



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 19 DECEMBER 2016 at 7PM**

PRESENT	Cr. Brian Cunial (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Colin Hampton Cr. Michael O'Reilly Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Mr. Vito Albicini, Director Central Activity Area Ms. Liz Daley, Acting Director Community Development Mr. Michael Papageorgiou, Manager Planning & Environment Ms. Keith Black, Acting Coordinator Statutory Planning Mr. Brad Hurren, Manager Operations Mr. Byron Douglas, Coordinator Sport & Leisure Ms. Kristen Thomson, Communications Officer Media Ms. Vera Roberts, Executive Assistant to Mayor Ms. Andrea Gaynor, Executive Manager Mayor & CEO Office
EXTERNAL REPRESENTATIVES:	Nil


COUNCILLOR STATEMENT

Councillor Hampton 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

The Mayor, Cr Cunial read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Bolam 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.

MINUTE SILENCE

Cr Hampton informed the Gallery of the recent passing of a former Councillor and Mayor, Bill Parkin. The Mayor requested a one minute silence in respect of Mr Bill Parkin.

The Mayor noted that Mr Paul Edbrooke MP, Member of Frankston was in the Gallery.

The Mayor also noted that former Councillors Rebekah Spelman and Brad Hill were in the Gallery.

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1. PRESENTATION TO COMMUNITY GROUPS

At the direction of the Mayor, Cr Sandra Mayer presented a Certificate of Achievement to 3199 Frankston Beach Patrol for their ongoing support keeping Frankston Beach clean and beautiful for everyone to enjoy.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM294 held on 28 November 2016.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Toms

That the minutes of the Ordinary Meeting No. OM294 held on 28 November 2016 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

Cr Hampton declared that he has an interest in common on Item 12.11: Centenary Park Sporting Complex update and Item 13.2: NOM 1241 - Centenary Park Golf Course Committee and will stay in the Chamber for discussion and voting.

Cr Bolam declared an interest in Item C.1: Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2017. Cr Bolam indicated he would leave the chamber during discussion and voting. Cr Bolam stated that one of the nominees was known to him and that he had served on a Board with him up until six months ago.

5. PUBLIC QUESTION TIME

Four (4) 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 David Walsh made a submission to Council regarding Item 11.2: Town Planning Application 240/2016/P - To construct two (2) double storey dwellings, a front fence and removal of substantial vegetation - 40 Brighton Street, Frankston South;

Mr Sue Taylor made a submission to Council regarding Item 11.3: Town Planning Application 413/2016/P - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a front fence - 110 Kars Street, Frankston South;


Cr Aitken left the Chamber at 7.37 pm

Cr Bolam left the Chamber at 7.37 pm

Cr Bolam returned to the Chamber at 7.38 pm

Cr Aitken returned to the Chamber at 7.39 pm

Ms Shirley Hannan made a submission to Council regarding Item 12.11: Centenary Park Sporting Complex update;

Chairperson's initials 

Mr Paul Pelzer made a submission to Council regarding Item 12.11: Centenary Park Sporting Complex update;

Mr Trevor Robinson made a submission to Council regarding Item 12.11: Centenary Park Sporting Complex update;

Mr Ken Barton made a submission to Council regarding Item 12.11: Centenary Park Sporting Complex update and Item 13.2: NOM 1241 - Centenary Park Golf Course Committee;

Mr Aaron Tenabel made a submission to Council regarding Item 12.11: Centenary Park Sporting Complex update and Item 13.2: NOM 1241 - Centenary Park Golf Course Committee;

Cr Bolam left the Chamber at 8.02 pm

Ms Joyce Stocker made a submission to Council regarding Item 13.2: NOM 1241 - Centenary Park Golf Course Committee;

Cr Bolam returned to the Chamber at 8.07 pm

Mr Alan McNeil made a submission to Council regarding Item C.8: Sponsorship of City of Frankston Bowls Club

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Aitken

That Item 12.11: Centenary Park Sporting Complex update, Item 13.2: NOM 1241 - Centenary Park Golf Course Committee; Item 11.2: Town Planning Application 240/2016/P - To construct two (2) double storey dwellings, a front fence and removal of substantial vegetation - 40 Brighton Street, Frankston South and Item 11.3: Town Planning Application 413/2016/P - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a front fence - 110 Kars Street, Frankston South be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Cr Toms left the Chamber at 8.15 pm

Cr Toms returned to the Chamber at 8.17 pm

Council Decision

Moved: Councillor Hampton

Seconded: Councillor Aitken

That the joint letters received regarding the operation of Centenary Park Golf Course containing 346 signatures be accepted

Carried Unanimously

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

That the petition to build a footpath along Seaview Road, Frankston containing 248 signatures be received

Carried Unanimously**10. DELEGATES' REPORTS**

Nil

Cr Mayer left the Chamber at 8.17 pm

ITEMS BROUGHT FORWARD**12.11 Centenary Park Sporting Complex update***(DS Community Development)**Cr Mayer returned to the Chamber at 8.17 pm***Council Decision****Moved: Councillor Hampton****Seconded: Councillor Toms**

That Council:

1. Notes it is imperative for the relocation of Frankston Tennis Club ("FTC") to enable further expansion of the hospital and endorses Council's negotiations with them to continue.
2. Notes the Centenary Park Golf Club and operations have formally withdrawn from the Centenary Park Model.
3. Notes officers have advised Sport and Recreation Victoria that the Centenary Park Golf Club and golf course operations are no longer part of the funding application.
4. Notes that further discussions will be held with the Frankston Tennis Club and the Bayside Gymnastics Club regarding the future of the Centenary Park Sporting Complex project following the withdrawal of the Centenary Park Golf Club prior to any further work being undertaken on this project.

In conducting further discussions alternative options to the Centenary Park Golf Course be considered.

5. Officers report back to Council at its February 2017 meeting on the outcomes of discussions with the Frankston Tennis Club and the Bayside Gymnastics Club.

Carried Unanimously

13.2 NOM 1241 - Centenary Park Golf Course Committee

(AG Chief Executive Office)

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

That:

1. Council notes that the pro shop and golf course at Centenary Park remain as separate entities to the Centenary Park sporting complex.
2. A Committee of interested Councillors and appropriate officers be appointed to develop a future 10 year business plan for the Centenary Park Golf Course.
3. Regular reports be provided to Council on the development of the draft business plan including consultation undertaken with key stakeholders.
4. The final draft business plan be presented to Council for consideration and adoption by the end of 2017 at the latest.
5. Council notes that D&S Golf have previously been advised that their current contract will not be extended.
6. Notwithstanding the previous advice to D&S Golf, Council now advises D&S Golf that their current contract (expiry 30 June 2017) will now be extended to the 30 June 2018. This will allow for the development of the draft business plan for Centenary Park Golf Course and guarantee no interruption to the management and viability of the golf course.

Carried Unanimously

11.2 Town Planning Application 240/2016/P - To construct two (2) double storey dwellings, a front fence and removal of substantial vegetation - 40 Brighton Street, Frankston South

(MP Community Development)

The meeting was adjourned for two minutes at 8.42 pm

The meeting resumed at 8.45 pm

Cr Bolam left the Chamber at 8.47 pm

Cr Bolam returned to the Chamber at 8.51 pm

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

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 240/2016/P to construct two (2) double storey dwellings, a front fence and removal of substantial vegetation at 40 Brighton Street, Frankston South, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans identified as *Sheets 1-6 (inclusive), drawing number 15-089, prepared by Andrew Ferris Drafting and Design, dated May 2016, but modified to show:*
 - (a) Verandah (identified as pergola) and elevated alfresco surface to the rear of Dwelling 2 removed and replaced with landscaping.
 - (b) Visitor car space between Dwellings 1 and 2 removed and replaced with landscaping
 - (c) The setback of the alfresco area of Dwelling 2 increased to a minimum of two metres to east boundary.
 - (d) Increased side setback to west elevation of Dwelling 2 increased to provide zero encroachment of the tree protection zone of Tree 31.
 - (e) South facing upper floor setback of Bedroom 4 increased to reduce extent of overshadowing at 9 am on upper floor balcony of 42 Brighton Street.
 - (f) Freestanding trellis extended along the full extent of the rear boundary and east side in accordance with Condition 14.
 - (g) Freestanding trellis construction condition notated in accordance with Condition 15 on all relevant plans.
 - (h) Windows to Bedroom 3 and Bedroom 4 (Dwelling 2) to comply with Clause 55.04-7.
 - (i) Relocate clothesline and other structures from beneath canopies of trees being retained.
 - (j) Retaining walls and cut/fill within tree protection zone of Trees 30 and 31 removed.
 - (k) A landscape plan in accordance with Condition 3.
 - (l) All trees growing on the site and on the adjoining properties within 3m of the boundaries must be clearly illustrated on all relevant plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Arborist Report prepared by Constructive Arboriculture dated April 2016 and clearly state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.

- (m) The Tree Number, Tree Protection Zone and Structural Root Zone for all trees to be retained and the tree protection fence locations must be illustrated on all relevant plans to the satisfaction of the Responsible Authority.
- (n) Tree protection conditions noted in accordance with Conditions 5 and 6 on all relevant plans.
- (o) Ground protection conditions noted in accordance with Condition 7 on all relevant plans.
- (p) Tree Pruning conditions noted in accordance with Condition 8 on all relevant plans.

No Alterations

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

Landscaping

- 3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person 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 to be retained and/or removed;
 - (b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - (c) details of surface finishes of pathways and driveways, retaining walls and areas of cut and fill;
 - (d) 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;
 - (e) A planting theme of a minimum 20% indigenous, 40% native and 40% exotic within each plant group;
 - (f) landscaping to a minimum height of 1.5m to be incorporated along the south and north driveways.
 - (g) canopy trees to a minimum mature height of eight metres (minimum two metres tall when planted) in the following areas;
 - (i) Two (2) within the front setback.
 - (ii) Two (2) within the private open space of each dwelling
 - (iii) Two (2) between Dwellings 1 and 2 in place of visitor car space
 - (iv) *Eleocarpus reticulata* (Blueberry Ash) to be planted along the rear boundary (North West).

Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

Prior to Occupation

- 4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Tree Protection

- 5. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.

6. Prior to the commencement of the development (including demolition, excavation or vegetation removal), a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed around the T.P.Z. of retained trees reduced by the minimum amount necessary to construct approved works to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- a) Coarse mulch laid to a depth of 50-100 mm (excluding street trees).
- b) No vehicular or pedestrian access.
- c) The existing soil level must not be altered either by fill or excavation.
- d) The soil must not be compacted or the soil's drainage changed.
- e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- f) No storage of equipment, machinery or material is to occur.
- g) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible authority to tunnel beneath.
- h) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.
- i) Tree roots must not be severed or injured.
- j) Machinery must not be used to remove any existing concrete, bricks or other materials.

The tree protection fence must remain in place for the duration of building and works to the satisfaction of the Responsible Authority

Ground Protection

7. Prior to the commencement of construction the following tree protection conditions apply within the identified Tree Protection Zones for trees 27, 28 and 29 as identified in the arborist report prepared by Constructive Arboriculture dated April 2016. All tree protection conditions must be undertaken to the satisfaction of the Responsible Authority.
- a) No excavation works are permitted for the construction of the driveway.
 - b) To avoid compaction and damage to the tree trees a layer of organic mulch 200 mm thick must be laid with rumble planks/ crossing planks laid above the mulch prior to any construction vehicles accessing the site. This ground protection is to be maintained until the construction of the new driveway is completed.
 - c) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
 - d) No storage of equipment, machinery or material is to occur.
 - e) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the responsible authority to tunnel beneath.

- f) A tree protection fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at the closest point appropriate to the tree / at the property fence line if the existing property boundary fencing is to be removed. If no fencing can be safely erected then trunk and limb protection must be installed as per the Australian Standard AS 4970-2009 Protection of trees on development sites
- g) If machinery is used to remove existing structures, concrete, bricks or other materials it must be located outside of the defined Tree Protection Zones with ONLY the main arm of the machine reaching into this Zone.

Tree Pruning

8. All tree pruning is to be carried out by a qualified and experienced Arborist who has thorough knowledge of tree physiology and pruning methods. Pruning must be carried out in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees. Any pruning works required are to be undertaken prior to any construction works beginning on site. Any pruning of trees located on a neighbouring property should be undertaken in consultation with the property owner.

Drainage

9. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
10. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
- On-site stormwater detention
 - Rainwater tanks for harvesting and re-use of stormwater for laundry, toilet flushing, landscape irrigation, etc.
 - Soil percolation
 - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
11. Stormwater Drainage Outfall is to be constructed without detriment to downstream properties and to the satisfaction of the Responsible Authority. Detailed survey information is to be included into the design plans.
12. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority .
13. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
14. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.

Freestanding Trellis

15. Prior to the occupation of the development, a freestanding non transparent trellis must be erected above the existing fence on the eastern and northern boundary of the site to an overall height of 1.7 metres above finished floor level of Dwellings 1 and Dwellings 2 (as relevant), to restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

16. Holes required for the installation of freestanding trellis fence posts must be dug by hand within the Tree Protection Zone of all trees, including trees on neighbouring land. If significant tree roots (defined as roots greater than 40 mm in diameter) are located the position of the fencepost must be relocated elsewhere.

Urban Design

17. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
18. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
19. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
20. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

Satisfactorily Completed

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

Permit Expiry

22. 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:
- 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.

Carried Unanimously

11.3 Town Planning Application 413/2016/P - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a front fence - 110 Kars Street, Frankston South

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Notice of Decision to Grant a Planning in respect to Planning Permit Application number 413/2016/P to construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a front fence at 110 Kars Street Frankston South, subject to the following conditions:

Plans

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
 - a) The setbacks of both dwellings to Hoadley Avenue annotated on all the relevant plans.
 - b) The provision of a free standing trellis to the northern boundary of Dwelling 2 accordance with Condition 6 of this permit.
 - c) The sitting room (first floor) of Dwelling 2 to demonstrate compliance with Standard B22 of the Frankston Planning Scheme.
 - d) The provision of a gate access (1.8 metres high paling fence) to the rear of the carport for Dwelling 1.
 - e) All trees growing on the site and on the adjoining properties within 3m of the boundaries must be clearly illustrated on all relevant plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Arborist Report prepared by Constructive Arboriculture dated May 2016 and clearly state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.
 - f) The Tree Protection zones for all trees to be retained and the tree protection fence locations must be illustrated on all relevant plans to the satisfaction of the Responsible Authority.
 - g) Tree protection conditions noted in accordance with Conditions 7 and 8.
 - h) A Landscape Plan in accordance with Condition 5.

No Alterations

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

Satisfactorily Completed

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

Prior to Occupation

4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Landscaping

5. Before the commencement of buildings and works, a landscape plan 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 and those located within three (3) metres of the boundary of the site on adjoining properties, 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) buildings on neighbouring properties within three metres of the boundary;
 - c) 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;
 - d) 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;
 - e) a range of plant types from ground covers to large shrubs and trees;
 - f) landscaping and planting within all open areas of the site;
 - g) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - h) the provision of screen planting (minimum mature height of 1.5m) within a landscape strip of 60cm at the interface of the property boundary and driveway;
 - i) A planting theme of a minimum 60% indigenous, 40% native within each plant group;
 - j) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted;
 - k) the provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority:
 - (i) one within the front setback of dwelling 2 minimum mature height of 7m (upright habit)
 - (ii) one within the private open space of (all) dwellings minimum mature height 5m

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 planted must be in accordance with Australian Standard AS 2303-2015 Tree stock for landscape use to the satisfaction of the Responsible Authority..

Freestanding Trellis

6. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the eastern and northern boundary of the site to an overall height of 1.7 metres above finished floor level of Dwelling 2 (as relevant), to restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

Holes required for the installation of freestanding trellis fence posts must be dug by hand within the Tree Protection Zone of all trees, including trees on neighbouring land. If significant tree roots (defined as roots greater than 40 mm in diameter) are located the position of the fencepost must be relocated elsewhere.

Tree Protection

7. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.
8. Prior to the commencement of the development (including vegetation removal and demolition), a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at a radius of 6m from tree no. 1 Cedrus deodara, 2.4m from tree no. 12 no. 13 Cotoneaster and Persea amencana to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- a) Coarse mulch laid to a depth of 50-100 mm (excluding street trees).
- b) No vehicular or pedestrian access.
- c) The existing soil level must not be altered either by fill or excavation.
- d) The soil must not be compacted or the soil's drainage changed.
- e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- f) No storage of equipment, machinery or material is to occur.
- g) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible authority to tunnel beneath.
- h) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.
- i) Tree roots must not be severed or injured.
- j) Machinery must not be used to remove any existing concrete, bricks or other materials.

The tree protection fence must remain in place for the duration of building and works to the satisfaction of the Responsible Authority

Tree Pruning

9. All tree pruning is to be carried out by a qualified and experienced Arborist who has thorough knowledge of tree physiology and pruning methods. Pruning must be carried out in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees. Any pruning works required are to be undertaken prior to any construction works beginning on site. Any pruning of trees located on a neighbouring property should be undertaken in consultation with the property owner.

Prior to Occupation

10. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Drainage

11. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority .
12. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
13. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - a) On-site stormwater detention and rainwater tanks.
 - b) Soil percolation
 - c) Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
 - d) On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
14. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.

Urban Design

15. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
16. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
17. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.

Permit Expiry

18. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two years of the date of this permit.
 - b. 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.

Deferral Motion to another Council Meeting

Moved: Councillor Aitken

Seconded: Councillor Hampton

That the matter be deferred to the next meeting held on 30 January 2017 and to allow for a meeting with the applicant, resident, developer and Council officers to be held.

Carried Unanimously

11. CONSIDERATION OF TOWN PLANNING REPORTS

11.1 Town Planning Application 248/2016/P - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) - 84 Excelsior Drive, Frankston North

(MP Community Development)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 248/2016/P for construction of one (1) double storey dwelling to the rear of the existing dwelling at 84 Excelsior Drive, Frankston North, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans identified as *Sheets 1-6 (inclusive), drawing number 215264, prepared by Line Design, dated 5 August 2016*, but modified to show:
 - (a) Carport and associated concreting within the front setback removed.
 - (b) One carport provided to the rear of the existing dwelling.
 - (c) Proposed crossover to be no more than 3 metres wide.
 - (d) Notation of a corner splay in accordance with Clause 52.06 and Design Standard 1.
 - (e) Secluded private open space of Dwelling 2 increased to approximately 40 square metres.
 - (f) Schedule of all external materials, finishes, and colours.
 - (g) Freestanding trellis in accordance with Condition 9.
 - (h) Outdoor lighting in accordance with Condition 13.
 - (i) A landscape plan in accordance with Condition 3.

No Alterations

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

Landscaping

3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person 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 to be retained and/or removed;
 - (b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - (c) details of surface finishes of pathways and driveways, retaining walls and areas of cut and fill;
 - (d) 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;

- (e) A planting theme of a minimum 20% indigenous, 40% native and 40% exotic within each plant group;
- (f) landscaping to a minimum height of 1.5m to be incorporated along the south driveway.
- (g) canopy trees to a minimum mature height of five metres (minimum two metres tall when planted) in the following areas;
 - (i) One (1) within the front setback.
 - (ii) One (1) within the private open space of each dwelling

Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

Prior to Occupation

4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Drainage

5. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
6. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention
 - Rainwater tanks for harvesting and re-use of stormwater for laundry, toilet flushing, landscape irrigation, etc.
 - Soil percolation
 - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
7. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority .
8. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.

Freestanding Trellis

9. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the rear boundary (between garage and northern side boundary) and the north side boundary (to limit views from north facing sliding door and kitchen window) to an overall height of 1.7 metres above finished floor level of Dwelling 2, to restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

Urban Design

10. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.

11. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
12. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
13. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

Satisfactorily Completed

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

Permit Expiry

15. 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.

Carried

For the Motion: Crs Aitken, Bolam, Cunial, Mayer, McCormack, O'Connor,
O'Reilly and Toms

Against the Motion: Cr Hampton

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Appeal against Tree Protection Local Law decision - 44 Williams Street Frankston**

(MP Community Development)

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

That Council confirms the decision to refuse a permit for Tree removal at 44 Williams Street, Frankston.

Carried

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

Against the Motion: Crs Cunial, Hampton, Mayer and Toms

12.2 Woodland Precinct Local Area Traffic Management Study*(AW Community Development)***Council Decision****Moved: Councillor Hampton****Seconded: Councillor Mayer**

That Council:

1. Adopts the Recommended Traffic Management Plan for the Woodland Precinct as detailed in the report prepared by the traffic engineering consultant – Traffix Group Pty Ltd.
2. Undertakes specific consultation with property owners abutting the proposed traffic management measures at the design and implementation stage in relation to exact locations and design.
3. Liaises with VicRoads regarding potential improvements at all VicRoads arterial road and Council's major road intersections around the boundary of the Precinct.
4. Continues to promote the use of Crime Stoppers as an effective tool to reduce the incidence of irresponsible and anti-social driving behaviour in the local area.
5. Refers funding of \$800,000 to the 2017/18 and \$250,000 in 2018/19 capital works program to install all treatments in the Recommended Traffic Management Plan as outlined in Section 10 of the report prepared by Traffix Group Pty Ltd.
6. Monitors the Recommended Traffic Management Plan for a period of 12 months after its implementation.

Carried Unanimously

12.3 Foreshore Litter Bin Collection

(BH Community Development)

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

That Council:

1. Approves the temporary placement and collection of waste from an additional seventeen (17) mobile waste bins of 240 litre capacity at the foreshore over the peak collection period of 1 November through to the end of Easter holidays each year. Should Council approve the additional bins, they will be installed prior to 24 December 2016 at an additional cost of \$11,500;
2. Notes the 2017/2018 budget allows an additional \$16,878 for this revised service arrangement during future peak summer periods; and
3. Does not support Solar compacting bins and electronic bin sensors at this time.

Carried Unanimously

12.4 Weed Spraying Contract

(BH Community Development)

Recommendation (Director Community Development)

That Council:

1. Receives the report which responds to NOM 1218, lodged by Cr Aitken in respect to overspraying of nature strips. The report includes the instruction to spray per sub zone, requirements of contractors and the costs and safety of glysohate.
2. Supports continued treatment to protect Council's assets and the investment in their maintenance.
3. Notes information responding to NOM 1234 lodged by Councillor Mayer with regard to the use of herbicide and alternative treatments around childrens' playgrounds and preschools.
4. Continues to support the controlled use of herbicide in accordance with the Safety Data Sheets as attached.

Deferral Motion to another Council Meeting

Moved: Councillor Aitken

Seconded: Councillor Mayer

That the matter be deferred to gather further information prior to being brought back to Council in February 2017.

Carried Unanimously

12.5 Historic Drinking Fountain

(DS Community Development)

Recommendation (Director Community Development)

That:

1. The historic fountain in the memory of the Hon. Sir John Madden be installed near the Historic Gates in Plowman Place.
2. The cost of the installation of the historic fountain be funded through Council's current budget for open space infrastructure renewal.
3. Council assess the justification for heritage protection of the fountain once installed.

Deferral Motion to another Council Meeting

Moved: Councillor Aitken

Seconded: Councillor Hampton

That the matter be deferred.

Carried Unanimously

12.6 Submission - Infrastructure Victoria draft 30 year strategy

(VA CAA Development)

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

That:

1. Council endorses the submission sent to Infrastructure Victoria in October 2016 on their draft 30 year strategy;
2. Officers forward the submission to Infrastructure Victoria noting that the submission is now an adopted Council position;
3. A copy be forwarded to the Member for Dunkley, Mr Chris Crewther, MP, Member for Isaacs, the Hon. Mark Dreyfus QC, MP, Member for Frankston, Mr Paul Edbrooke, MP, Member for Carrum, Ms Sonya Kilkenny, MP and the Chair of the South East Melbourne Group and the Premier of Victoria, the Hon. Daniel Andrews MP, noting that the submission is now a Council position;
4. Council notes that the Strategy was tabled in the Victoria Parliament on Thursday 8th December 2016, which does not include the Electrification to Baxter as a project; and
5. Council advocate for the electrification to Baxter to be a prominent project for Victoria that should be incorporated into the Strategy.

Carried Unanimously

12.7 Submission - Level Crossing Removal Authority

(VA CAA Development)

Cr Hampton left the chamber at 9.48pm

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

That:

1. Council endorses the submission (Attachment A) to Level Crossing Removal Authority (LXRA) dated 30th October 2016;
2. Council confirms its position on preferred grade separation as follows:
 - I. **Seaford Road**, rail under road as previously requested;
 - II. **Skye/Overton Road**, rail under road as previously requested. Council requests that an engineering solution utilising siphons be fully investigated to manage the drainage flooding issues;
 - III. **Eel Race Road**, no change to the Level Crossing at Eel Race Road, Seaford with funding to be redirected to Council's strategic rail needs however Council's preferred option is rail under road if the LXRA's intention is still to proceed with road/rail separation. It is noted however that the rail over road at McLeod but Eel Race Road Closed option is in line with Council's preferred option;
3. Officers forward the submission to the Level Crossing Removal Authority noting that the submission is now an adopted Council position;
4. A copy be forwarded to the Minister for Public Transport, the Hon. Jacinta Allan, MP, Member for Dunkley, Mr Chris Crewther, MP, Member for Isaacs, the Hon. Mark Dreyfus QC, MP, Member for Frankston, Mr Paul Edbrooke, MP, Member for Carrum, Ms Sonya Kilkenny, MP, Public Transport Victoria and the Chair of the South East Melbourne Group noting that the submission is now a Council position;
5. Council continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road;
6. Council also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road; and
7. Frankston City Council looks forward to working cooperatively with the LXRA.

Carried

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

Against the Motion: Nil

Abstained: Toms

Absent: Hampton

The meeting was adjourned for 10 minutes at 9.50 pm

The meeting was resumed at 10.00 pm

12.8 Municipal Health and Wellbeing Plan 2013-2017 - Year Three Review

(LD Community Development)

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

That Council receives and notes the 2015-2016 Annual Review of the Municipal Health and Wellbeing Plan 2013-2017.

Carried Unanimously

12.9 Community Grants Program Review 2016 - Guidelines and Policy

(LD Community Development)

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

That Council:

1. Approves the Draft Community Grants Policy 2017-2021 for 4 weeks community consultation on Council's website from February 2017.
2. Approves the Draft Community Grants Guidelines (December 2016) for 4 weeks community consultation on Council's website from February 2017.

Carried Unanimously

12.10 Proposed Exchange of Council Land- 40R & Lakewood Boulevard Carrum Downs
(MC Corporate Development)**Council Decision****Moved: Councillor O'Reilly****Seconded: Councillor Hampton**

That Council:

1. Noted that there have been no public submissions received in accordance with s223 of the Local Government Act, in response to public notice of Council's intention to transfer part of the Council reserve at 40R Lakewood Boulevard in exchange for part of the adjoining land at 30 Lakewood Boulevard.
2. Resolves in accordance with s189 (2) (a) and (b) of the LGA to proceed with the proposal as advertised and authorise the Chief Executive Officer to do all things necessary including use of the City Seal on documents to affect the land exchange subject to the owner of 30 Lakewood Boulevard relocating the pedestrian path to the satisfaction of Council prior to the land exchange being finalised.

Carried Unanimously

12.12 Update - Proposed Parking Changes to Nepean Highway in the Vicinity of Quest Frankston on the Bay, Frankston

(GR Community Development)

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

That Council:

1. Notes the results of the CEO's discussions with PTV to discuss the use of alternative bus stops for accommodating the proposed new Skybus services.
2. Supports the proposed parking changes on Nepean Highway in the vicinity of Quest Frankston on the Bay to accommodate a pick-up and drop-off terminal for the SkyBus airport bus as outlined in the previous report to Council of 19 September 2016.
3. Requires SkyBus to fund the costs associated with the necessary parking changes (estimated to be \$7,000).
4. Notes two additional general parking bays space will become available in Beach Street following completion of the Young Street redevelopment works.

Carried Unanimously

13. NOTICES OF MOTION**13.1 NOM 1240 - Progress of Council Resolutions resulting from Notices of Motion**

(VR Chief Executive Office)

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

That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council's resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).

Carried Unanimously

13.3 NOM 1242 - Readable Size of Print

(AG Chief Executive Office)

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

That all Agendas and all other information circulated to Councillors be in a rationally readable size print.

Carried Unanimously

13.4 NOM 1243 - Pedestrian Crossing Fletcher Road

(CM Chief Executive Office)

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

That Council make representation to VicRoads to formalise a pedestrian crossing on Fletcher Road between the Police Station and Law Courts and Bayside Shopping Centre and that Council request Mr Paul Edbrooke MP, Member for Frankston to make appropriate representation on our behalf.

Carried Unanimously

13.5 NOM 1244 - Criminal Asset Forfeitures

(AG Chief Executive Office)

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

That Council writes to the Federal MP for Dunkley, Mr Chris Crewther, Federal Minister for Justice The Hon. Michael Keenan, State MP Mr Paul Edbrooke and State Minister for Justice The Hon. Martin Pakula, advocating that asset forfeitures for/from criminal proceeds be better channelled into the local communities (crime prevention programs, victim support programs, etc) where the proceeds of crime were claimed.

Carried Unanimously

13.6 NOM 1245 - Frankston Volunteer Coastguard

(AG Chief Executive Office)

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

That a report be provided to Council at the May 2017 Ordinary Meeting on non-marina / non-safe boat harbour options for the Frankston Volunteer Coastguard headquarters (HQ).

These options should include:

- Retrofitting of existing HQ;
- Wholesale reconstruction of existing HQ;
- Permanent and secure Mooring for the Coastguard's primary rescue vessel;
- Relocation of existing HQ to an existing venue; and/or
- Relocation of existing HQ to a newly constructed venue.

The report should consider local, state, federal and philanthropic funding routes for any of the above options plus total anticipated costs for the most viable long-term option.

Consultation should take place with the Executive of the Frankston Volunteer Coastguard, and the "most viable long-term option" explored within the context of this report must have the support of the organisation.

The Frankston Volunteer Coastguard organisation plays a crucial role in maritime rescues in our municipality and deserves the full ongoing support of council.

Carried Unanimously

13.7 NOM 1246 - Ongoing Delays on the Frankston Train Line

(AG Chief Executive Office)

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

That Council writes to State MP Mr Paul Edbrooke and State Transport Minister The Hon. Jacinta Allan calling on the State Government to provide fare reductions and/or fare credit for Frankston line commuters adversely impacted upon by ongoing scheduled works and unscheduled delays on the Frankston train line.

Given the regularity of such works/delays, the position of Council is that Frankston line commuters deserve fare relief for what is arguably the busiest train line in Victoria. The position of Council should also be referred to the South-East Melbourne Group of Council and the Association of Bayside Municipalities for consideration.

Motion be put**Moved: Councillor McCormack****Seconded: Councillor Mayer**

That the motion be put.

Carried

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

Against the Motion: Crs Hampton and Toms

**The Motion was then Put
And Carried**

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

Against the Motion: Crs Hampton and Toms

13.8 NOM 1247 - Briefing on Staff Related Matters with Reputational/Litigious Reverberations

(AG Chief Executive Office)

Cr McCormack left the Chamber at 10.43 pm

Cr McCormack returned to the Chamber at 10.44 pm

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

That the CEO is directed to conduct an urgent briefing for interested councillors in relation to internal staffing matters which have the potential for reputational and litigious damage to the city. The briefing should also cover the nature of contemporary staff redundancies / 'payouts'; and whether any redundancies / 'payouts' have been related to acrimonious work relationships (as opposed to structural changes).

Carried Unanimously

13.9 NOM 1248 - Gretana Park Karingal

(AG Chief Executive Office)

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

That Council make a formal submission to the State Government in relation to the restoration of the hard surface playing area at Gretana Park with a view to some form of assistance in funding and that a communication to Mr Paul Edbrooke MP, Member for Frankston be sent accordingly seeking his support.

That Council investigates the option of the sale of a portion of the site with the view of proceeds of the sale be reinvested into the Gretana Park.

Carried Unanimously**Procedural Motion****Moved: Councillor Mayer****Seconded: Councillor Hampton**

That the meeting be extended by 30 minutes.

Carried Unanimously

13.10NOM 1249 - Police Station in Langwarrin or Frankston North

(AG Chief Executive Office)

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

That Council writes to the (state) Minister for Police and the Victoria Police Commissioner vigorously advocating for increased police resources in both Langwarrin and Frankston North on the basis of geographical displacement from Central Frankston and increased localised crime.

Carried Unanimously

13.11 NOM 1250 - Re-founding of City Life

(AG Chief Executive Office)

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

That an emergency summit be held within four weeks of today's date (19 December 2016) to help facilitate the re-founding of City Life.

Attendees would include all interested Councillors, the City Life Executive and relevant Council officers.

Motion be put**Moved: Councillor McCormack****Seconded: Councillor Mayer**

That the motion be put.

Carried Unanimously**The Motion was then Put
And Carried**

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

Against the Motion: Cr Cunial

The meeting was adjourned by the Mayor at 11.30 pm to reconvene on Wednesday, 21 December at 6.00 pm

The meeting reconvened on 21 December 2016 at 6.03pm

Councillors Present: Mayor Brian Cunial
Cr Sandra Mayer
Cr Colin Hampton
Cr Steve Toms
Cr Lillian O'Connor

Officers Present: Mr Dennis Hovenden, Chief Executive Officer
Mr Tim Frederico, Director Corporate Development
Ms Liz Daley, Acting Director Community Development
Ms Natalie Cincotta, Coordinator Communications
Ms Andrea Gaynor, Executive Manager Mayor & CEO Office
Ms. Vera Roberts, Executive Assistant to Mayor

Deferral Motion to another Council Meeting

Council Decision

Moved: Councillor Hampton


Seconded: Councillor Toms

That the matters of:

- Item 13.12: NOM 1251 – Citywide Footpaths Audit
- Item 13.13: NOM 1252 - Cleanliness of Frankston City
- Item 13.14: NOM 1253 - Pines Men's Shed
- Item 13.15: NOM 1254 - Homelessness Count
- Item 13.16: NOM 1255 - Outstanding Notice of Motion's Backlog
- Item 13.17: NOM 1256 - Frankston History taught in Local Schools
- Item 13.18: NOM 1257 - Cameras at Belvedere Shopping Centre
- Item 13.19: NOM 1258 - Civic Reception for CFA Volunteers
- Item 13.20: NOM 1259 - Self Funded Retirees Eligibility for 'concession' discount on/for Frankston City Council Rates
- Item 13.21: NOM 1260 - Funding Oversight Rectification
- Item 13.22: NOM 1261 - Frankston 'Longest Lunch'
- Item 13.23: NOM 1262 - Assistance to generationally challenged community groups and community sporting clubs

be deferred to the next Ordinary Meeting of Council on 30 January 2016.

Carried Unanimously

Chairperson's initials 

14. LATE REPORTS

Nil.

15. URGENT BUSINESS

Nil.

16. CONFIDENTIAL ITEMS

Council Decision

Moved: Councillor Hampton

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 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2017

Agenda Item C.1 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2017 is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - July, August, September 2016

Agenda Item C.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - July, August, September 2016 is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.3 Landfill Services Contract Extension

Agenda Item C.3 Landfill Services Contract Extension is designated confidential as it relates to contractual matters (s89 2d)

C.4 Meals and Social Inclusion Program

Agenda Item C.4 Meals and Social Inclusion Program 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.5 Award of Contract 2016/17-17 - Construction of Ballam Park East Pavilion

Agenda Item C.5 Award of Contract 2016/17-17 - Construction of Ballam Park East Pavilion is designated confidential as it relates to contractual matters (s89 2d)

C.6 Award of Contract 2015/16-89 - Frankston Basketball Stadium Expansion

Agenda Item C.6 Award of Contract 2015/16-89 - Frankston Basketball Stadium Expansion is designated confidential as it relates to contractual matters (s89 2d)

C.7 Frankston Football Club Incorporated (under a Deed of Administration)

Agenda Item C.7 Frankston Football Club Incorporated (under a Deed of Administration) is designated confidential as it relates to contractual matters (s89 2d)

C.8 Sponsorship of City of Frankston Bowls Club

Agenda Item C.8 Sponsorship of City of Frankston Bowls Club is designated confidential as it relates to contractual matters (s89 2d)

C.9 Sand Sculpting as an Attraction

Agenda Item C.9 Sand Sculpting as an Attraction is designated confidential as it relates to proposed developments (s89 2e)

Carried Unanimously

17. OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**C.6 Award of Contract 2016/17-6 - Supply & Deliver One New High Pressure Drain Truck Unit (considered at OM292 – 29 August 2016)****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That Council:

1. Accepts the tenderer and agrees to award R.A Bell & Company Pty Ltd (ABN: 26 306 957 261) contract for the supply of one (1) High Pressure Drain Truck Unit
2. The Contract/s be signed and sealed; and
3. The recommendation (without commercially sensitive information) is released at the next available Ordinary meeting.

The Motion was put and Carried Unanimously

The meeting closed to the public at 6.05 p.m.

CONFIRMED THIS

DAY OF

2017

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Brian Cunial, Chairperson – Council Meeting hereby authorise the use of a stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday, 19 December 2016 and reconvened on Wednesday, 21 December 2016, confirmed on Monday, 30 January 2017.

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(Cr. Brian Cunial, Chairperson – Council Meeting)

Dated this

day of

2017