



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 18 JULY 2016 at 7PM**

PRESENT	Cr. James Dooley (Mayor) Cr. Darrel Taylor Cr. Sandra Mayer Cr. Rebekah Spelman Cr. Glenn Aitken Cr. Suzette Tayler Cr. Brian Cunial Cr. Colin Hampton
APOLOGIES:	Cr. Michael O'Reilly
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Dr. Gillian Kay, Director Communities Development Mr. Graeme Read, Coordinator Traffic & Transport Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Naomi Neville, Coordinator Statutory Planning Ms. Kelly Ross, Coordinator Communications Ms. Andrea Gaynor, Executive Manager Mayor & CEO Office Ms. Vera Roberts, Officer Council Business Support
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor Mayer made the following statement:

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

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

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

Chairperson’s initials

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Cunial acknowledged the Boonerwung and Bunurong peoples – the traditional custodians of the land on which we stand and recognised all Aboriginal and Torres Strait Islander peoples who have given to Australia’s identity – from the past, into the present and for the future.



Chairperson's initials

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1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM289 held on 27 June 2016.

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Aitken

That the minutes of the Ordinary Meeting No. OM289 held on 27 June 2016 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES**Council Decision**

Moved: Councillor Taylor

Seconded: Councillor Spelman

That the apology be received and Councillor O'Reilly be granted leave from the meeting.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Cr Tayler declared an interest in Item 12.7: Results of Beckwith Grove Bridge Replacement Consultation but will remain in the chamber during debate and voting.

Cr Cunial declared an interest in Item 12.5: Update on Various Special Charge Scheme Projects and Item 12.6: Information on Council's Current and Planned Local Area Traffic Management (LATM) Investigation and Implementation but will remain in the chamber during debate and voting.

5. PUBLIC QUESTION TIME

One (1) person submitted questions to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. The questions and answers are contained in Appendix.

6. HEARING OF PUBLIC SUBMISSIONS

Mr Paul Davies made a submission to Council regarding Item 11.3: Frankston Planning Scheme Amendment C100 – Report on Review of Submissions to the Amendment and Progression to a Planning Panel;

Ms Jenni Alexander made a submission to Council regarding Item 11.3: Frankston Planning Scheme Amendment C100 – Report on Review of Submissions to the Amendment and Progression to a Planning Panel;

Mr Luke Chamberlain made a submission to Council regarding Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs;

Mr Pradeep Raniga made a submission to Council regarding Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs;

Ms Diana Donohue made a submission to Council regarding Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs;

Ms Robin Clarey made a submission to Council regarding Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs;

Mr David Cross made a submission to Council regarding Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs.

Mr Simon Johnson made a submission to Council regarding Item 12.1: Frankston City Council submission to Level Crossing Removal Authority;

Ms Maureen Griffin made a submission to Council regarding Item 12.2: Assessment of the Down's Estate Community Working Group Project Proposal;

Mr Paul Davies made a submission to Council regarding Item 12.7: Results of Beckwith Grove Bridge Replacement Consultation;

Mr Patrick Higgins made a submission to Council regarding Item 12.7: Results of Beckwith Grove Bridge Replacement;

7. ITEMS BROUGHT FORWARD

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That:

1. Item 11.3: Frankston Planning Scheme Amendment C100 – Report on Review of Submissions to the Amendment and Progression to a Planning Panel;
2. Item 11.4: Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs;
3. Item 12.1: Frankston City Council submission to Level Crossing Removal Authority, Item 12.2: Assessment of the Down's Estate Community Working Group Project Proposal;
4. Item 12.2: Assessment of the Down's Estate Community Working Group Project Proposal; and
5. Item 12.7: Results of Beckwith Grove Bridge Replacement Consultation

be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil

Chairperson's initials



9. PRESENTATION OF PETITIONS AND JOINT LETTERS**Beckwith Grove Bridge Petition****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That the petition in support of replacing the pedestrian bridge at Beckwith Grove, Seaford containing 383 signatures be accepted.

Carried Unanimously**10. DELEGATES' REPORTS**

Nil

Chairperson's initials



ITEMS BROUGHT FORWARD**11.3 Frankston Planning Scheme Amendment C100 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel**

(MP Community Development)

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

That Council:

1. Notes the submissions to Frankston Planning Scheme Amendment C100 LPPF Review.
2. Continues to progress Planning Scheme Amendment C100.
3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C100.
4. Advises all submitters of Council's decision.

Carried Unanimously

11.4 Planning Application 730/2015/P - To use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone - 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs

(MP Community Development)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Mayer

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 730/2015/P for use and development of the land for a place of worship, one guest dwelling, one caretaker's house and to alter access to a Road Zone at 2 Boundary Road and 724 Frankston-Dandenong, Carrum Downs, 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, amended (or some other specified plan) but modified to show:
 - a) Landscaped and revegetated areas;
 - b) A Farm Management Plan as required by Condition 6;
 - c) A Vegetation Management Plan as required by Condition 7;
 - d) An Environmental Construction Management Plan as required by Condition 8;
 - e) A Stormwater Management Strategy as required by Condition 10;
 - f) Car Parking Management Plan as required by Condition 13;
 - g) A Functional Layout Plan as required by Condition 14;
 - h) A footpath along the Boundary Road frontage as required by Condition 16;
 - i) Melbourne Waters' finished floor level requirements in Conditions 25 and 26; and
 - j) VicRoads' requirements for the left out egress to Frankston-Dandenong Road in Condition 33.

No Alterations

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

Operation Details

3. The use (excluding the Caretaker's house and Guest dwelling) may operate only between the following hours and must not be altered without the prior written consent of the Responsible Authority:
 - Sunday
7.30am to 6.00pm, The number of patrons on site is capped to 600 for the Sunday service between 8.30am to 12.00noon and capped at 50 for the remaining time.
 - Monday to Saturday
7.30am to 6.00pm – The number of patrons on site is capped to 200.
 - Wednesday
6.00pm to 9.00pm – The number of patrons on site is capped to 200.

Chairperson's initials



Major Event

4. Except with the written consent of the Responsible Authority no more than two (2) place of worship related events may be conducted on the land in a year. The maximum number of patrons on site must not exceed 3500. The major events may operate only between the hours of 7.00am to 5.00pm and must not be altered without the prior written consent of the Responsible Authority

Farm Management Plan

5. A Farm Management Plan must be submitted to and approved by the Responsible Authority. All plans must be to scale with dimensions and three copies must be provided. When approved, the plan will be endorsed and will then form part of the permit. The plan must show details of the area to be farmed, how it is to be used and managed, and demonstrate ongoing agricultural sustainability of the land.

Environment Requirements

6. A Vegetation Management Plan must be provided for the whole of the site that must be provided to the satisfaction of the Responsible Authority which includes (as a minimum):
 - Designation of conservations zones (i.e. retained Habitat Zones);
 - Provision of appropriate revegetated buffers around conservation zones;
 - Understorey planting in conservations zones as appropriate;
 - Fencing requirements that ensure that vehicular access is restricted to conservation areas as designated;
 - Weed control procedures across the site;
 - Tree Protection Measures for any future works on the site that may impact trees;
 - Limitation on the amount of earthworks to ensure the size and volume of water bodies on the site are not changed and no further trees are damaged;
 - Ongoing general maintenance measures (i.e. pruning, grass slashing); and
 - Location and species selection for revegetation within the site; including links of existing retained remnant patches and revegetation of the 'lawn area' along the Boundary Road frontage and within the northern extent of the site.
7. An Environmental Construction Management Plan must be provided to the satisfaction of the Responsible Authority that adopts appropriate management practices and includes:
 - controls to prevent the spread of environmental weeds and pest animals,
 - prevents soil erosion,
 - protects existing vegetation
 - Considers a contingency to monitor for any Acid Sulfate Soil disturbance during the construction process and undertake further investigation if necessary or in the event of excavation undertaken in areas not sampled in the Preliminary Acid Sulfate Soil Assessment prepared by Atma Environmental dated 2016.

Engineering Requirements

Drainage

8. Provision of a Stormwater Detention System with a volume capable of attenuating the 1% Annual Exceedance Probability (AEP) post development flows to the pre-development value to the satisfaction of the Responsible Authority.

Stormwater runoff must achieve the following objectives for environmental quality, as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999.

80% retention of the typical annual load of suspended solids;

45% retention of typical annual load of total phosphorous; and

45% retention of typical annual load of total nitrogen.

Water Quality works within the development must be provided to achieve compliance with the above best practice standards to the satisfaction of the Responsible Authority.

9. Prior to commencement of works, a Stormwater Management Strategy detailing all proposed stormwater quality works within the development must be submitted for approval to the Responsible Authority.

Car Parking and Access

10. Before the use allowed by this permit starts, areas set aside for parking vehicles, loading bays, access lanes, paths and turn lanes as shown on the endorsed plans must be:
 - (a) Constructed to the satisfaction of the Responsible Authority.
 - (b) Properly formed to such levels that they can be used in accordance with the plans.
 - (c) Surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel.
 - (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.

11. A Car Parking Management Plan is to be submitted to the satisfaction of the Responsible Authority for approval. This must include:
 - Measure for the biannual events with gatherings above the typical 600 patrons, and with a maximum of 3500 people on site at one time; and
 - Exit arrangements to utilise the east end access way along the Boundary Road frontage and the emergency exit on to Frankston-Dandenong Road; which otherwise must remain closed.
12. A Functional Layout Plan demonstrating the Channelised Right Hand Turn into the site from Boundary Road to the satisfaction of the Responsible Authority for approval.
13. All modifications to the road layout along Boundary Road shall be at no cost to Council.

14. A pedestrian footpath is to be constructed to Council's standards along the Boundary Road frontage of the site; commencing at the central access way and connecting with the existing footpath located at the signalised traffic lights at the eastern end; to the satisfaction of the Responsible Authority.

Amenity

15. The amenity of the area must not be detrimentally affected by the development and/or use through the:
 - Transport of materials, goods or commodities to or from the land;
 - Appearance of any building, works or materials;
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - Presence of vermin;or in any other way.
16. Exterior lighting must be installed in such positions to effectively illuminate pathways, car parks and other public areas and designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
17. Without the prior written consent of the Responsible Authority any form of public address system or sound amplification equipment used on the premises must not be audible outside the premises.
18. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
19. All waste storage areas must be screened from public view to the satisfaction of the Responsible Authority.
20. Power and telephone lines to new buildings hereby permitted must be placed underground from the main points of service outside the boundaries of the site.

Melbourne Water Requirements

21. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways;
22. Consideration must be given to the overland flow through the property. This water is characterised as shallow, sheet flooding with areas of greater depths where there are existing depressions and drainage lines.
23. The main hall, ancillary buildings, caretaker's house and residence must be constructed with finished floor levels set a minimum of 450mm above the natural surface level, taken from the highest natural surface level at the building envelope.
24. The barn and garage must be constructed with finished surface levels set a minimum of 300mm above the natural surface level, taken from the highest natural surface level at the building envelope.
25. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
26. There must be no increase in runoff from the site.
27. The retarding basin is located in an area where flood waters may pond before flowing through the culverts under EastLink. The retarding basin must be designed so that there is no increase in flooding on neighbouring properties.

28. Any fill must be sought from the site to offset any losses in floodplain storage.
29. The property outside of the building envelopes and fill pads must remain at the existing natural surface level. Where surfaces are raised, such as garden beds, consideration must be given to the overland flow.
30. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for approval of any new or modified storm water connection to Melbourne Water's drains or watercourses.

VicRoads Requirements

31. The 'left out egress only' to Frankston Dandenong Road is to be constructed to the satisfaction of the Responsible Authority and at no cost to the Road Corporation prior to the commencement of the use hereby approved.
32. The 'left out egress only' to Frankston Dandenong Road must be maintained in a fit and proper state so as not to compromise the ability of vehicles to exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spoiling gravel onto the roadway).

Satisfactorily Completed

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

Permit Expiry

34. 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.

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.

- D. This permit does not authorise the commencement of any building construction works. Before the development starts, the applicant will be required to apply for and obtain appropriate building approval.

Any plan approved under the Building Act and Regulations must not differ from the endorsed plan forming part of this Permit.

- E. Prior to any major event being conducted on the site a Temporary Occupation Permit must be obtained from the Relevant Building Surveyor. It is advised that this be sought no less than 4 months prior to the event date as the consent of referral authorities may be required.

Melbourne Water Notes

- F. The applicable flood level for the property is approximately 150mm above the natural surface level.
- G. If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 249429.

Carried

For the Motion: Crs Aitken, Cunial, Hampton, Mayer, Spelman, Tayler and Taylor

Against the Motion: Cr Dooley

12.1 Frankston City Council submission to Level Crossing Removal Authority

(VA CAA Development)

Recommendation (Director CAA Development)

That Council:

1. Endorses the long term strategic rail needs and grade separation options assessment as documented by the Frankston City Council Level Crossing Preferred Options Submission paper (Attachment A).
2. Agrees to submit the paper to the Level Crossing Removal Authority that recommends the preferred options:
 - Rail under Road for Seaford Road, Seaford;
 - Rail under Road for Skye/Overton Road, Frankston;
 - No change to the Level Crossing at Eel Race Road, Seaford and that the funding be redirected to Community's strategic rail needs however if there is grade separation works, Rail under Road.
3. Seeks a copy of the Level Crossing Removal Authority's Geotechnical report on the three sites within the Frankston Municipality for Council's review.
4. Forwards the paper to the Minister for Public Transport, the Hon. Jacinta Allan MP, the Department of Economic Development, Jobs, Transport and Resource, the Member for Frankston, Mr Paul Edbrooke MP, and the Member for Carrum, Ms Sonya Kilkenny MP and the Public Transport Victoria;
5. Authorises the Mayor to present the submission at the next South East Melbourne Group of Councils' meeting as well as distributing the paper to other Councils on the Frankston rail line; and
6. Authorises the CEO to finalise the paper as an advocacy document for Frankston and Regional future rail needs and seeks an urgent meeting with the assistance from Mr Edbrooke MP – Member for Frankston and Ms Kilkenny MP – Member for Carrum to present this document to the Premier of Victoria, the Hon. Daniel Andrews MP, the Minister for Public Transport, the Hon. Jacinta Allan MP, and the Federal Members of Dunkley and Isaac by mid-September 2016.

Cr Mayer left the chamber at 8.31 pm

Cr Mayer returned to the chamber at 8.34 pm

Extension of Time**Council Decision**

Moved: Councillor Cunial

Seconded: Councillor Aitken

That Cr Aitken be granted an extension of time.

Carried Unanimously

Chairperson's initials



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

That:

1. Council endorses the long term strategic rail needs and grade separation options assessment as documented by the Frankston City Council Level Crossing Preferred Options Submission paper (Attachment A).
2. Council agrees to submit the paper to the Level Crossing Removal Authority that recommends the preferred options namely:
 - Rail under Road for Seaford Road, Seaford;
 - Rail under Road for Skye/Overton Road, Frankston;
 - Indicates that the intended treatment at Eel Race Road crossing be waived in favour of the funding being transferred to facilitate a greater Frankston Station redevelopment outcome or electrification of the railway line to Baxter.
3. Council notes and appreciates Minister Jacinta Allan's statement of Monday 13 June 2016:

"We will not be building a Dandenong line-style 'skyrail' on the Frankston line. Any allegations we will, are false."
4. Council accordingly strongly affirms rail under road as the only appropriate method to remove these level crossings.
5. Council emphasises the value which our community place upon the coastal low scale development and naturalistic qualities of the areas surrounding the Frankston line.
6. Any options that would consider the removal of housing would not be supported by Council.
7. Council seeks a copy of the Level Crossing Removal Authority's Geotechnical report on the three sites within the Frankston Municipality for Council's review.
8. Council forwards the level crossing preferred options report to the Minister for Public Transport, the Hon. Jacinta Allan MP, the Department of Economic Development, Jobs, Transport and Resource, the Member for Frankston, Mr Paul Edbrooke MP, the Member for Carrum, Ms Sonya Kilkenny MP and Public Transport Victoria;
9. Council authorises the Mayor to present the submission at the next South East Melbourne Group of Councils' meeting as well as distributing the paper to other Councils on the Frankston rail line; and
10. Council authorises the CEO to finalise the paper as an advocacy document for Frankston and Regional future rail needs and seeks an urgent meeting with the assistance from Mr Edbrooke MP – Member for Frankston and Ms Kilkenny MP – Member for Carrum to present this document to the Premier of Victoria, the Hon. Daniel Andrews MP, the Minister for Public Transport, the Hon. Jacinta Allan MP, and the Federal Members of Dunkley and Isaac by mid-September 2016.
11. That the petition addressed to both Frankston City Council and the State Legislative Council of Victoria be forwarded to Parliament accordingly.
12. Council writes to other Councils in the Melbourne – Frankston rail corridor to advise of our decision.

Chairperson's initials



13. Council gives consideration to forming a collaborative group to present a united approach with other affected Councils.
14. Frankston City Council looks forward to working cooperatively with the LXRA.

Carried Unanimously

Chairperson's initials



12.2 Assessment of the Down's Estate Community Working Group Project Proposal

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to support Option 3 (\$49,000) to:

- A. Support the Down's Estate Community Working Group ("DECWG") proposal in principle;
- B. Enter into a 12 month limited use licence for certain activities once the group is incorporated;
- C. Undertake basic restoration of the shed including security measures (\$32,000);
- D. Undertake some minor works (\$8,000), and
- E. Demolish the house (\$9,000).
- F. Noting that any proposed funding from Council's budget is subject to consideration at the mid-year budget review and its adoption by Council.

Cr Tayler left the chamber at 8.42 pm

Cr Tayler returned to the chamber at 8.43 pm

Extension of Time

Moved: Councillor Taylor

Seconded: Councillor Cunial

That Cr Aitken be granted an extension of time.

Carried Unanimously

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Cunial

That Council resolves to support Option 4 (\$40,000) to:

- A. Support the Down's Estate Community Working Group (DECWG) proposal in principle.
- B. Enter into a 12 month limited use licence for certain activities once the group is incorporated.
- C. Undertake basic restoration of the shed including security measures (\$32,000).
- D. Undertake some minor works (\$8,000).
- E. Retain the house for a further 18 months with the option to renovate it contingent on funding availability and the progress of the DECWG program.
- F. Noting that any proposed funding from Council's budget is subject to consideration at the mid-year budget review and its adoption by Council.

Carried Unanimously

Chairperson's initials



12.7 Results of Beckwith Grove Bridge Replacement Consultation

(BH Community Development)

Recommendation (Director Community Development)

That Council considers the information in this report, including the results of community consultation previously provided, and resolves to either:

1. Proceed with the installation of a new timber pedestrian bridge ('like for like' aesthetically) across Kananook Creek at Beckwith Grove, Seaford, noting that The Esplanade Reserve staircase renewal will be deferred until 2017/18; or
2. Not proceed with the replacement of the pedestrian bridge across Kananook Creek at Beckwith Grove, Seaford.

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

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

Carried

For the Motion: Crs Cunial, Dooley, Hampton, Mayer, Spelman, Tayler and Taylor

Against the Motion: Cr Aitken

The meeting was adjourned for five minutes at 9.08 pm

The meeting resumed at 9.19 pm

Chairperson's initials



11. CONSIDERATION OF TOWN PLANNING REPORTS

11.1 Planning application 215/2016/P - To use the land to consume liquor (BYO liquor licence) in association with a restaurant - 7 Wells Street Frankston

(MP Community Development)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Cunial

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 215/2016/P to use the land to consume liquor (BYO liquor license) in association with a restaurant at 7 Wells Street Frankston, subject to the following conditions:

No Alterations

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

Liquor Licence Requirements

2. Unless with the prior written consent of the Responsible Authority, the servicing of alcohol must only take place at the premises during the hours of 11:00am-9:30pm daily.

Amenity

3. The licensee/permit holder shall not cause or permit undue detriment to the amenity of the area to arise out of, or in connection with the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.

Patron Numbers

4. A maximum of 34 patrons will be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Permit Expiry

5. 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.

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. 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.
- C. The permit holder must obtain approval from Council's Local Laws for the use of the footpath for tables and chairs.

Chairperson's initials



- D. 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 Unanimously

11.2 Planning application 145/2016/P - To use land to sell and consume liquor (Restaurant and Cafe Licence) at Shop 16/317 Ballarto Road Carrum Downs
(MP Community Development)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Mayer

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 145/2016/P for a Restaurant and Café Liquor Licence at Shop 16/317 Ballarto Road Carrum Downs, subject to the following conditions:

Plans

No Alterations

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

Liquor Licence Requirements

2. Unless with the prior written consent of the Responsible Authority, the selling and serving of alcohol must only take place at the premises during the hours of 11.00am to 5.00 pm daily.

Amenity

3. The licensee/permit holder shall not cause or permit undue detriment to the amenity of the area to arise out of, or in connection with the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.

Patron Numbers

4. A maximum of 114 patrons will be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Permit Expiry

5. 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.

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. 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.
- 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:

Chairperson's initials



- 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 Unanimously



**11.5 Review of Planning and Subdivision Fees: Submission to the State
Government's Regulatory Impact Statement**

(MP Community Development)

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

That the attached draft Submission, provided in response to the public exhibition of the Regulatory Impact Statement (RIS) for the proposed Planning and Environment (Fees) Regulations 2016 be endorsed by Council.

Carried Unanimously



11.6 Response to the Joint Letter to Support the Part Rezoning of the Langwarrin Low Density Residential Zone to the General Residential Zone

(MP Community Development)

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

That:

1. Council notes the Joint Letter was tabled and that the matters raised in the Joint Letter will be addressed at a future Council meeting within 6 – 12 months.
2. The head signatory of the Joint Letter to be advised in writing of the action to be taken by Council to review its Housing Strategy and that the Joint Letter will be considered in full as a submission for the Frankston Housing Strategy Review to be undertaken within the current 2016-2017 financial year.

Carried Unanimously

11.7 May Town Planning Progress Report

(MP Community Development)

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

That Council receives and notes the report.

Carried Unanimously

Chairperson's initials



12. CONSIDERATION OF REPORTS OF OFFICERS**12.3 Municipal Neighbourhood Safer Places Plan Review 2016**

(LR Community Development)

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

That:

1. Council adopts the Municipal Neighbourhood Safer Places Plan, noting that no Neighbourhood Safer Places are proposed for Frankston at this stage;
2. The Plan is published on Council's website.

Carried Unanimously

12.4 Outcome on Pop up Visitor Information Centre at Frankston Train Station Trial
(*SJ Corporate Development*)**Council Decision****Moved: Councillor Taylor****Seconded: Councillor Tayler**

That:

1. Council notes this report.
2. Council supports an amended Pop up Visitor Information Centre (VIC) concept and placement of Pop up VIC services at key Council events:
 - a. Pet's Day Out 2016
 - b. Festival of Rugby 2016
 - c. Frankston's Christmas Festival of Lights 2016
 - d. Frankston Waterfront Festival 2017
 - e. Ventana Street Fiesta 2017
 - f. Party in the Park Children's Day 2017
 - g. Sand Sculpting Australia Exhibition 2016-2017
 - h. Approved events linked to the Tourism Event Attraction Program
3. Council refers \$7,000 to operate the Pop up VIC at identified events in 2016-2017 to the mid-year budget process.
4. At the end of the 2016-2017 financial year a report is prepared, outlining:
 - a. Utilisation of the event Pop up VICs, including number and type of enquiries received.
 - b. Options and costings for further extensions to the Pop up VIC concept.
 - c. Council supports further investigation into the provision of visitor information in key visitor nodes and as part of the Frankston Transit Interchange precinct upgrade.

Carried Unanimously

12.5 Update on Various Special Charge Scheme Projects

(BH Community Development)

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

That Council:

1. Undertakes the Barretts Road construction proposal as two separate projects due to the further investigation and likely costs required to complete the southern section of the road.
2. Sends the draft letters attached to this report to all property owners in Barretts Road which:
 - Seeks feedback from owners in the northern section of road on Council's proposal to commence the Scheme process for the northern section; and
 - Informs owners in the southern section of Council's decision.
3. Notes the submissions, made by property owners in Kuranda Street, Langwarrin, Brighton Street Frankston South, Liddesdale Avenue, Frankston South and Sibyl Avenue, Frankston South in relation to footpath Special Charge Schemes, have been previously provided to Councillors.
4. Considers the consultation and submissions and based on the low level of support for such Schemes:
 - a) Resolves that these paths be referred back to Council's Paths Development Plan (adopted in December 2015) to be delivered in accordance with their priority; and
 - b) Resolves not to continue with the delivery of other planned footpath infrastructure via Special Charge Schemes at this time, noting the increased cost to Council of this decision.
5. Writes to property owners in Kuranda Street, Langwarrin, Brighton Street, Frankston South, Liddesdale Avenue, Frankston South and Sibyl Avenue, Frankston South and advises them of Council's decision.
6. That a report be prepared and presented to Council for the construction of a footpath on Liddesdale Avenue between Fenton Cres and Nepean Highway due to safety concerns with a view to refer the project to the mid year budget review for consideration.

Carried Unanimously

Chairperson's initials



12.6 Information on Council's Current and Planned Local Area Traffic Management (LATM) Investigation and Implementation

(BH Community Development)

Recommendation (Director Community Development)

That:

1. Council notes the purpose, value and associated processes and costs of LATMs.
2. Council notes the results of the recent consultation with residents in Yuille Street and Seaview Road in relation to the outstanding Overport LATM treatments, and resolves to either:
 - a) Implement all of the planned eight speed humps in Yuille Street and Seaview Road; or
 - b) Implement signage and/or linemarking improvements in Yuille Street and Seaview Road to provide less intrusive speed reduction treatments in these streets.
3. The speed humps and speed cushions funded in the 2016/17 Capital Works (\$158,400) for Franciscan Avenue, Richard Drive, Allied Drive and Carmela Way be installed as planned.
4. The Woodland Precinct LATM is implemented in 2016/17 and 2017/18 and funded by either:
 - a) Council funding of \$550,000 is provided in 2016/17 and again in 2017/18 to complete the approved Woodlands precinct LATM recommendations; or
 - b) Applying Special Charge Schemes for Woodlands and future LATM precinct schemes.
5. If Council decides on option 4a, the following projects in the 2016/17 Capital Works Program are deferred to fund this recommendation:
 - Utilise the \$170,000 remaining from the previously deferred Project S2 – Evelyn Street Stage 3 Streetscape Upgrade Design
 - Defer Projects P1/P2/P4/P6/P8 – \$233,900 for construction of footpaths in Liddesdale Avenue Frankston South, Kuranda Street Langwarrin, Sibyl Avenue Frankston South, Brighton Street Frankston South and Moorooduc Highway, Frankston.

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Aitken

That:

1. Council notes the purpose, value and associated processes and costs of LATMs;
2. Council notes the results of the recent consultation with residents in Yuille Street and Seaview Road in relation to the outstanding Overport LATM treatments, and resolves to implement signage and/or linemarking improvements in lieu of speed humps, noting cost savings in the order of \$100,000;
3. The speed humps and speed cushions funded in the 2016/17 Capital Works (\$158,400) for Franciscan Avenue, Richard Drive, Allied Drive and Carmela Way be installed as planned;

Carried Unanimously

Chairperson's initials



12.8 Local Government Community Satisfaction Survey 2016 Results

(BA Corporate Development)

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

That Council:

1. Notes the Local Government Community Satisfaction Survey results for 2016.
2. Releases the Local Government Community Satisfaction Survey results for 2016 to the community via Council's website and a media release.

Carried Unanimously

Chairperson's initials



12.9 Community Development Division - Resolution Progress Report

(GK Community Development)

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

That Council notes that the Heritage Trail – Streetscape Images report will be presented at the 8 August 2016 Ordinary meeting.

Carried Unanimously

Chairperson's initials



12.10 Draft General Local Law 2016 No. 8

(LR Community Development)

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

That:

1. Council formally endorses the draft General Local Law 2016 – No. 8, and approves the commencement of the statutory local law making procedure set out in section 119 of the *Local Government Act* 1989, which includes:
 - a. Preparation of a community impact statement;
 - b. Publication of a public notice and a notice in the Victoria Government Gazette, which sets out the purpose and general purport of the proposed local law; explains how to access a copy of the proposed local law and the community impact statement, and invites the making of public submissions in accordance with section 223 of the Act;
 - c. Consideration of all written and verbal submissions made in accordance with the section 223 public submissions process;
 - d. Deciding whether to proceed with the adoption of the revised local law, in light of matters raised in any submissions received.
2. It is proposed that following community consultation and a hearing of submissions by a Committee of Council, the recommended Local Law No. 8 be submitted to the Ordinary Council Meeting on 19 September 2016 for adoption.

Carried Unanimously

13. NOTICES OF MOTION**13.1 NOM 1207 - Skyrail Frankston Line**

(VR Chief Executive Office)

This Notice of Motion was withdrawn by Councillor Spelman as the content was included in an Alternate Recommendation for Item 12.1: Frankston City Council submission to Level Crossing Removal Authority.

On 13 May 2016 Councillor Spelman gave notice of her intention to move the following motion:

That based on the strong community concern and opposition, as can be seen by the accompanying petition addressed to both Frankston City Council and State Legislative Council of Victoria, this Council adopts a formal position that Frankston City will not accept a Sky Rail solution to the removal of level crossings on the Frankston Line. The petition must also be sent to State Legislative Council of Victoria.

Frankston City Council looks forward to working co-operatively with the LXRA to determine which of the remaining options are best for our City in order to assist the State Government with their election commitments regarding level crossing removal.

13.2 NOM 1214 - Historic Drinking Fountain

(CM Chief Executive Office)

Cr Taylor left the chamber at 9.49 pm

Cr Taylor returned to the changer at 9.51 pm

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

That Council investigates the installation and cost to reinstall the historic drinking fountain previously located at the corner of Thompson and Wells Street Frankston, into a suitable location in the city centre.

Carried Unanimously

13.3 NOM 1215 - Heating/Cooling for Langwarrin Men's Shed

(CM Chief Executive Office)

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

That Council bring back a report on the cost of a system to heat and cool the Langwarrin Community Hall and the Langwarrin Men's Shed.

That this report be brought back to the next Council meeting to see if it can be put before Councils half yearly financial review.

Carried Unanimously

13.4 NOM 1216 - Sealing Langwarrin and Peninsula Strikers Soccer Senior Carparks
(VR Chief Executive Office)

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Mayer

That a report be brought back to the next Council meeting of the cost of sealing the Langwarrin and Peninsula Strikers Soccer Club carparks at Barretts Road and McClelland Drive and that the cost of this be brought forward in the half yearly budget review for consideration.

Carried Unanimously

Chairperson's initials



13.5 NOM 1217 - Skyrail

(VR Chief Executive Office)

This Notice of Motion was withdrawn by Councillor Aitken as the content was included in an Alternate Recommendation for Item 12.1: Frankston City Council submission to Level Crossing Removal Authority.

On 30 June 2016 Councillor Aitken gave notice of his intention to move the following motion:

Various options for the removal of level crossings within Frankston City were presented to Councillors at a briefing session on Wednesday 29 June 2016.

Having explored the facts before making a considered decision:

1. Council notes and appreciates Minister Jacinta Allan's statement of Monday 13 June 2016:

"We will not be building a Dandenong line-style 'skyrail' on the Frankston line. Any allegations we will, are false."

and confirms its position as opposed to any "skyrail" or elevated road over rail option for the Frankston line.

2. Council does support rail under road as the only appropriate method to remove these level crossings.
3. Council reaffirms the value which our community place upon the coastal low scale development and naturalistic qualities of the areas surrounding the Frankston line.
4. Any options that would consider the removal of housing would not be supported by Council.
5. Indicates that the intended treatment at Eel Race Road crossing be waived in favour of the funding being transferred to facilitate a greater Frankston Station redevelopment outcome or electrification of the railway line to Baxter.
6. Council writes to other Councils in the Melbourne – Frankston rail corridor to advise of our decision.
7. Council gives consideration to forming a collaborative group to present a united approach with other affected Councils.
8. That Council writes to the Minister to advise of its resolution.

13.6 NOM 1218 - Spraying Nature Strips

(CM Chief Executive Office)

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

That a report be prepared regarding Council's herbicide spraying program. With this report Council can then make a considered decision on how best to address this matter. That a report be considered at the 8 August 2016 Ordinary Meeting.

Carried Unanimously

Cr Tayler left the chamber at 10.03 pm

For the Motion: Crs Aitken, Cunial, Dooley, Hampton, Mayer, Spelman and Taylor

Against the Motion: Nil

Absent: Cr Tayler

Cr Tayler returned to the chamber at 10.05 pm

14. LATE REPORTS**15. URGENT BUSINESS****Urgent Business****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Taylor**

That the matter of Cr Hampton tabling two letters of apologies required by Code of Conduct Panel be accepted as urgent business.

Carried Unanimously

Cr Hampton – Code of Conduct**Council Decision****Moved: Councillor Cunial****Seconded: Councillor Taylor**

That Cr Hampton tabled a copy of two letters of apology as required by Code of Conduct panel. Cr Hampton then gave a personal explanation on the circumstances surrounding those letters.

Carried Unanimously

Extension of Time**Moved: Councillor Cunial****Seconded: Councillor Mayer**

That Cr Hampton be granted an extension of time.

Carried Unanimously

Extension of Time**Moved: Councillor Cunial****Seconded: Councillor Hampton**

That Cr Aitken be granted an extension of time.

Carried Unanimously

16. CONFIDENTIAL ITEMS

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Mayer

That the Ordinary Council Meeting be closed to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the Local Government Act (LGA) 1989 for the reasons indicated:

C.1 Appointment and Authorisation of Council Staff

Agenda Item C.1 Appointment and Authorisation of Council Staff is designated confidential as it relates to personnel matters (s89 2a), and Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.2 Black Tie Catering

Agenda Item C.2 Black Tie Catering is designated confidential as it relates to contractual matters (s89 2d)

C.3 Frankston City Motorcycle Club Interim Report

Agenda Item C.3 Frankston City Motorcycle Club Interim Report is designated confidential as it relates to contractual matters (s89 2d)

C.4 Temporary car parking for Frankston Hospital

Agenda Item C.4 Temporary car parking for Frankston Hospital is designated confidential as it relates to contractual matters (s89 2d)

C.5 Proposed Assignment of Lease - Sofias Restaurant - 5N Pier Promenade Frankston

Agenda Item C.5 Proposed Assignment of Lease - Sofias Restaurant - 5N Pier Promenade Frankston is designated confidential as it relates to contractual matters (s89 2d)

C.6 Internal Audit Capital Works Project Management

Agenda Item C.6 Internal Audit Capital Works Project Management is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.7 Carrum Downs Recreation Reserve New Multi-Use Pavilion - Approval of Design and Authorisation to Tender for Construction

Agenda Item C.7 Carrum Downs Recreation Reserve New Multi-Use Pavilion - Approval of Design and Authorisation to Tender for Construction is designated confidential as it relates to proposed developments (s89 2e)

C.8 Frankston District Basketball Association - Rental Model

Agenda Item C.8 Frankston District Basketball Association - Rental Model is designated confidential as it relates to contractual matters (s89 2d)

C.9 PARC Slide Update

Agenda Item C.9 PARC Slide Update is designated confidential as it relates to legal advice (s89 2f)

Chairperson's initials



C.10 Frankston Yacht Club - Licence Agreement

Agenda Item C.10 Frankston Yacht Club - Licence Agreement is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

Chairperson's initials



17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.2 Family Day Care (considered at OM269 23 March 2015)****Council Decision****Moved: Councillor Taylor****Seconded: Councillor Tayler**

That:

1. Council terminates the provision of the Council operated Family Day Care program effective 30 September 2015 to enable parents/guardians to make alternative arrangements, new operators to grow or expand their services and educators to enter into other service arrangements.
2. Council implements the exit strategy which provides all parties with plenty of notice to enable the market to take up the gap in service provision.
3. Council reserves the right to terminate the service earlier, subject to Councillor's agreement, should the risk to Council significantly increase.
4. This resolution remains in Closed Council until the exit strategy is implemented.
5. Council prepare a statement for the press that funds have been withdrawn by the Federal Government and Council can't afford to bear the cost burden.

The Motion was put and CARRIED

C.3 Minutes of the Frankston Arts Board - January 2016 (considered at OM283 – 4 February 2016)**Council Decision****Moved: Councillor Taylor****Seconded: Councillor O'Reilly**

That Council:

1. Receives the Minutes.
2. Endorses 'The Bonfire' Artist Statement. 'The Bonfire' panel art piece will be displayed at the eastern end of the Frankston Art Centre with the Artist Statement displayed below the panel art piece. The Artist Statement will be (2000mm W x 2500mm H) and comprises of words to represent the artwork:
"The world around me has a significant influence on my work.

I'm intrigued by the landscape and inspired by an ever expanding consciousness to seek the truth of our humanity within it.

The process, like the fire, is all consuming and I feel passionately driven to follow my own sense of purpose as an artist to contemplate the bigger picture."

Kerrie Warren

3. Releases the recommendations to the public after Council Meeting 27 June 2016.

The Motion was put and CARRIED unanimously

C.1 Frankston Charitable Fund Grants Program - February 2016 (considered at OM284 – 15 March 2016)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor O'Reilly**

That Council:

1. Note the 2015 Frankston Charitable Fund Grant recommendations to the Lord Mayor's Charitable Foundation (LMCF) Board.
2. Applicants will be notified after the LMCF Board of Management Meeting on 21 April 2016.
3. Release this recommendation following notification from LMCF Board of Management meeting on 21 April 2016.

The Motion was put and CARRIED unanimously

C.2 Sealing of documents- Sofias lease of deck (considered at OM285 – 4 April 2016)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Cunial**

That:

1. The lease and partial surrender and variation of the existing lease agreements be signed and sealed.
2. The recommendation be released once the documents are signed.

The Motion was put and CARRIED unanimously

C.5 2016 Election Office Options (considered at OM285 – 4 April 2016)**Council Decision****Moved: Councillor Tayler****Seconded: Councillor Mayer**

That approval is granted for:

1. the Frankston Mechanics Hall to be used by the Victorian Electoral Commission for the delivery of the 2016 general Frankston City Council elections, as follows:
 - a. Exclusive use of meeting room 2 from 1/8/2016 to 30/11/2016;
 - b. Exclusive use of meeting room 1 from 5/9/2016 to 11/11/2016;
 - c. Use of whole venue, including the main hall, from 12/9/2016 to 11/11/2016;
 - d. Exclusive use of the lockable storage cupboards/rooms from 12/9/2016 to 30/11/2016.
2. three parking permits to be issued for use by election office staff from 1/8/2016 to 30/11/2016;
3. locks to be re-keyed as required to facilitate exclusive VEC access to the two meeting rooms and storage cupboards/rooms and staff work with existing hirers to minimise any impact where possible.
4. the resolution to be incorporated in the public minutes of this Meeting and for the report to be released.

The Motion was put and CARRIED unanimously

**C.2 Award of Contract No. 2015/16-62 - Olivers Hill Boat Ramp and Pier Works
(considered at OM286 – 26 April 2016)****Council Decision****Moved: Councillor Mayer****Seconded: Councillor Aitken**

That:

1. Council approves the acceptance of the tender from Australian Project Solutions Pty Ltd for *Contract 2015/16-62 - Olivers Hill Boat Ramp and Pier Works*.
2. Council notes that a project contingency will be reserved outside of the contract sum and vests authority in the Chief Executive Officer to authorise the payment of variations from that sum;
3. The Contract/s be signed and sealed; and,
4. The recommendation (without commercially sensitive information) be released by the next Ordinary Meeting of Council on Monday 16 May, 2016.

The Motion was put and CARRIED unanimously

**C.3 Frankston Regional Aquatic Centre Pty. Ltd. – Management Services Agreement
(considered at SP194 – 23 May 2016)****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That:

1. Council approves the Management Services Agreement.
2. The Council Seal be affixed to the Management Services Agreement.
3. The recommendation be released following the signing and sealing of Agreement.

Carried Unanimously

The Motion was put and CARRIED unanimously

C.4 Award of Contract No. 2015/16-47 Schedule of Rates Trade Services (considered at SP194 – 23 May 2016)**Council Decision****Moved: Councillor Aitken Seconded: Councillor Tayler**

That:

1. Council approves the acceptance of the tenders from the following companies, within the following trade services categories:

Category 1 – Builders and Fit Out Contractors

Legal Name
Liozou Design Construction and Engineering Pty Ltd
Unique Building Services Pty Ltd
Project Management and Construction Group Australia Pty Ltd
The Trustee for Total Trade Property Services Unit Trust
Cellstruct Industries Pty Ltd
Construct4 Building Group Pty Ltd

Category 2 – Cabinet Makers and Joiners

Legal Name
The Trustee for Total Trade Property Services Unit Trust
Project Management and Construction Group Australia Pty Ltd
Unique Building Services Pty Ltd

Category 3 – Carpet Laying Contractors

Legal Name
Project Management and Construction Group Australia Pty Ltd
Unique Building Services Pty Ltd
JJ Contract Carpets Pty Ltd

Category 4 – Electrical / Mechanical Contractors

Legal Name
Wallgates Pty Ltd
Commlec Services Pty Ltd
Hirotec Maintenance Pty Ltd
ACME Air Conditioning and Electrical
The Trustee for Total Trade Property Services Unit Trust

Category 5 – Painting Contractors

Legal Name
Enzel Pty Ltd
Paratodos C Pty Ltd
Unique Building Services Pty Ltd
Higgins Coatings Pty Ltd
Project Management and Construction Group Australia Pty Ltd

Category 6 – Plumbing Installation Contractors

Legal Name
R.E. Veale Plumbing Pty Ltd
The Trustee for Total Trade Property Services Unit Trust
Unique Building Services Pty Ltd
MCD Hydraulics (Vic) Pty Ltd
Bayside Gas Shop & Plumbing Pty Ltd
Project Management and Construction Group Australia Pty Ltd

Category 7 – Roofing Contractors

Legal Name
The Trustee for Total Trade Property Services Unit Trust
Bayside Gas Shop & Plumbing Pty Ltd
Project Management and Construction Group Australia Pty Ltd
Unique Building Services Pty Ltd

Category 8 – Tiling Contractors

Legal Name
The Trustee for Total Trade Property Services Unit Trust
Project Management and Construction Group Australia Pty Ltd
Unique Building Services Pty Ltd

and enters into a formal contract with individual tenderers for the provision of relevant Trade Services for Council building work via a schedule of rates panel contract. Please refer to Attachment A for this schedule.

2. Council approves the contract term of two (2) years. The contract is expected to commence on 1st May 2016.
3. Council authorises the Chief Executive Officer to sign each contract prior to sealing; and
4. The recommendation (without commercially sensitive information) be released by the next open meeting of Council following signing of all contracts.

The Motion was put and CARRIED unanimously

C.7 Contract 2015/16-66 - Debt Recovery Services (considered at OM288 – 6June 2016)**Council Decision****Moved: Councillor Cunial****Seconded: Councillor Mayer**

That:

1. Council approves the acceptance of the tender from Recoveries and Reconstruction (Aust) Pty Ltd for the *provision of external debt collection services* in accordance with the tendered schedule of rates (SOR).
2. For an initial period of three (3) years with extension options of two (2) x 1 years at Councils discretion.
3. Contract/s be signed by the Chief Executive Officer and sealed; and,
4. The recommendation (without commercially sensitive information) is released immediately following successful agreement and signing of the contract.

The Motion was put and CARRIED unanimously

C.4 Proposed Assignment of Lease - 4/1N Nepean Highway Seaford (Crackerjack Waterfront Cafe)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Taylor**

That Council:

1. Resolves to assign the Lease for the Crackerjack Waterfront Café, to Pine Grove Hotel (Vic) Pty Ltd.
2. Authorises the Chief Executive Officer to execute the requisite documentation to enable the transfer.
3. Authorises the release of the recommendation only to the public, and only after the execution of the Deed of Assignment by all parties.

The Motion was put and CARRIED unanimously

C.1 Appointment and Authorisation of Council Staff (considered at this meeting)**Council Decision****Moved: Councillor Mayer****Seconded: Councillor Aitken**

That:

1. Pursuant to the provisions of Section 147 (4) of the Planning and Environment Act 1987 (The Act), Council appoints the officer listed below to be an authorised officer for the purposes of The Act and the regulations made under The Act:
 - Keith Black (Practice Leader Statutory Planning)
2. The Instrument of Appointment and Authorisation in respect of the Officer listed above be signed and sealed.
3. This resolution is incorporated in the public minutes of this Meeting.

The Motion was put and CARRIED unanimously

C.10 Frankston Yacht Club - Licence Agreement (considered at this meeting)**Council Decision****Moved: Councillor Hampton****Seconded: Councillor Aitken**

That Council:

1. Authorises the Chief Executive Officer (or an authorised officer under the Instrument of Sub-Delegation) to execute the interim licence agreement signed by the Frankston Yacht Club on 1 July 2016 on the basis that the interim licence agreement generally complies with Council's resolution of 26 April 2016.
2. Agrees to release Council's resolution once the interim licence agreement has been fully executed.

The Motion was put and CARRIED unanimously

The meeting closed to the public at 10.35 p.m.

CONFIRMED THIS

DAY OF

2016

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. James Dooley, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday, 18 July 2016, confirmed on Monday, 8 August 2016.

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

Dated this

day of

2016