



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD VIRTUALLY ON 15 FEBRUARY 2021 at 7.02PM**

PRESENT	Cr. Kris Bolam (Mayor) Cr. Nathan Conroy Cr. David Asker Cr. Sue Baker Cr. Claire Harvey Cr. Brad Hill Cr. Liam Hughes Cr. Steven Hughes Cr. Suzette Tayler
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Chief Financial Officer Dr. Gillian Kay, Director Communities Mr. Cam Arullanantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Business Innovation and Culture Ms. Brianna Alcock, Manager Governance and Information Ms. Tenille Craig, Acting Coordinator Governance Mr. Sam Clements, Manager Statutory Planning Ms. Suzane Becker, Manager Policy, Planning and Environmental Strategies Ms. Anne Sorensen, Coordinator Land Use Management Policy and Planning Ms. Louise Bugiera, Principal Legal Advisor Mr. Taylor McVean, Coordinator Communications Mr. Connor Rose, Business Analyst Mr. Damian Clarkson, Supervising Technician Mr. Glenn Parry, Supervising Technician
EXTERNAL REPRESENTATIVES:	Nil.

MAYOR'S STATEMENT

This meeting is being live streamed for public viewing in accordance with section 66(3) of the Local Government Act 2020. In the event Council encounters technical issues with the streaming, the meeting will be adjourned for up to 30 minutes until the matter is resolved. If the matter cannot be resolved, the meeting will be postponed to another evening.

COUNCILLOR STATEMENT

Councillor Conroy made the following statement:

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“All members of this Council pledge to the City of Frankston community to consider every item listed on this evening’s agenda:

- *Based on the individual merits of each item;*
- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors’ personal interests so as to avoid any conflict with our public duty.*

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

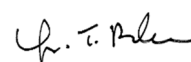
PRAYER

At the request of the Mayor, Councillor 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.

Chairperson’s initials



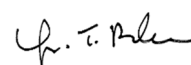
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C.1 Proposed Recipients for Citizen, Young Citizen, Senior Citizen
and Community Event of the Year Awards for 202155

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MAYORAL STATEMENT**1. PRESENTATION TO COMMUNITY GROUPS**

Cr Baker presented a Certificate of Appreciation to Glenn Cooper, President and Founder of That's the Think About Fishing.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM1 held on 27 January 2021.

Council Decision

Moved: Councillor Conroy

Seconded: Councillor Asker

That the minutes of the Council Meeting No. CM1 held on 27 January 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

Two (2) people submitted questions to Council. Due to the COVID-19 pandemic, the questions were not read out during the meeting. A separate response will be provided. The questions and response will be included in the next Ordinary Council Meeting minutes.

6. HEARING OF PUBLIC SUBMISSIONS

Ms Kerry Millman made a submission to Council regarding Item 11.2 Town Planning Application 242/2020/P - Jubilee Park 83R-85R Hillcrest Road, Frankston - To remove or destroy native vegetation pursuant to Clause 52.17 of the Frankston Planning Scheme;

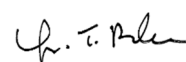
Mr Phil Carter made a submission to Council regarding Item 12.14 Kananook Creek Arboretum Update;

Ms Meredith Forster made a submission to Council regarding Item 12.14 Kananook Creek Arboretum Update;

Mr David Cross made a submission to Council regarding Item: 12.16 Frankston Planning Scheme Amendment C140 - Green Wedge Management Plan 2019 - Report on the findings and recommendations of the Panel Report and the adoption of Planning Scheme Amendment C14 and Item: 12.17 Frankston City Council's Submission to Planning for Melbourne's Green Wedges and Agricultural Land, Consultation Paper prepared by Department of Environment, Land, Water and Planning;

Ms Ginevra Hosking made a submission to Council regarding Item: 12.16 Frankston Planning Scheme Amendment C140 - Green Wedge Management Plan 2019 - Report on the findings and recommendations of the Panel Report and the adoption of Planning Scheme Amendment C14 and Item: 12.17 Frankston City Council's Submission to

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Planning for Melbourne's Green Wedges and Agricultural Land, Consultation Paper prepared by Department of Environment, Land, Water and Planning;

Ms Jenny Hattingh made a submission to Council regarding Item: 12.16 Frankston Planning Scheme Amendment C140 - Green Wedge Management Plan 2019 - Report on the findings and recommendations of the Panel Report and the adoption of Planning Scheme Amendment C14 and Item: 12.17 Frankston City Council's Submission to Planning for Melbourne's Green Wedges and Agricultural Land, Consultation Paper prepared by Department of Environment, Land, Water and Planning;

Mr David Gibb made a submission to Council regarding Item: 12.17 Frankston City Council's Submission to Planning for Melbourne's Green Wedges and Agricultural Land, Consultation Paper prepared by Department of Environment, Land, Water and Planning;

Ms Ciri Thompson made a submission to Council regarding Item 12.18 Frankston Gap Heritage Review 2020;

Mr Matthew Smith made a submission to Council regarding Item 12.18 Frankston Gap Heritage Review 2020;

Ms Georgina Oxley made a submission to Council regarding Item 12.18 Frankston Gap Heritage Review 2020;

Councillor Liam Hughes left the meeting at 8:23 pm.

Councillor Liam Hughes returned to the chamber at 8:24 pm.

Ms Georgina Holcroft made a submission to Council regarding Item 12.20 Hearing of Submitters – Draft Community Engagement Policy;

Ms Robyn Erwin, on behalf of Mr John McKenzie, regarding Item 12.21 Downs Estate - Business Case; and

Ms Lynette Ryan made a submission to Council regarding Item 12.18 Frankston Gap Heritage Review 2020.

7. ITEMS BROUGHT FORWARD

Nil.

Block Motion**Council Decision****Moved: Councillor Conroy****Seconded: Councillor Tayler**

That the items listed below be block resolved:

- 11.1: Town Planning Application - 241/2020/P - 459 Nepean HWY, Frankston - To reduce the number of car parking spaces required under Parking Overlay Schedule 1 (PO1), to erect and display business identification signage in a Commercial 1 Zone (C1Z), and to use the land to sell and consume liquor
- 11.3: Application to Amend Planning Permit 197/2020/P - 439 Nepean Highway Frankston - To use the land for the sale and consumption of liquor (general licence) in association with a delicatessen (shop)
- 12.1: Council Resolution Status Update for 15 February 2021
- 12.2: Update on Coronavirus (COVID-19) - 15 February 2021
- 12.5: Governance Policies: Councillor Training and Development, Councillor Enquiries
- 12.7: Occupational Health & Safety Policy
- 12.10: Capital Works Quarterly Report - Q2 - October to December 2020
- 12.12: Strategic Housing and Homelessness Alliance - Yearly Update
- 12.15: Urban Design Plans - Draft Lighting Frankston Plan 2020 and Witternberg Reserve and Robinsons Park Masterplan
- 12.22: Appointment of Chairperson to the Audit and Risk Committee for 2021
- 12.23: Landfill Disposal Services
- 12.25: Award of Contract CN10451 - Easement Pit Build-ups

Carried Unanimously**8. PRESENTATIONS / AWARDS**

The Mayor acknowledged the Deputy Mayor and thanked him for Chairing at the previous Council Meeting, 2021/CM1 held on 27 January 2021.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS**Petition****Council Decision****Moved: Councillor Steven Hughes****Seconded: Councillor Conroy**

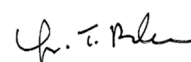
That the petition to allow the Yarrum Court Work Bench to stay on the nature strip outside 22 Yarrum Court, containing 18 signatures, be received and a report be submitted for consideration at the 9 March 2021 Council Meeting.

Carried Unanimously**Petition****Council Decision****Moved: Councillor Steven Hughes****Seconded: Councillor Conroy**

That the petition regarding the bridge at Beckwith Grove, Seaford, containing 20 signatures, be received and a report be submitted for consideration at the 9 March 2021 Council Meeting

Carried Unanimously

Chairperson's initials



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

That the petition to expand the Langwarrin Skate Park, containing 70 signatures, be received and be dealt with in conjunction with Item 12.11 of this agenda (Financial and Council Plan Quarterly Reports – December 2020).

Carried Unanimously**10. DELEGATES' REPORTS**

Nil

*The meeting was adjourned at 8.43pm**The meeting resumed at 8.50pm*

11. CONSIDERATION OF TOWN PLANNING REPORTS

- 11.1 Town Planning Application – 241/2020/P – 459 Nepean HWY, Frankston – To reduce the number of car parking spaces required under Parking Overlay Schedule 1 (PO1), to erect and display business identification signage in a Commercial 1 Zone (C1Z), and to use the land to sell and consume liquor (SC Communities)

Council Decision

Moved: Councillor Conroy

Seconded: Councillor Tayler

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 241/2020/P to reduce the number of car parking spaces required under Parking Overlay Schedule 1 (PO1), to erect and display business identification signage in a Commercial 1 Zone (C1Z), and to use the land to sell and consume liquor at 459 Nepean HWY Frankston subject to the following conditions:

Plans

1. Before the use 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) Amend the Red Line Plan to remove the part stairwell
 - b) Management Plan in accordance with Condition 7

No Alterations

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

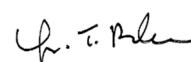
Patron Numbers

3. A maximum of 32 patrons for the restaurant shall be permitted at any one time, unless with the prior written consent of the Responsible authority.
4. A maximum of 50 patrons for private functions shall be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Liquor Consumption

5. Unless with the prior written consent of the Responsible Authority, the sale or consumption of alcohol for the restaurant must only take place within an approved red line plan and at the premises during the following hours:
 - Monday to Sunday 11am -3pm
6. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol for functions must only take place within an approved red line plan and at the premises during the following hours:
 - Thursday – Saturday 6pm – 12am (the following day)
 - Sunday 3pm – 10pm
7. Prior to the sale and consumption of liquor commencing, a management plan must be submitted to and approved by the Responsible Authority. When approved the management plan will be endorsed to form part of the permit. The management

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plan must specify:-

- a. The liquor licence type that will be applied for is a Restaurant and Café Licence.
- b. The licensee will become an active member of the Frankston Liquor Accord.
- c. The identification of all noise sources associated with the premise likely to impact on adjoining properties.
- d. Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.
- e. Details of staffing arrangements including number and working hours of all security staff, bar staff, waiters/waitresses, managers and other staff.
- f. Details of training provided to staff in the responsible serving of alcohol.
- g. Details of how the operator will manage the responsible serving of alcohol, and the actions to achieve this.
- h. Details of how the operator will manage transport to and from the premises.
- i. Hours of operation for all parts of the premises.
- j. Details of waste management plan including storage and hours of collection for general rubbish and bottles associated with the licensed use.
- k. Any other measures to be undertaken to ensure minimal amenity impacts from proposed licensed use.

Amenity

8. The licensee/permit holder shall not cause or permit unreasonable detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.
9. Noise emissions from the premises must comply with the requirements of the *State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1* (as varied).

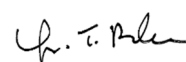
Signage Requirements

10. The sign(s) hereby permitted must not:
 - a. be animated;
 - b. be moving or rotating;
 - c. contain any flashing or intermittent light
11. The sign(s) hereby permitted must be constructed to the satisfaction of the Responsible Authority and must be maintained to the satisfaction of the Responsible Authority.

Permit Expiry

12. This permit will expire if one of the following circumstances applies:
 - The use is not commenced within two (2) years of the date of this permit.
 - The use is discontinued for a period of two (2) years or more.
 - The erection of the signage is not commenced within two (2) years from the date of this permit.

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- The erection of signage is not completed within four (4) years from the date of this permit.

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.

13. The signage 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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. 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.
- C. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.

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

Carried Unanimously

Note: Refer to Page 6 of the Minutes where this item is block resolved.

11.2 Town Planning Application 242/2020/P – Jubilee Park 83R-85R Hillcrest Road, Frankston – To remove or destroy native vegetation pursuant to Clause 52.17 of the Frankston Planning Scheme.

(SC Communities)

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

That Council resolves to issue a Notice of Decision to Grant a Planning in respect to Planning Permit Application number 242/2020/P to Remove and destroy native vegetation pursuant to Clause 52.17 at 83R-85R Hillcrest Road Frankston, subject to the following conditions:

Plans

1. Before any development (native vegetation removal) 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. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
 - (a) A plan clearly identifying those trees proposed to be retained and those to be removed under this permit and showing the tree number, tree protection zone, structural root zone, tree protection fence location for retained trees.
 - (b) Tree protection conditions noted in accordance with those contained within the endorsed Tree Protection Management Plan. The provision of a detailed Tree Protection Management Plan including tree protection measures according to Australian Standard 4970-2009 for any trees to be retained within the project area in accordance with Condition 4.
 - I A Landscape Plan in accordance with Condition 9.
 - (d) Provision of offsets, including through the Frankston City Council internal offset Program where available, in accordance with Conditions 10 and 11.
 - I A Land Management Plan in accordance with Condition 12.
 - (f) A Construction and Environment Management Plan in accordance with Condition 17.

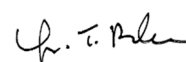
No Alterations

2. The native vegetation removal as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Tree Protection Management Plan

3. A Tree Protection Management Plan prepared in accordance with Frankston City Council's 'Arboricultural Report Writing Guide' must be submitted to and approved by the Responsible Authority prior to the commencement of the approved development and works (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings) and when approved will be endorsed and form part of this permit. The plan must contain as a minimum but not limited to the following information:
 - (a) Tree Protection fencing specifications and locations.
 - (b) Ground protection requirements.
 - I Methods for installation of services to minimise the impact on the retained

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trees e.g.; sewerage, storm water, telecommunications, electricity etc.

- (d) Various timing and areas of supervision as required.
 - I Alternative construction techniques.
- (f) Pruning methodology for all retained trees including habitat pruning of large dead trees to be retained. Pruning methodology must also be included for root pruning and must also specify a maximum size allowable for pruning.
- (g) Management of water flow on the site including sediment control, storm water interception.
- (h) Remedial works as required upon completion of works.
- (i) Template of inspection report including timing of staged inspections. (all inspection reports must be submitted to council at specified intervals during all works on the site).

Tree and Vegetation Protection

- 4. No trees or native vegetation shall be removed, damaged, destroyed, felled, lopped or uprooted without the prior written consent of the Responsible Authority except those trees and native vegetation designated for removal on the endorsed plans.
- 5. Trees to be retained must be protected from disturbance associated with the development. Before works commence Tree Protection Fencing must be erected around the Tree Protection Zone of trees to be retained which are in proximity to the works (except where an encroachment is shown on the endorsed plans) in accordance with Australian Standard AS 4970-209 'Protection of Trees on Development Sites' and to the satisfaction of the Responsible Authority.
- 6. All tree and vegetation protection fencing must be constructed of chain mesh, star pickets and paraweb or similar materials to the satisfaction of the Responsible Authority. The fencing must be erected to form a visual and physical barrier and have a minimum height of 1.50 meters above ground level. The tree protection fences must remain in place until all works are completed to the satisfaction of the Responsible Authority.
- 7. The tree and vegetation protection fencing, as identified on the endorsed plans, must be maintained and the requirements below must be observed within the fenced areas until the completion of the works, to the satisfaction of the Responsible Authority:
 - (a) No vehicular or pedestrian access associated with the works.
 - (b) The existing soil level must not be altered either by fill or excavation.
 - I 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. If approval is given, a qualified Arborist must be on site to oversee this process.
 - I 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) The roots of trees and shrubs must not be severed or injured.
 - (j) Any tree pruning required to the canopy of any tree is to be undertaken by a qualified arborist to the Australian Standard AS4373-1996 – Pruning of Amenity Trees and to the satisfaction of the Responsible Authority.
 - (k) Vegetation removal and disposal must not damage trees and vegetation to be retained.
 - (l) Any root pruning of the root system of any tree to be retained is to be undertaken by hand by a qualified arborist and to the satisfaction of the Responsible Authority.
8. On the felling of indigenous trees approved for removal under this permit, trunks of felled trees are to be placed within the retained bushland on the subject land as fauna habitat under the supervision of a suitably qualified person and to the satisfaction of the Responsible Authority. Smaller branches and foliage are to be mulched and spread around retained trees to the satisfaction of the Responsible Authority.

Landscape Plan

9. Before the commencement of any development (native vegetation removal), a detailed landscape plan for the project area and replanting plan for the broader Jubilee Park area in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) A survey (including botanical names) of all existing vegetation on the site accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed.
 - (b) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site.
 - (c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
 - (d) A range of plant types from ground covers to large shrubs and trees.
 - (e) Landscaping and planting within all open areas of the site.
 - (f) Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals).
 - (g) A planting theme of 80% indigenous species in accordance with the relevant EVC within each plant group and 20% native to the satisfaction of

the Responsible Authority.

- (h) All existing environmental weed species particularly CaLP Act listed are to be removed from the site and environmental and noxious weeds found in the 'Frankston City Council Invasive Species Guide' booklet are not to be planted.
- (i) Detailed cross section design for the swale using suitable plant species.
- (j) Detailed design of any proposed rain gardens.
- (k) The provision of suitable canopy trees in the areas nominated in the concept plan, within the two additional landscape areas along the southern frontage of the stadium and within the areas specified below with species chosen to be approved by the Responsible Authority.
- (l) A minimum of 100 canopy trees to be planted within the project site. With 40% of trees to have a mature height greater than 12m, 40% to have a mature height greater than 10m and 20% to have a minimum mature height of 6m or greater. Trees to be provided at the advanced height of 2m when planted.
- (m) A minimum of 200 indigenous trees to be provided within the broader Jubilee Park area (and shown in a separate replanting plan).
- (n) The provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use.

Native Vegetation Offsets

10. In order to offset the removal of scattered trees and native vegetation approved as part of this permit, the applicant must provide a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (the Guidelines DELWP 2017). The offset must be generally in accordance with the offset requirement shown in the Native Vegetation Impact Assessment Proposed Re-development at Jubilee Park Hillcrest Road, Frankston by Ranges Environmental Consulting dated February 2020 and the submitted Native Vegetation Removal Report dated 13 May 2020, and recalculated as necessary to account for the loss of scattered trees and native vegetation under the endorsed plan.

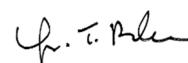
The offset must:

- (a) First party offsets located within a Council owned Natural Reserve and sourced through the Frankston City Council Native Vegetation Offsets Scheme to the satisfaction of the Responsible Authority (where such offsets are available) and;
- (b) The balance made up of third party offsets purchased through the offset credit register.

Offset evidence

11. Before any native vegetation is removed, evidence that an offset has been

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secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this Permit and be in accordance with the requirements of the Guidelines for the removal, destruction or lopping of native vegetation.

Offset evidence must be:

- (a) A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan and/ or
- (b) A Credit Register Extract from the Native Vegetation Credit Register for third party offsets as required.

Land Management Plan

12. Prior to the commencement any buildings or works, including vegetation removal, a Conservation Land Management Plan (LMP), specifically for remnant native vegetation patches within Jubilee Park must be submitted to and approved by the Responsible Authority. This Management Plan must be integrated with an overall Masterplan for Jubilee Park and cover all areas of remnant native vegetation and fauna habitat within the entire site. When approved the plan will be endorsed and form part of the permit and the management actions in the plan must be undertaken upon commencement of the permit.

The costs of management actions must be met by the applicant. The Plan must detail and/or show:

- (a) The designation of conservation zones.
- (b) Within the Conservation zones:
 - i. Retain all standing trees (dead and alive) unless specified for removal under the LMP or with the written consent of the Responsible Authority.
 - ii. Allow understorey and canopy species to regenerate.
- I Provide a works program and weed management strategy that details the following as applicable:
 - i. Steps for the removal of all noxious and environmental weed species.
 - ii. Details on how weed species will be treated.
- (d) Details of revegetation works and locations including:
 - i. Areas to be planted.
 - ii. Number of trees, shrubs and other plants, species mix, density to be planted.
 - iii. Time of planting.
 - iv. Site preparation and pre-planting weed control.
 - v. Maintenance works.

- vi. Protection of planting.
 - I Installation of nest boxes to provide wildlife habitat.
- (f) On the felling of trees approved under this permit, trunks of felled trees are to be placed within the conservation zones as fauna habitat under the supervision of a suitably qualified person. Smaller branches and foliage are to be mulched and spread around retained trees to the satisfaction of the Responsible Authority.
- (g) Control and management of vertebrate pests (e.g. European Rabbit).
- (h) Suitably qualified Council personnel and or contractors to implement the Land Management Plan.
- (i) Timeframe for the implementation and monitoring of the works.

Fauna identification, salvage and relocation

- 13. Before commencement of works, all trees to be removed (including all hollows) must be inspected for the presence of fauna. The inspection must be carried out by qualified and experienced Zoologist/ Wildlife Handler. A report on the findings and mitigation methods adopted must be submitted to the Responsible Authority.
- 14. During works, a suitably qualified and experienced Zoologist or Wildlife Handler must be present. If fauna is located immediately prior to or during felling operations, they must be salvaged and relocated by a suitably qualified and experienced Zoologist or Wildlife Handler in accordance with all relevant legislation and approvals, and if appropriate, in consultation with the Department of Environment Land Water and Planning (DELWP).

General Environment Protection Conditions

- 15. Before any land development works commence (including any demolition, excavation, tree removal, the delivery of building/construction materials and/or temporary buildings) the permit holder must advise all persons undertaking the vegetation removal/works on site of all relevant conditions on this permit.
- 16. To prevent the spread of weeds listed under the Catchment and Land Protection Act 1994, all construction and maintenance equipment, earth moving equipment and associated machinery, must be made free of soil, seed and plant material before being taken to the works site and again before being removed from the works site to the satisfaction of the Responsible Authority.

Construction and Environment Management Plan

- 17. Prior to the commencement of buildings and works, including removal of vegetation, a Construction and Environment Management Plan 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. 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.

- l Response measures and monitoring systems to minimise identified environmental risks, including but not limited to vegetation protection, fauna protection, runoff, erosion, dust, litter, noise and light.
- (d) Location and specifications of sediment control devices on/off site.
- l 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) Minimising weed and pathogen spread.
- (h) Proposed drainage lines and flow control measures.
- (i) Location of all stockpiles and storage of building materials.
- (j) Location of parking for site workers and any temporary buildings or facilities.
- (k) Hours during which construction activity will take place.
- (l) The Construction Management Plan must be guided by the Urban Stormwater Best Practice Management Guidelines (CSIRO 1999).
- (m) Details on who will implement and oversee the on-ground environmental management.

Satisfactory Completion

18. Once the native vegetation removal has started it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

19. This permit will expire if one of the following circumstances applies:
- The development (native vegetation removal) is not commenced within two years of the date of this permit.
 - The development (native vegetation removal) is not completed within two (2) years of the date of this permit.

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

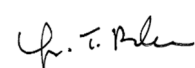
- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure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

Carried

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

Chairperson's initials



11.3 Application to Amend Planning Permit 197/2020/P - 439 Nepean Highway Frankston - To use the land for the sale and consumption of liquor (general licence) in association with a delicatessen (shop)

(SC Communities)

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

That Council resolves to issue an Amended Planning Permit in respect to Planning Permit Application number 197/2020/P To use the land for the sale and consumption of liquor (general licence) in association with a delicatessen (shop) at 439 Nepean Highway Frankston subject to the following conditions:

Plans

1. Before the use 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 but modified to show:
 - (a) The red line plan extended to incorporate all internal spaces where customers are permitted.

No Alterations

2. The use as shown on the endorsed plans (including the location and amount of seating provided for consumption of food and drink) must not be altered without the prior written consent of the Responsible Authority.

Sale of Liquor Hours

3. Unless with the prior written consent of the Responsible Authority, the sale of packaged liquor must only take place during the following times:
 - Monday to Friday: 9am to 11pm
 - Saturday & Sunday: 9am to 10pm
 - Anzac Day: Between 12 noon and 11pm
 - No liquor may be sold on Good Friday and Christmas Day.
4. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol instore/kerbside in association with the delicatessen use must only take place within an approved red line plan and at the premises during the following hours:
 - Monday to Friday: 11am to 11pm
 - Saturday & Sunday: 11am to 10pm

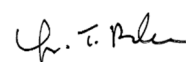
Amenity

5. The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised under the permit to the satisfaction of the Responsible Authority.

Permit Expiry

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

Chairperson's initials



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

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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. 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:
- Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
 - 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.

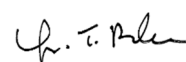
This permit has been amended as follows:

Date of Amendment	Brief Description
	This permit was amended pursuant to section 74 of the Planning and Environment Act 1987, by amending Conditions 2 and 3, adding Conditions 4, subsequent renumbering of conditions, amending the permit preamble, and considering amended plans.

Carried Unanimously

Note: Refer to Page 6 of the Minutes where this item is block resolved.

Chairperson's initials



12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Council Resolution Status Update for 15 February 2021**

(BA Chief Financial Office)

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

That Council:

1. Receives the Notices of Motion Report for 15 February 2021;
2. Receives the Urgent Business Status Update for 15 February 2021;
3. Notes there are no Notices of Motion that have been reported as being complete;
4. Notes there is one report that will be delayed in its presentation back to Council:
 - Frankston Yacht Club Building Activation Project Update; and
5. Notes, since the Council Meeting held on 27 January 2021, 18 resolutions have been completed, as listed in the body of the report.

Carried Unanimously

Note: Refer to Page 6 of the Minutes where this item is block resolved.

12.2 Update on Coronavirus (COVID-19) - 15 February 2021

(PC Chief Executive Office)

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

That Council:

1. Notes this report outlines its response to the impacts of the Coronavirus (COVID-19);
2. Notes an update will be provided to each Council meeting for the foreseeable future during this Pandemic.

Carried Unanimously**Note:** Refer to Page 6 of the Minutes where this item is block resolved.

12.3 Minutes of the Frankston Arts Advisory Committee - 24 November 2020 & 14 December 2020

(AM Communities)

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

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee (FAAC) meeting of 24 November 2020 and the extraordinary meeting of 14 December 2020;
2. No longer proceeds with Part 6 of the *Response to Urgent Business - Installation of Public Sculptures Response* resolution of 28 January 2020 and resolves to adopt, in its place, the following process for approving sculpture and sculpture locations:
 - 2a) Frankston Arts Advisory Committee reviews the current 'potential sites' map for sculptures to ensure it is up to date and comprehensive and reviews the map annually thereafter;
 - 2b) The map is to be approved by Council via the minutes of the Frankston Arts Advisory Committee;
 - 2c) Frankston Arts Advisory Committee review the site map annually and utilises these sites over time, as appropriate sculptures are purchased, leased, commissioned or borrowed;
 - 2d) Should the most suitable site for a specific sculpture not be on the 'potential site' map, the new site would require Council approval, through Council adoption of Minutes and recommendations of the Arts Advisory Committee;
3. Authorises officers and commits \$15,000 from existing budgets to remove the 'Roadside Marker' sculpture from Mile Bridge for restoration and reinstallation of it to the corner of Beach Street & Cranbourne Road;
4. Authorises officers to proceed with the installation of the 'Long Island' topiary sign at Mile Bridge as soon as possible, noting that the costs will be covered from existing budgets;
5. Notes the removal of Mirage sculpture (due to OHS reasons) within existing budget; and
6. Approves the Frankston Arts Advisory Committee's recommendation to commit funds from the annual 2021/2022 public arts maintenance budget to recreate and reinstall the Mirage sculpture.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

12.4 Adoption of Councillor Code of Conduct 2021

(BA Chief Financial Office)

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

That Council:

1. Notes that it has reviewed its Councillor Code of Conduct;
2. Revokes the Councillor Code of Conduct 2018; and
3. Adopts the Councillor Code of Conduct 2021.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

12.5 Governance Policies: Councillor Training and Development, Councillor Enquiries
(BA Chief Financial Office)**Council Decision****Moved: Councillor Conroy****Seconded: Councillor Tayler**

That Council:

1. Notes the draft Councillor Training and Development Policy and draft Councillor Enquiries Policy;
2. Endorses both Policies to be publicly exhibited for a period of four (4) weeks; and
3. Seeks a report back by no later than May 2021 to adopt both Policies, taking into account any feedback received by the community.

Carried Unanimously**Note:** Refer to Page 6 of the Minutes where this item is block resolved.

12.6 Draft Communications Policy 2021–2024*(EH Business Innovation and Culture)***Council Decision****Moved: Councillor Hill****Seconded: Councillor Harvey**

That Council:

1. Notes the draft Communications Policy 2021 – 2024 (Policy);
2. Endorses the draft Policy to be placed on public consultation for a period of four weeks; and
3. Seeks a report back by no later than April 2021 to adopt the Policy, taking into account any feedback received by the community.

Carried*Councillor Liam Hughes left the meeting at 9:25 pm.**Councillor Liam Hughes returned to the chamber at 9:26 pm.*

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

Against the Motion: Crs Liam Hughes and Steven Hughes

12.7 Occupational Health & Safety Policy
(*FB Business Innovation and Culture*)**Council Decision****Moved: Councillor Conroy****Seconded: Councillor Tayler**

That Council:

1. Notes the Occupational Health Safety & Wellbeing Policy (Policy) was publicly exhibited for a period of six (6) weeks and no written submissions were received; and
2. Adopts the Policy.

Carried Unanimously**Note:** Refer to Page 6 of the Minutes where this item is block resolved.

12.8 Policies and Planning Progress Report

(GK Communities)

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

That Council receives the Policy and Planning Progress Report for the previous six months and notes the report will be submitted monthly to Council in the future.

Councillor Tayler left the meeting at 9:44 pm.

Councillor Tayler returned to the meeting at 9:44 pm.

Carried Unanimously

12.9 Freedom of Information Annual Summary 2019/20

(BA Chief Financial Office)

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

That Council:

1. Notes the summary of Freedom of Information requests received in 2019/20; and
2. Notes that a summary of Freedom of Information requests will continue to be reported annually.

Carried Unanimously

12.10 Capital Works Quarterly Report - Q2 - October to December 2020.

(LU Infrastructure and Operations)

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

That Council:

1. Receives and notes the quarterly progress report for the second quarter (October to December 2020) of the 2020/21 Capital Works Program, and
2. Resolves for attachments A, B, D and E to be retained confidential, as it contains Council business information and would, if prematurely released, impact the reputation of Councillors and Council.

Carried Unanimously**Note:** Refer to Page 6 of the Minutes where this item is block resolved.

12.11 Financial and Council Plan Quarterly Reports - December 2020

(SW Chief Financial Office)

Recommendation (Chief Financial Officer)

That Council receives and notes the Council Plan Quarterly Performance Report and the Council Financial Report for the quarter ended 31 December 2020.

As per Governance Rule 34.1, this motion was moved in parts

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

That Council:

1. Receives and notes the Council Plan Quarterly Performance Report and the Council Financial Report for the quarter ended 31 December 2020;

Carried Unanimously

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

Against the Motion: Crs Liam Hughes and Steven Hughes

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

That Council:

2. Notes and resolves funding for the following capital works projects:
 - a. \$40,000 referred to the 2021/22 Capital Works Program for design and community consultation works for the upgrade existing skate park at Langwarrin;
 - b. \$20,000 committed to the 2021/22 Capital Works Program as matching fund to the offered Federal Government grant to deliver and ancillary Langwarrin skate park elements; and
 - c. Refer to the Long Term Infrastructure Plan (LTIP) a project in 2022/23 to upgrade of the Langwarrin Skate Park with the budget informed by the community consultation and associated design work for local skate park.

Carried Unanimously

12.12 Strategic Housing and Homelessness Alliance - Yearly Update*(BD Communities)***Council Decision****Moved: Councillor Conroy****Seconded: Councillor Tayler**

That Council:

1. Receives and supports the Draft Annual Progress Report and key achievements for the first year of the Frankston City Strategic Housing and Homelessness Alliance noting the report will be published once all Alliance members have advised their receipt of the report; and
2. Notes the commitment to continue progressing the shared change agenda to reduce homelessness.

Carried Unanimously**Note:** Refer to Page 6 of the Minutes where this item is block resolved.

12.13 Glyphosate Ban and Weed Management Trials Progress Update

(AW Infrastructure and Operations)

Recommendation (Director Infrastructure and Operations)

That Council:

1. Notes that alternative weed control measures implemented since the glyphosate ban have only been partially successful in controlling weeds, resulting in declining presentation standards throughout the municipality;
2. Notes that current guidance from Australian regulatory authorities is that products containing glyphosate can continue to be used safely following the directions in the Safety Data Sheet and labels;
3. Notes a range of alternative weed management has been investigated through internal trials and in partnership with Deakin University and MAV with preliminary findings indicating limited capacity in the industry to replace glyphosate with an effective equivalent alternative herbicide;
4. Notes that a number of positive ongoing improvements have been made to weed management practices to reduce risk to health and environment as a result of the glyphosate ban;
5. Resolves to rescind the resolutions relating to the 2019/NOM49 – Glyphosate Herbicide and Response to 2019/NOM49 – Glyphosate Herbicide Implementation Update on Ban considered on 14 October 2019 and 30 March 2020 Council Meetings, and in its place proceeds with Option 4, which is to reintroduce glyphosate for restricted use and continue to implement low risk alternatives at high priority sites, where cost effective;
6. Approves reintroduction of glyphosate as part of weed management practices with an exception of implementing low risk alternatives at high priority sites such as preschool, playgrounds and maternal child health centres.
7. Approves unspent funds of approximately \$130,000 from 2020/21 Glyphosate ban budget to be used to reinstate desired presentation standards throughout the municipality; and
8. Approves allocation of additional \$100,000 in 2021/22 budget to deliver weed management services as per option 4.

Council Decision

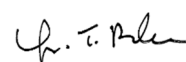
Moved: Councillor Conroy

Seconded: Councillor Harvey

That Council:

1. Notes that alternative weed control measures implemented since the glyphosate ban have only been partially successful in controlling weeds, resulting in declining presentation standards throughout the municipality;
2. Notes that current guidance from Australian regulatory authorities is that products containing glyphosate can continue to be used safely following the directions in the Safety Data Sheet and labels;
3. Notes a range of alternative weed management has been investigated through internal trials and in partnership with Deakin University and MAV with preliminary findings indicating limited capacity in the industry to replace glyphosate with an effective equivalent alternative herbicide;
4. Notes that a number of positive ongoing improvements have been made to weed

Chairperson's initials



management practices to reduce risk to health and environment as a result of the glyphosate ban;

5. Resolves to rescind the resolutions relating to the 2019/NOM49 – Glyphosate Herbicide and Response to 2019/NOM49 – Glyphosate Herbicide Implementation Update on Ban considered on 14 October 2019 and 30 March 2020 Council Meetings, and continues to explore cost efficient, low risk and effective pesticide management practices to minimise risk to health and environment as new treatments are developed;
6. Approves reintroduction of glyphosate as part of weed management practices with an exception of implementing low risk alternatives at high priority sites such as preschool, playgrounds and maternal child health centres.
7. Approves unspent funds of approximately \$130,000 from 2020/21 Glyphosate ban budget to be used to reinstate desired presentation standards throughout the municipality; and
8. Approves allocation of additional \$100,000 in 2021/22 budget to deliver weed management services.

Councillor Liam Hughes left the meeting at 10:17 pm.

Councillor Liam Hughes returned to the chamber at 10:18 pm.

Carried Unanimously

12.14 Kananook Creek Arboretum Update

(DD Infrastructure and Operations)

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

That Council:

1. Notes the current status of the Kananook Creek Arboretum project and further updates on this project will be provided to Councillors via the Major Projects Advisory Committee briefings;
2. Notes that a budget allocation of \$673,000 has been made available to complete Kananook Creek Arboretum works over two financial years with expected completion by June 2022; and
3. Notes the project is currently fully funded through \$3.5 million contribution by Level Crossing Removal Project (LCRP) and no budget saving is identified at this stage.

Carried Unanimously

12.15 Urban Design Plans - Draft Lighting Frankston Plan 2020 and Witternberg Reserve and Robinsons Park Masterplan
(SB Communities)

Council Decision

Moved: Councillor Conroy

Seconded: Councillor Tayler

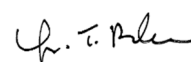
That Council:

1. Notes the Draft Lighting Frankston Plan;
2. Endorses the Lighting Frankston Plan Community Engagement Plan;
3. Endorses the Draft Lighting Frankston Plan to be publicly exhibited for a period of six (6) weeks commencing Monday 22 February 2021 and notes a report will be submitted to Council no later than May 2021 to adopt the Lighting Frankston Plan, taking into account any submissions received;
4. Notes that the Witternberg Reserve and Robinsons Park Masterplan and Playspace Design was publicly exhibited for a period of 6 weeks and 36 written submissions were received;
5. Adopts the Witternberg Reserve and Robinsons Park Masterplan and Playspace Design;
6. Notes that officers will notify the submitters of its decision accordingly; and
7. Notes the progress of policy and planning work may be subject to any potential delays and impacts associated with the COVID-19 pandemic.

Carried Unanimously

Note: Refer to Page 6 of the Minutes where this item is block resolved.

Chairperson's initials



12.16 Frankston Planning Scheme Amendment C140 - Green Wedge Management Plan 2019 - Report on the findings and recommendations of the Panel Report and the adoption of Planning Scheme Amendment C140

(SB Communities)

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

That Council:

1. Notes the findings and the recommendations of the Panel Report for Frankston Planning Scheme Amendment C140;
2. Adopts Frankston Planning Scheme Amendment C140 and authorises officers to request the Minister for Planning to approve Frankston Planning Scheme Amendment C140 as exhibited, subject to the Panel recommendations as follows:
 - a) *Amend Clause 21.02 by adding the following sentence to the end of the paragraph headed 'Frankston's Green Wedge': "Management of bushfire risk is an ongoing issue and priority within each Green Wedge Precinct".*
3. Amends the adopted Frankston Green Wedge Management Plan, October 2019 subject to the Panel recommendations as follows:
 - a) *In Figures 16 and 20 include the Public Acquisition Overlay as it applies to Ballarto Road and Hall Road.*
 - b) *In Section 6.6.1, on page 85, amend Table 15 to replace the Total % number shown currently as 25.6% with the figure of 11.2%.*
 - c) *In Section 6.6.2, on page 86, delete the words "If Council were to explore this path" from the beginning of the second last paragraph.*
 - d) *In the Economic Use and Development column of objectives in Section 7.3, page 104, delete the words "that are nearing the end of their lifespan" from the third objective.*
 - e) *In Section 2.4.1, include a summary of Clause 13.02-1 in the same way other parts of the Planning Policy Framework are referenced.*
 - f) *On the Overlay Plan for Precinct 4 (Figure 28) include the land area affected by the Bushfire Management Overlay.*
 - g) *In each of the Precinct Chapters, include a new Section titled 'x.3 – Bushfire Risk' (prior to Vision, Objectives and Strategies) that includes:*
 - *A high order bushfire assessment for the Precinct including an overview of bushfire considerations in response to identified bushfire risks.*
 - *A plan identifying both the extent of the Bushfire Management Overlay and the Bushfire Prone Areas within the Precinct.*

Carried

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

Abstained: Cr Steven Hughes

12.17 Frankston City Council's Submission to Planning for Melbourne's Green Wedges and Agricultural Land, Consultation Paper prepared by Department of Environment, Land, Water and Planning

(SB Communities)

Recommendation (Director Communities)

That Council:

1. Adopts the Frankston City Council Submission to the State Government's Planning for Melbourne's Green Wedge and Agricultural Land Consultation Paper; and
2. Submits the Frankston City Council Submission to the Department of Environment Land Water and Planning (DELWP) for their consideration.

Council Decision

Moved: Councillor Hill

Seconded: Councillor Harvey

That Council:

1. Adopts the Frankston City Council Submission to the State Government's Planning for Melbourne's Green Wedge and Agricultural Land Consultation Paper, subject to the following modification:
 - Section 3.3.1- Managing the urban rural interface of the Submission on page 17, in regard to point four, change the Frankston City Council Position to Not Support and remove all comments under Frankston City Council Comments to Not Support; and
2. Submits the Frankston City Council Submission to the Department of Environment Land Water and Planning (DELWP) for their consideration

Carried

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

Against the Motion: Cr Steven Hughes

12.18 Frankston Gap Heritage Review 2020

(SB Communities)

Recommendation (Director Communities)

That Council:

1. Notes the current status of the Heritage Gap Review 2020, which was initiated by the previous Council;
2. Supports further inclusive consultation to enable land owners who may be impacted, Councillors and the general community to have further input prior to any statutory process required for an Amendment to the Planning Scheme; and
3. Seeks a report back to Council no later than May 2021 to consider the community feedback from the consultation process.

As per Governance Rule 34.1, this motion was moved in parts

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

That Council:

1. Notes the current status of the Heritage Gap Review 2020, which was initiated by the previous Council;

Carried Unanimously

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

That Council:

2. Supports further inclusive consultation to enable land owners who may be impacted, surrounding landowners, Councillors and the general community to have further input prior to any statutory process required for an Amendment to the Planning Scheme; and

Carried

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

Against the Motion: Crs Liam Hughes, Steven Hughes and Tayler

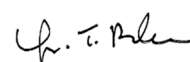
Council Decision**Moved: Councillor Hill****Seconded: Councillor Conroy**

That Council:

3. Seeks a report back to Council no later than June 2021 to consider the community feedback from the consultation process.

Carried Unanimously

Chairperson's initials



Extension of Time

Council Decision

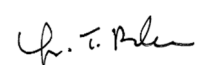
Moved: Councillor Hill

Seconded: Councillor Tayler

That the Council Meeting be extended, as per Governance Rule 17.

Carried Unanimously

Chairperson's initials



12.19 Jubilee Park Stadium - Community Engagement and Council Response

(MS Infrastructure and Operations)

Recommendation (Director Infrastructure and Operations)

That Council:

1. Notes the following community engagement undertaken since the beginning of the project and the design amendments made in response to this community feedback:
 - a. January and February 2019 – Concept design consultation;
 - b. March 2020 – Live Facebook information session ;
 - c. November 2020 – Resident planning meeting;
 - d. January 2021 – Community Forum with newly elected Council.
2. Commits to resolve traffic concerns raised by the local residents at the Community Forum held on 29 January 2021, by undertaking a Traffic Management Strategy (TMS) to review the local road network (before and after completion) around Jubilee Park by:
 - a. Immediate – implement traffic management treatments which may include line marking, parking restrictions and increased enforcement subject to consultation with affected local residents.
 - b. Long term – on completion of the Jubilee Park Stadium project undertake a post project completion traffic study in consultation with the local residents and implement required traffic management treatments.
3. Commits funding for implementation of Traffic Management Strategy measures to address issues identified; and
 - a. FY 2020/21 \$15K – TMS (Immediate)
 - b. FY 2022/23 \$100K – TMS (Long term)
4. Endorses the project to proceed to construction tendering phase subject to a Town Planning permit approval.

Council Decision

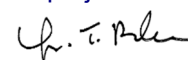
Moved: Councillor Hill

Seconded: Councillor Harvey

That Council:

1. Notes the following community engagement undertaken since the beginning of the project and the design amendments made in response to this community feedback:
 - a. January and February 2019 – Concept design consultation;
 - b. March 2020 – Live Facebook information session ;
 - c. November 2020 – Resident planning meeting;
 - d. January 2021 – Community Forum with newly elected Council.
2. Commits to resolve traffic concerns raised by the local residents at the Community Forum held on 28 January 2021, by undertaking a Traffic Management Strategy (TMS) to review the local road network (before and after completion) around Jubilee Park by:
 - a. Immediate – implement traffic management treatments which may include line marking, parking restrictions and increased enforcement subject to consultation with affected local residents.
 - b. Long term – on completion of the Jubilee Park Stadium project undertake a post

Chairperson's initials



project completion traffic study in consultation with the local residents and implement required traffic management treatments.

3. Commits funding for implementation of Traffic Management Strategy measures to address issues identified; and
 - a. FY 2020/21 \$15K – TMS (Immediate)
 - b. FY 2022/23 \$100K – TMS (Long term)
4. Endorses the project to proceed to construction tendering phase subject to a Town Planning permit approval.

Carried Unanimously

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

Against the Motion: Crs Liam Hughes and Steven Hughes

12.20 Hearing of Submitters - Draft Community Engagement Policy.

(HH Business Innovation and Culture)

Recommendation (Director Business Innovation and Culture)

That Council:

1. Notes the Draft Community Engagement Policy was advertised in accordance with the requirements of the Local Government Act 2020, and that 18 written submissions were received;
2. Notes one (1) person has registered to speak via telephone at this meeting in support of their written submission; and
3. Notes a report to formally adopt the Community Engagement Policy will be presented to Council at its meeting on 1 March 2021.

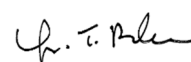
Council Decision**Moved: Councillor Hill****Seconded: Councillor Baker**

That Council:

1. Notes the Draft Community Engagement Policy was advertised in accordance with the requirements of the Local Government Act 2020, and that 20 written submissions were received;
2. Notes one (1) person has registered to speak via telephone at this meeting in support of their written submission; and
3. Notes a report to formally adopt the Community Engagement Policy will be presented to Council at its meeting on 1 March 2021.

Carried Unanimously

Chairperson's initials



12.21 Downs Estate - Business Case*(BD Communities)***Council Decision****Moved: Councillor Baker****Seconded: Councillor Harvey**

That Council:

1. Receives the Downs Estate Community Project (DECP) business case;
2. Notes that Council have allocated \$666K through budgets to the Downs Estate precinct to assist with establishing the site and the Downs Estate Community Project Inc.;
3. Supports the direction as outlined in the business case prepared by the DECP subject to external funding opportunities;
4. Notes DECP will prepare a detailed strategic plan and costings over the next 12 months which will be reported to Council by March 2022;
5. Notes DECP will involve a range of other stakeholders to co-design programs and activities and advocate to a range of organisations for additional funding for the development of the site;
6. Approves the retention of the farmhouse be protected by safety barriers to reduce risk to the public while the strategic plan and costings are further developed by DCEP;
7. Authorises officers to work with DECP to develop the functional brief for the restoration of the farmhouse and subsequently prepare a concept design and cost plan to enable informed advocacy; and
8. Notes that the concept and cost plan for the Farm House can be funded through the current DECP budget allocation this FY20/21.

Carried Unanimously

12.22 Appointment of Chairperson to the Audit and Risk Committee for 2021

(SW Chief Financial Office)

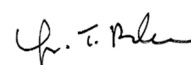
Council Decision**Moved: Councillor Conroy****Seconded: Councillor Tayler**

That Council resolves to reappoint Mr. Neil Greenaway to the position of Chairperson of the Audit and Risk Committee until 31 December 2021.

Carried Unanimously

Note: Refer to Page 6 of the Minutes where this item is block resolved.

Chairperson's initials



12.23 Landfill Disposal Services

(BH Chief Financial Office)

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

That Council:

1. Enters into an agreement with Metropolitan Waste and Resource Recovery Group, Cleanaway Pty Ltd and Suez Recycling and Recovery Pty Ltd for the provision of Landfill Services under a common gate fee arrangement on a 4-year guaranteed basis or 12 month non-guaranteed basis for a four-year term commencing on 1 April 2021 for up to a maximum of \$4 million per year;
2. Authorises the Chief Executive Officer to sign the agreements;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachment to this report remain 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 6 of the Minutes where this item is block resolved.

12.24 Award of Contract No. CN 10500 - Pat Rollo Reserve Pavilion Redevelopment
(VG Infrastructure and Operations)**Council Decision****Moved: Councillor Hill****Seconded: Councillor Baker**

That Council:

1. Awards contract No. CN 10500 Pat Rollo Reserve Pavilion Redevelopment to More Building Group Pty Ltd (ABN 44 614 992 933) for \$1,594,960.70 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 A and B 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

12.25 Award of Contract CN10451 - Easement Pit Build-ups

(VG Infrastructure and Operations)

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

That Council:

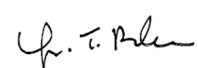
1. Awards contract CN10451 – Easement Pit Build-ups to E & M Labour and Services Pty Ltd (ACN 138 738 388) for \$796,370.40 GST exclusive for an initial three year term with the provision of a further 2 X 12 month extensions, noting that this is a schedule of rates contract;
2. Authorises the Chief Executive 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 A and B 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 6 of the Minutes where this item is block resolved.

13. RESPONSE TO NOTICES OF MOTION

Nil

Chairperson's initials



14. NOTICES OF MOTION**14.1 2021/NOM2 - Rate Relief for Frankston Ratepayers**

(TC Chief Financial Office)

That Council guarantee a reduction in rates for the financial year 2021/22.

Frankston residents are the highest paying ratepayers in our region (when considering median house prices and average household incomes).

It is time to lower the burden of rates on the ratepayer and in doing so tighten how council spends ratepayer funds. All change in rates below are to be reductions.

If it states 1% then this is a required reduction of 1%. All changes that are eventually made have to be a reduction greater than or at equal to the % below.

If a line has a negative value against it then this means it can be increased by no greater than this amount as positive value. So -5% is equal to 5% or less increase allowed.

We have not included Rateable Recreational Properties or Rates by Agreement and we are happy to be directed by council on these increases/decreases.

Type or Class of Land Reduction in Rates Ordinary Rate $\geq 1\%$ Retirement Villages $\geq 1\%$ Commercial Land $\geq 1\%$ Industrial Land 0% Vacant Residential Land -5% Acacia Health 0% Farm Land 0% Derelict Land -5% If the above terminology has changed and the names are different from what are being used in FY21/22 then the CFO is requested to make contact to clarify before the February meeting.

No other areas are to be increased to offset the reduction of this revenue, for example, waste services, green waste charges. These can only continue to be calculated on a cost recovery basis.

Any other area not mentioned can only be increased by the % or method it was increased in the FY19/20. Rate increases are capped by the Minister for Local Government. Often these are capped at CPI. Regardless of the Ministers directive to increase rates, Frankston residents rates will be impacted as stated above.

The budgeted adjusted underlying result for FY21/22 will be required to run at a surplus even with the reduction in rate revenue. This is to make sure that the budgeted financial result in FY21/22 isn't run at a deficit due to budgeted lower rate income. Understanding that the above may impact the revenue for the FY21/22 budget council may seek to reduce budgets for departments.

As we are both new councillors we are not 100% certain of the structuring of budgets at council and whether budgets are done by department and we are happy to take council's advice on this. But, otherwise the following departments are to have increases to their FY19/20 or FY20/21 budgets (FY20/21 may have had a COVID impacted budget as so may be lower than normal).

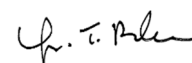
Therefore whichever of these two financial years is higher with the FY19/20 being adjusted for inflation before comparison) at the rate capping amount set by the minister for FY21/22.

These departments are: Operations Centre (Brad Hurren) Family Health & Support Services (Joanne Ferrie) Community Safety (Leonie Reints) Waste and Recycling (Bruce Howden)

From campaigning and our current dealings with the general public the number one concern, by a long way, is the cost of rates to the residents.

The above Notice of Motion is a reasonable first measure for the ratepayers to be relieved of the rate burden. We look forward to working with you to action this.

Chairperson's initials



Leave of Council**Moved: Councillor Steven Hughes** **Seconded: Councillor Liam Hughes**

That Cr Steven Hughes be granted leave of Council to amend 2021/NOM2 - Rate Relief for Frankston Ratepayers.

Carried

For the Motion: Crs Asker, Bolam, Conroy, Harvey, Hill, Liam Hughes, Steven Hughes and Tayler
 Against the Motion: Nil
 Abstained: Cr Baker

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

That Council guarantee a reduction in rates for the financial year 2021/22 as follows:

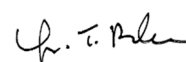
Rating Type		Required adjustment to rates percentage from adopted 2020/21 Budget
General	A decrease of at least 1 per cent	-1.00%
Commercial	A decrease of at least 1 per cent	-1.00%
Industrial	No change	0.00%
Farm	No change	0.00%
Vacant	An increase of no more than 5 per cent	5.00%
Derelict	An increase of no more than 5 per cent	5.00%
Acacia Heath	A decrease of at least 1 per cent	-1.00%
Retirement Villages	A decrease of at least 1 per cent	-1.00%
Rateable recreation properties	A decrease of at least 1 per cent	-1.00%
Rate by agreement	A decrease of at least 1 per cent	-1.00%

- Rate capped increase of 1.5 per cent for 2021/22 recommended by the State Minister is not to be implemented.
- Waste charges are to continue be charged at full cost recovery.

The above adjustments are to be implemented based on the following conditions:

- The underlying result for 2021/22 will be required to run at a surplus equal to the amount budgeted without the removal of rate cap of 1.5 per cent and adjustments highlighted in the table above.
- The reduction in rate income is offset by the following areas identified by Council officers and Councillors during the 2020/21 budget process:
 - Operating cost reductions;
 - Other income \generation opportunities; and
 - Capital Works reductions.
- The following areas are exempt from operating cost reductions for 2021/22. These departments are to retain their 2019/20 or 2020/21 (whichever is highest) allocated budget plus a 1.5 per cent increase (rate cap):
 - Operations Centre

Chairperson's initials



- Family Health & Support Services
- Community Safety
- Waste and Recycling

○

*Councillor Liam Hughes left the meeting at 11:18 pm.
Councillor Liam Hughes returned to the chamber at 11:20 pm.*

Motion be put

Moved: Councillor Tayler

Seconded: Councillor Baker

That the motion be put.

Carried

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

Against the Motion: Crs Liam Hughes and Steven Hughes

The motion was put and Lost

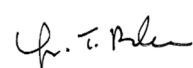
For the Motion: Crs Liam Hughes and Steven Hughes

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

15. LATE REPORTS

16. URGENT BUSINESS

Chairperson's initials

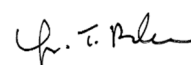


17. CONFIDENTIAL ITEMS

Nil Reports

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Signed by the CEO

Chairperson's initials



18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS**C.1 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2021****Moved: Councillor Hill****Seconded: Councillor Tayler**

That Council:

1. Awards the Citizen of the Year Award for 2021 to Timothy Cutrona;
2. Awards the Young Citizen of the Year Award for 2021 to Kai Malcolm;
3. Awards the Senior Citizen of the Year Award for 2021 to Robert Thurley;
4. Awards the Community Event of the Year for 2021 to Chill Out & Look About;
5. Notes the award recipients will be notified of Council's decision after the meeting, and the names of the winners be embargoed until Australia Day 2021, where the awards will be presented to the winners at the Australia Day Citizenship Ceremony;
6. Holds a civic reception for local emergency management services at a future date, to be determined, to recognise their efforts in response to the pandemic crisis; and
7. Resolves for the resolution to be incorporated in the public minutes of the February 2021 Council Meeting.

This motion was put and carried

The meeting was closed to the public at 11.31 pm

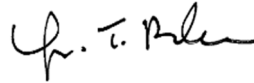
CONFIRMED THIS

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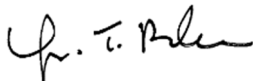
DAY OF

March

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 15 February 2021, confirmed on 1 March 2021.

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

Dated this

1st

day of

March

2021

Chairperson's initials

