Motion: Cr Steven Hughes



**12.15 Proposed Lease of Council Land - 151R East Road Seaford and 83R-85R Hillcrest Road Frankston - Electrical Sub-station (existing and proposed)**

*(DW Chief Financial Office)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

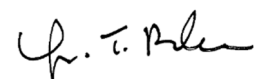
That Council:

1. Acting in its capacity as registered proprietor, agrees in principle to the leasing of Council land for a term of 10 years, with one further term of 10 years, for the sum of 10 cents per annum if demanded, for the purposes of the construction and use of an electrical sub-station, subject to the satisfactory completion of community engagement processes pursuant to s.115 of the Local Government Act 2020, at the following sites:
  - (a) 151R East Road Seaford, being part of Lot 1 Title Plan Number 845727 and known locally as the Belvedere Park Reserve; and
  - (b) 83R-85R Hillcrest Road Frankston, being part of Lot 1 Title Plan Number 107277 and known locally as the Jubilee Park Reserve.
2. Authorises the Chief Executive Officer to notify United Energy Distribution Pty Limited of Council's decision; and
3. Authorises the Chief Executive Officer to commence the community engagement process for the leasing of Council land, including public notification, pursuant to s.115 (4) of the Local Government Act 2020.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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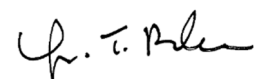
**12.16 Award of Contract CN10567 - CCTV Works & High Pressure Drain Cleaning**  
(BH Infrastructure and Operations)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

That Council:

1. Awards contract CN10567 – CCTV Works and High Pressure Drain Cleaning to CSA Specialized Services Pty Ltd as trustee for CSA Specialized Services Unit Trust; A.C.N 126 327 697 for \$627,544.05 GST exclusive for an initial 2 year term with the provision for a further 2 X 12 month extensions, noting that this is a schedule of rates contract;
2. Authorises the Chief Executive Officer to sign the contract and contract extensions based on the contractors' successful performance;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments 1 and 2 to this report be retained confidential, pursuant to section 77 of the *Local Government Act 1989*, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the *Local Government Act 2020*.

**Carried Unanimously****Note:** Refer to page 4 of these Minutes where is item was Block Resolved

Chairperson's initials



**12.17 Award of Contract CN10518 - Horticultural Maintenance Services Panel**

*(BH Infrastructure and Operations)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

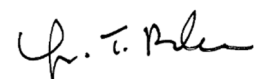
That Council:

1. Awards contract CN10518 – Horticultural Maintenance Services Panel to Asplundh Tree Experts Australia Pty Ltd t/as Summit Open Space Services; A.C.N 055 140 424; and Skyline Landscape Services (VIC) Pty Ltd; A.C.N 146 508 858 for \$9,105,294.94 GST exclusive for an initial four year term with the provision of a further 2 X 2 year extensions, noting that this is a lump sum contract with the provision for selected items as schedule of rates;
2. Authorises the Chief Executive Officer to sign the contract and contract extensions based on the contractors successful performance;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments 1 and 2 to this report be retained confidential, pursuant to section 77 of the Local Government Act 1989, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the Local Government Act 2020.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

Chairperson's initials



**12.18 Award of Contract CN10562 - McClelland Reserve No 1 Soccer Pitch Reconstruction**

*(VG Infrastructure and Operations)*

**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Hill**

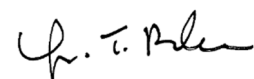
That Council:

1. Award Contract CN10562 McClelland Reserve No 1 Soccer Pitch Reconstruction Works to Hendriksen Contractors Pty. Ltd. (ACN 093 866 758) for \$914,108.00 GST exclusive;
2. Authorises the Chief Executive Officer to sign the contract;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments 1 and 2 to this report be retained confidential, pursuant to section 77 of the *Local Government Act 1989*, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the *Local Government Act 2020*.

**Carried Unanimously**

**Note:** Refer to page 4 of these Minutes where is item was Block Resolved

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**13. RESPONSE TO NOTICES OF MOTION**

Nil

**14. NOTICES OF MOTION**

Nil

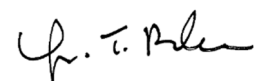
**15. LATE REPORTS**

Nil

**16. URGENT BUSINESS**

Nil

Chairperson's initials



**17. CONFIDENTIAL ITEMS****Council Decision****Moved: Councillor Asker****Seconded: Councillor Baker**

That the Council Meeting be closed to the public to discuss the following Agenda items and all documents associated with the consideration and discussion of it, that are designated confidential information by me, pursuant to Section 77(2)(c) of the Local Government Act 1989 (the Act) on the following grounds.

**C.1 Administrative matters associated with acquisition of land**

This document and all relevant attachments have been designated by me, the Chief Executive Officer, as confidential information under Section 3(1) of the Local Government Act 2020:

- on the grounds that it includes Council business information that would prejudice the Council's position in commercial negotiations if prematurely released (LGA2020, s.3(1)(a)).
- these grounds apply because the information concerns a compulsory acquisition and would, if prematurely released, likely compromise the outcome of compensation negotiations and result in the matter becoming a disputed claim

**Carried Unanimously**

**OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS****C.2 Visitor Information Centre - Co-location Expression of Interest Update  
(considered at the meeting on 20 July 2020)****Council Decision****Moved: Councillor O'Reilly****Seconded: Councillor Aitken**

That Council:

1. Notes the report and accepts the expression of interest and financial offer received for Exodus Travel Agency to co-locate within the Frankston Visitor Information Centre for one year;
2. Authorises the CEO to negotiate with the co-tenant for up to a further three years, including the level of financial offer (as appropriate in the economic environment);
3. Approves the expenditure of \$7,000 from the financial offer of the co-tenant on the establishment of an appropriate counter that is compatible with the recent refurbishment of the Centre; and
4. Releases the recommendation upon completion of negotiations.

*This motion was put and carried*

*The meeting was closed to the public at 10.38 pm*

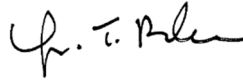
CONFIRMED THIS

9<sup>th</sup>

DAY OF

August

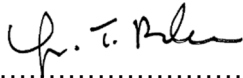
2021



.....  
CHAIRPERSON

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Kris Bolam, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday 19 July 2021, confirmed on Monday 9 August 2021.



.....  
(Cr. Kris Bolam, Chairperson – Council Meeting)

Dated this

9<sup>th</sup>

day of

August

2021

Chairperson's initials

