MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 23 APRIL 2018 at 7.01PM

PRESENT
Cr. Colin Hampton (Mayor)
Cr. Sandra Mayer
Cr. Glenn Aitken
Cr. Brian Cunial
Cr. Michael O’Reilly
Cr. Steve Toms
Cr. Quinn McCormack
Cr. Kris Bolam
Cr. Lillian O’Connor

APOLOGIES: Ms. Prue Digby, Municipal Monitor
ABSENT: Nil.

OFFICERS:
Mr. Dennis Hovenden, Chief Executive Officer
Mr. Tim Frederico, Director Corporate Development
Dr. Gillian Kay, Director Communities Development
Mr. Phil Cantillon, Director Community Assets
Mr. Michael Papageorgiou, Manager Planning & Environment
Ms. Kate Jewell, Executive Manager Frankston Revitalisation
Ms. Kim Jaensch, Manager Financial & Corporate Planning
Mr. Taylor McVean, Communications Officer Social Media
Ms. Michelle Tipton, Coordinator Council Business Support
Ms. Vera Roberts, Executive Assistant to Mayor

EXTERNAL REPRESENTATIVES: Nil

COUNCILLOR STATEMENT

Councillor O’Connor 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

[Signature]
At the request of the Mayor, Councillor Cunial read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Bolam acknowledged the Boon Wurrung and Bunurong peoples – the traditional custodians of the land on which we stand and recognised all Aboriginal and Torres Strait Islander peoples who have given to Australia’s identity – from the past, into the present and for the future.
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1. PRESENTATION TO COMMUNITY GROUPS
The Mayor presented Certificates of Appreciation to the Principals and students of Elisabeth Murdoch College and Langwarrin Primary School for their recent efforts in fundraising on behalf of the Good Friday appeal.
250 students and 50 volunteers including teachers participated in the iCan Challenge walking from Albert Park Lake to the Frankston Foreshore.

This year’s target was to raise $70,000 but the actual amount raised was $147,769.71 and the funds were directed to the Cardiac Unit at the Royal Children’s Hospital.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
Ordinary Meeting No. OM4 held on 3 April 2018.

Council Decision
Moved: Councillor O’Connor Seconded: Councillor Cunial
That the minutes of the Ordinary Meeting No. OM4 held on 3 April 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES
Cr Aitken has advised the Mayor that he would be arriving late due to other commitments.

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST
Cr Cunial declared an interest in Confidential Item C.6: Centenary Park Golf Course Expression of Interest as he is a temporary board member of Peninsula Leisure. Cr Cunial will remain in the chamber during discussion and voting.

Cr Mayer declared an interest in Confident Item C.7: Home and Community Care (HACC) Review as Cr Mayer is employed by a provider. Cr Mayer will leave the chamber during debate and voting.

The Chief Executive Officer, Dennis Hovenden, declared an interest in Confidential Item C.9: Chief Executive Officer Key Performance Indicators for 2017/2018. The CEO advised that he will remain in the chamber during debate and discussions.

The Mayor, Cr Hampton declared an interest in Item 12.5: Outbound Delegation to Sister City - Susono, Japan. The Mayor advised he will remain in the chamber for discussion and voting.

5. PUBLIC QUESTION TIME
There are no questions With or Without Notice.

6. HEARING OF PUBLIC SUBMISSIONS
Ms. Elizabeth Murphy made a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;
Mr Noel Tudball made a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;

Mr Kerryn Shade made a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;

Mr David Maloney made a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;

Judge make a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;

The Mayor acknowledge the former Mayor, James Dooley and the 2018 Senior Citizen of the Year, Ms Hilary Poad.

Ms Karin Carter made a submission to Council regarding Item 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones;

Councillor Bolam left the chamber at 7:32 pm.

Councillor Bolam returned to the chamber at 7:34 pm.

Mr Peter Patterson made a submission to Council regarding Item 12.5: Outbound Delegation to Sister City – Susono, Japan;

Ms Robin Amos made a submission to Council regarding Item 14.1: 2018/NOM19 – Paid parking at Sherlock and Hay Car Park;

Ms Robin Amos made a submission to Council regarding Item 14.2: 2018/NOM20 – Traffic Calming options at the top of Balmoral Street.

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Cunial Seconded: Councillor Toms

That Items:

- 11.1: Final Draft ‘Refresh’ Frankston Housing Strategy 2017 – Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones
- 12.5: Outbound Delegation to Sister City – Susono, Japan
- 14.1: 2018/NOM19 – Paid parking at Sherlock and Hay Car Park; and

be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil
9. PRESENTATION OF PETITIONS AND JOINT LETTERS

General Motion

Council Decision

Moved: Councillor Cunial Seconded: Councillor Toms

That the following petitions were presented to Council:

- Cr Cunial tabled a petition relating to the confidential Item C.6: Centenary Park Golf Course Expression of Interest containing 103 signatures.
- Cr Toms tabled a petition containing 1362 signatures on behalf of Beach 162 in support of increasing the patronage.
- Cr McCormack tabled a petition containing 46 signatures to reject 2 of 3 structures pertaining to a planning application at 3 McLean Court, Frankston South.

Carried Unanimously

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

Against the Motion: Nil

Abstained: Cr Bolam

10. DELEGATES' REPORTS

Nil
ITEMS BROUGHT FORWARD

11.1 Final Draft 'Refresh' Frankston Housing Strategy 2017 - Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones

(RL Community Development)

Recommendation (Director Community Development)

That Council:

2. Authorises officers to write to the Minister for Planning to request authorisation to prepare and exhibit a planning scheme amendment to implement the recommendations of the Housing Strategy into the Frankston Planning Scheme.
3. Endorses the Implementation Plan.

Deferral Motion to another Council Meeting

Moved: Councillor Cunial               Seconded: Councillor McCormack

That the matter be deferred to the next Ordinary Meeting, 14 May 2018 to allow for a briefing of interested Councillors.

Carried Unanimously
12.5 Outbound Delegation to Sister City - Susono, Japan

(DH Chief Executive Office)

**Council Decision**

Moved: Councillor Mayer Seconded: Councillor Toms

That Council authorises the Mayor’s attendance as a part of the outbound delegation to its sister city, Susono, Japan during the period September 2018 on the basis that the airfare and accommodation costs will be personally met by the Mayor.

Carried

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

Against the Motion: Nil

Abstained: Cr McCormack
14.1 2018/NOM19 - Paid parking at Sherlock and Hay Car Park
(MT Chief Executive Office)

**Council Decision**

Moved: Councillor Toms  
Seconded: Councillor Bolam

That the Chief Executive Officer (CEO) provides a report to the May Ordinary Council Meeting on the feasibility, issues and cost benefits, including increased revenue of the rear section of the Sherlock and Hay car park reverting back to two hour paid parking, for the duration of the Frankston Train station works, in lieu of all day parking as present, to assist the shopping public and traders alike following the loss of other car parks due to the Frankston station redevelopment works.

**Extension of Time**

Moved: Councillor McCormack  
Seconded: Councillor Bolam

That Cr Toms be granted an extension of time.

Carried Unanimously

Cr Aitken entered the Chamber at 8.20 pm

The Motions was then Put and Lost

For the Motion: Crs Aitken, McCormack and Toms
Against the Motion: Crs Bolam, Cunial, Hampton, Mayer, O’Connor and O’Reilly
14.2 2018/NOM20 - Traffic calming options at the top of Balmoral Street, Frankston

(MT Chief Executive Office)

Councillor Recommendation

That Council writes to the State Member for Frankston, Paul Edbrooke MP, the Federal Member for Dunkley, Chris Crewther MP, State Minister for Public Transport the Hon Jacinta Allan MP, State Minister for Roads the Hon Luke Donnellan MP, State Minister for Small Business and Innovation the Hon Phillip Dalidakis MP, and State Opposition Leader the Hon Mathew Guy MP, requesting that Vic Roads investigates and/or reinstates the roundabout or alternatively implement other traffic calming options at the top of Balmoral Street in the Frankston CAD to ease traffic congestion from Young Street, Frankston.

Cr Toms sought leave to amend his Notice of Motion.

Councillor Bolam left the chamber at 8:25 pm.

Council Decision

Moved: Councillor Toms  Seconded: Councillor Aitken

That Council works with VicRoads to monitor the traffic operations of the Balmoral and Young Streets intersection in the Frankston CAD over a period of three months and that a report be presented to Council on the findings.

Carried

For the Motion:  Crs Aitken, Hampton, Mayer, McCormack, O'Connor and Toms
Against the Motion:  Cr O'Reilly
Abstained:  Cr Cunial
Absent:  Cr Bolam

Councillor Bolam returned to the chamber at 8:27 pm.
11. CONSIDERATION OF TOWN PLANNING REPORTS

11.2 Town Planning Application 328/2017/P - Use and construction of four (4) double storey dwellings - 19 O'Grady Avenue, Frankston

(HF Community Development)

Council Decision

Moved: Councillor O'Reilly Seconded: Councillor Toms

That Council resolves to issue a Notice of Decision to Grant a Planning in respect to Planning Permit Application number 328/2017/P for the use and construction of four (4) double storey dwellings at 19 O’Grady Avenue, Frankston, 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 but modified to show:

(a) The finished floor levels (ground floor) at 4.00 metres Australian Height Datum (AHD) minimum. Any building height increase must be no greater than 150mm.

(b) The finished surface levels to Australian Height Datum (AHD) for private open space areas located along the northern and western sides of dwellings.

(c) Vehicles reversing from the garage to Dwelling 4 can easily manoeuvre to exit the site in a forward direction, requiring the garage to Dwelling 3 being moved back further towards the side western boundary.

(d) Shading devices provided to north and west facing habitable room windows.

(e) Notation that new 1.8 metre high side and rear boundary fencing is to be provided at the cost of the permit holder.

(f) A freestanding trellis (maximum 25% openings) erected 500mm above the top of the 1.8 metre high rear northern boundary fence adjacent to the main living areas of Dwellings 3 and 4.

(g) Landscaping requirements of Condition 3.

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.

Landscape Plans

3. 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) The tree number, Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and notations regarding protection methods during construction of retained trees;

c) Buildings on neighbouring properties within three metres of the boundary;

d) 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;

e) 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;

f) A range of plant types from ground covers to large shrubs and trees;

g) Landscaping and planting within all open areas of the site.

h) Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);

i) 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

j) A planting theme of a minimum 20% indigenous and 40% native within each plant group;

k) 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.

l) 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) Two (2) within the front setback minimum mature height of 10m.

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

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.

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged trees are to be replaced.

Drainage

5. The stormwater Legal Point of Discharge is to the existing 225mm Frankston City Council drain located within the rear easement.
6. 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.

7. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
   - On-site stormwater detention and rainwater tanks.
   - Soil percolation
   - Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
   - On-site ‘bio-treatment’ to reduce dissolved contaminants and suspended solids.

8. Existing Stormwater Drainage Outfall within the drainage easement at the rear of the property must be replaced with a minimum 300mm RRJ, RCP, (Rubber Ring Jointed Reinforced Concrete Pipe) from the existing Pit in 21 O’Grady Avenue to the sites western boundary in accordance with Frankston City Council standards and specifications to the satisfaction of the responsible Authority.

9. 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.

10. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.

11. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.

12. Prior to occupation of the dwellings hereby permitted by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths 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; and
   d. Drained and maintained to the satisfaction of the Responsible Authority.
   e. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

13. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

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

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

Chairperson’s initials
Urban Design

14. 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.

15. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.

16. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.

17. 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

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

Permit Expiry

19. This permit will expire if one of the following circumstances applies:
   - The development 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 Planning Permit Application 188/2017/P - 30 Fulmar Street, Carrum Downs - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)

(MP Community Development)

**Council Decision**

**Moved:** Councillor Mayer  
**Seconded:** Councillor O'Reilly

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 188/207/P to construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) at 30 Fulmar Street, Carrum Downs, subject to the following conditions:

**Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:

   (a) Measurements of the tandem car spaces; being 2.6m x 4.9m.

   (b) The finished surface levels of secluded private open space area to Australian Height Datum (AHD).

   (c) The side and rear boundary fencing to a height 1.8m; this may be achieved by providing either new fencing or screening to a height of 1.8m above the existing fence in the form of an independent structure adjacent to the fence.

   (d) Deletion of the car parking space located at the front of the subject property within the nature strip.

   (e) Pedestrian sight splay shown for the northern and southern side of the proposed access way in accordance with Design Standard 1 of Clause 52.06-9 of the Frankston Planning Scheme.

   (f) Notation of the Country Fire Authority requirements in accordance with Condition 16.

   (g) A Landscape Plan in accordance with Condition 3

**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.

**Landscape Plans**

3. 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 the landscape strip located between the northern property boundary and driveway.

i) A planting theme of a minimum 20% indigenous and 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.

l) 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) Two (2) within the front setback minimum mature height of 10m.

   (ii) One (1) within the secluded private open space of Dwelling 2.

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

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.

5. 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.

6. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:

   • On-site stormwater detention and rainwater tanks.
   • Soil percolation
   • Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
• On-site ‘bio-treatment’ to reduce dissolved contaminants and suspended solids.

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.

9. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.

10. Prior to occupation of the dwellings hereby permitted by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths 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; and
   d) Drained and maintained to the satisfaction of the Responsible Authority.
   e.) Car spaces, access lanes and driveways must be kept available for these purposes at all times.

11. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

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

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

Urban Design

12. 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.

13. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.

14. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.

15. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
CFA Requirements

16. Before the development starts, a bushfire management plan must be submitted to and endorsed by the Responsible Authority. The plans must show the following bushfire mitigation measures, unless otherwise agreed in writing by the CFA and the Responsible Authority:
   
a) Defendable space
   Show an area of defendable space for a distance to the property boundary where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
   
   • Grass must be short cropped and maintained during the declared fire danger period.
   • All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
   • Within 10 metres of a building, flammable objects must not be close to the vulnerable parts of the building.
   • Plans greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
   • Shrubs must not be located under the canopy of trees.
   • Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
   • Threes must not overhang or touch any elements of the building.
   • The canopy of trees must be separated by at least 5 metres.
   • There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
   
b) Construction standards
   Nominate a minimum Bushfire Attack Level of BAL 12.5 that the building will be designed and constructed.

Satisfactorily Completed

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

Permit Expiry

18. 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
11.4 March 2018 Town Planning Progress Report

(MP Community Development)

Council Decision

Moved: Councillor Mayer               Seconded: Councillor Toms

That Council receives and notes the March 2018 Town Planning Progress Report.

Carried Unanimously
12. CONSIDERATION OF REPORTS OF OFFICERS

12.1 Resolution Progress Update

*(MC Corporate Development)*

**Council Decision**

Moved: Councillor McCormack  Seconded: Councillor Toms

That Council:

1. Receives the Notices of Motion Report as at 23 April 2018.

2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
   - NOM 1341 - Anti-Truancy Strategy
   - NOM 1342 - Mayor's Role of Speaking in Ordinary Meetings of Council
   - 2018/NOM1 - Visitor Information Centre

3. Notes that since 21 March 2018, 24 resolutions have been completed, as detailed in the Notices of Motion Report.

4. Notes that the reports listed below will not be presented back to Council by their advised dates and that a detailed explanation is provided in the body of the report.
   - Procurement Policy
   - Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)
   - Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)
   - Response to NOM 1384 - Citywide Summit

**Carried Unanimously**
12.2 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - January, February, March 2018

(LD Community Development)

Council Decision

Moved: Councillor Mayer  Seconded: Councillor O'Reilly

That Council notes the funding allocations made under delegated powers, relating to grants in the Miscellaneous Grants Program, and community concessions and discounts in the Frankston Arts Centre.

Carried Unanimously
12.3 Station Street Upgrade - Final Concept Plan
(KJ CAA Development)

**Council Decision**

Moved: Councillor Toms  
Seconded: Councillor Mayer

That Council:
1. Endorses the final concept plans and design report.
2. Agrees to progress the project to detailed design.

*Carried Unanimously*
**12.4 Draft Annual Budget 2018-2019**  
*(KJ Corporate Development)*

**Council Decision**

Moved: Councillor Bolam  
Seconded: Councillor Mayer

That Council resolves to endorse the proposed Annual Budget 2018-2019 for public notice as follows:

1. Council consider a matter referred to the draft Annual Budget 2018-2019 for additional funding allocation:
   - Council endorses the approval of funding for the costs associated with the introduction of increased Local Laws Authorised Officers during peak day time hour of $300K labour costs per annum at current costs and $62,971 for purchase of a vehicle with $14,180 recurrent for its operation.


4. The Chief Executive Officer, or such other person that the Chief Executive Officer selects for the purpose of giving effect to this resolution, be authorised to give public notice of the preparation of the proposed Annual Budget 2018-2019 in accordance with Section 129(1) of the *Local Government Act* 1989, noting the dates for public notice are from Saturday 28 April 2018 to Friday 25 May 2018.

5. That Council invites submissions on any proposal contained in the proposed Annual Budget 2018-2019 in accordance with 129(2) of the *Local Government Act* 1989 and notes that submissions will be considered at a meeting of Council to be held on Monday 4 June 2018 at 6.00pm at the Civic Centre, Davey Street, Frankston.

6. That subject to changes to the proposed Annual Budget 2018-2019 after consideration of all submissions, the Proposed Annual Budget 2018-2019 be presented for adoption as the Annual Budget 2018-2019, in accordance with Section 130(1) of the *Local Government Act* 1989, at a special meeting of Council to be held on Tuesday 12 June 2018 at the Civic Centre, Davey Street, Frankston.

**Carried Unanimously**
12.6 Delegates Report by Cr Bolam and Cr McCormack - Company Directors Course
Learning Outcomes

(MT Chief Executive Office)

Council Decision

Moved: Councillor Cunial  Seconded: Councillor O'Connor

That Council receives the Delegates Report from Councillor Kris Bolam and Councillor Quinn McCormack for their attendance at the Australian Institute of Company (AICD) Company Directors Course from 6 December 2017 to 12 December 2017 (inclusive) and notes the suggestions contained within the Officer’s Assessment section of the Council Report.

Carried Unanimously
13. RESPONSE TO NOTICES OF MOTION

13.1 Response to NOMs 1252 & NOM 1265 - Cleanliness of the City

(LR Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes NOM 1252 was withdrawn by Council in January 2017 and replaced with NOM 1265 in January 2017, including those additional resolutions added at the Ordinary Meeting 301 on 22 May 2017.

2. Notes the attached summary of Council decisions in relation to NOM 1252 and NOM 1265 and the actions and comments provided by officers within the attached document that have been presented to Councillors in previous reports and briefings. (Attachment A)

3. Adopts the trialled Model of Maintenance Standards for Open Space as outlined in Attachment G as the optimal and most cost effective regime of maintenance and supports two additional roadside mows at a cost of $37,700 per annum, which if endorsed by Council, will be referred to the 2018/19 mid-year budget review for consideration.

4. Notes $130K was approved by Council at the 2017/18 mid-year budget review to continue the current service trial to manage abandoned shopping trolleys. Due to the deferral of the report responding to the Cleanliness and presentation NOMs referral of the $140,000 required to maintain this service has not been referred to the 2018/19 budget for consideration. Officers recommend that should Council endorse continuation of the service next financial year the costs be referred to the 2018/19 mid-year budget review.

5. Supports the ‘Dealing with Litter and Illegally Dumped Rubbish Procedures’ and notes that these procedures address a submission titled ‘Possible Initiatives to Rid the City of Rubbish’. (Attachment B) The have been in operation with good results being achieved.

6. Notes detailed KPIs are reported and monitored highlighting the considerable success of the Operations Centre and the Community Safety Departments in their efforts to improve the cleanliness and presentation of the city refer Attachment H.

7. Notes a Best Street Awards Program is not recommended at this time. Further work can be done should Council wish to consider it in the drafting of the 19/20 budget process.

8. Notes that Officers recommend continuation of current practice in regards to application of the Local Law in respect unsightly/ dilapidated and unsafe properties throughout the municipality.

Council Decision

Moved: Councillor Bolam
Seconded: Councillor Cunial

That Council:

1. Notes NOM 1252 was withdrawn by Council in January 2017 and replaced with NOM 1265 in January 2017, including those additional resolutions added at the Ordinary Meeting 301 on 22 May 2017.
2. Notes the attached summary of Council decisions in relation to NOM 1252 and NOM 1265 and the actions and comments provided by officers within the attached document that have been presented to Councillors in previous reports and briefings. (Attachment A)

3. Adopts the trialled Model of Maintenance Standards for Open Space as outlined in Attachment G as the optimal and most cost effective regime of maintenance and supports two additional roadside mows at a cost of $37,700 per annum, which if endorsed by Council, will be referred to the 2018/19 mid-year budget review for consideration.

4. Notes $130K was approved by Council at the 2017/18 mid-year budget review to continue the current service trial to manage abandoned shopping trolleys. Due to the deferral of the report responding to the Cleanliness and presentation NOMs referral of the $140,000 required to maintain this service has not been referred to the 2018/19 budget for consideration. Officers recommend that should Council endorse continuation of the service next financial year the costs be referred to the 2018/19 mid-year budget review.

5. Supports the 'Dealing with Litter and Illegally Dumped Rubbish Procedures' and notes that these procedures address a submission titled 'Possible Initiatives to Rid the City of Rubbish'. (Attachment B) The have been in operation with good results being achieved.

6. Notes detailed KPIs are reported and monitored highlighting the considerable success of the Operations Centre and the Community Safety Departments in their efforts to improve the cleanliness and presentation of the city refer Attachment H.

7. Endorses the development of a 'Best Street' award program, applicable to all suburbs within the municipality, to promote behaviour change and pride in streets and neighbourhoods. Costs are to be referred to the 2018/2019 Midyear Budget pending a briefing of council on the proposed execution of this program.

8. Notes that Officers recommend continuation of current practice in regards to application of the Local Law in respect unsightly/ dilapidated and unsafe properties throughout the municipality.

9. Endorses the preparation of large bin stickers warning against rubbish dumping. These can be supplied to interested residents to affix to their bins. Officers can also affix stickers to bins in streets that are identified hotspots in the municipality. Costs are to be referred to the 2018/2019 Annual Budget;

10. Provides a report to the June Ordinary Meeting on the ‘lessons learnt’ from the Carrum Downs / Frankston North fires in January (including any recommendations for further emergency management and bushfire mitigation initiatives). The report should also consider how the State Government intends to rehabilitate and/or replace flora and fauna damaged as a result of January’s bushfire;

11. Writes to VicTrack and VicRoads expressing concerns about the increase in graffiti at local railway stations, bridges, overpasses, underpasses and sound-walls. The Council requests that graffiti at such locations be efficiently and effectively removed; and

12. Continues lobbying the State Government and its government departments to improve the cleanliness and management of respective state sites within the municipality. The Council is to continue advocating for an invoice program (where Frankston City Council will undertake maintenance works on state land in exchange for quick invoice turnover and at no financial disadvantage to Council).

Carried Unanimously
13.2 Response to NOM 1392 - Frankston Pines Football (Soccer) Club Redevelopment
(LD Community Development)

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

That Council:

1. Notes that prior to the announcement of State Government funding the Frankston Pines Football Club had not been a programmed capital works priority. Should Council prioritise this project other programmed capital projects will be reviewed with the potential for subsequent rescheduling delays of existing capital works priorities.

2. Notes action taken following the announcement of funding to the Pines Football Club for infrastructure works; and

3. Explores all opportunities for additional funding from State and Federal Government and the club to meet any funding shortfall.

Carried Unanimously
14. NOTICES OF MOTION

14.3 2018/NOM21 - Economic Resilience Package II

*VR Chief Executive Office*

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

That:

1. A report be provided at the June Ordinary Meeting on the creation of economic development scorecards to be reported to Council quarterly to determine economic prosperity in the municipality as is practiced by the Townsville City Council;

2. The same report is to consider resourcing and funding for the purpose of a widespread municipal-wide job creation campaign to attract new businesses and new industries to the municipality;

3. The same report is to determine whether any additional position/s are required in either the Event Attraction team and/or Economic Development team.

4. The same report is to explore Council and State Government funding for workshops and one-on-one business mentoring for local businesses and industries insofar growing trade and investment opportunities abroad (as is practiced at Swan Hill City Council)

5. Officers establish and nurture strong working relations with State Government Officers (particularly those within Invest Victoria) to ensure that Frankston City is forefront as an investment destination for appropriate international businesses seeking to invest in Victoria.

**Carried Unanimously**
15. LATE REPORTS

Nil.

16. URGENT BUSINESS

Urgent Business

Council Decision

Moved: Councillor Mayer  Seconded: Councillor McCormack

That the matter of Leave of Absence of Cr O'Reilly be accepted as urgent business.

Carried Unanimously

Leave of Absence

Council Decision

Moved: Councillor Mayer  Seconded: Councillor McCormack

That Leave of Absence be granted to Cr Michael O'Reilly for the period of 1 May to 31 May 2018 (inclusive).

Carried Unanimously
17. CONFIDENTIAL ITEMS

**Council Decision**

Moved: Councillor Cunial  
Seconded: Councillor O’Connor

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

**C.1 Review of Reconstruction of Carrum Downs Oval No 1**

Agenda Item C.1 Review of Reconstruction of Carrum Downs Oval No 1 is designated confidential as it relates to legal advice (s89 2f)

**C.2 Award of Contract 2017/18-67 - Warrandyte Road Construction (Southern Section) - Golf Links Road to 440 metres North, Langwarrin South**

Agenda Item C.2 Award of Contract 2017/18-67 - Warrandyte Road Construction (Southern Section) - Golf Links Road to 440 metres North, Langwarrin South is designated confidential as it relates to contractual matters (s89 2d)

**C.3 Award of Contract 2017/78 – Supply and Installation of Sports Lighting at AFL Football Ovals 1, 2 and 3 at Belvedere Reserve**

Agenda Item C.3 Award of Contract 2017/78 – Supply and Installation of Sports Lighting at AFL Football Ovals 1, 2 and 3 at Belvedere Reserve is designated confidential as it relates to contractual matters (s89 2d)

**C.4 Frankston Charitable Fund Committee of Management Appointment**

Agenda Item C.4 Frankston Charitable Fund Committee of Management Appointment 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 2017/18-71 – Frankston Waterfront Playground Redevelopment Works**

Agenda Item C.5 Award of Contract 2017/18-71 – Frankston Waterfront Playground Redevelopment Works is designated confidential as it relates to contractual matters (s89 2d)

**C.6 Centenary Park Golf Course Expression of Interest**

Agenda Item C.6 Centenary Park Golf Course Expression of Interest is designated confidential as it relates to contractual matters (s89 2d)

**C.7 Home and Community Care (HACC) Review**

Agenda Item C.7 Home and Community Care (HACC) Review 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.8 Appointment of new Ballam Park Advisory and Heritage Assets and Promotion Committee members
Agenda Item C.8 Appointment of new Ballam Park Advisory and Heritage Assets and Promotion Committee members 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.9 Chief Executive Officer Key Performance Indicators for 2017/2018
Agenda Item C.9 Chief Executive Officer Key Performance Indicators for 2017/2018 is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

Signed by the CEO
The meeting was closed to the public at 8.52 pm

CONFIRMED THIS DAY OF 2018

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CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Colin Hampton, 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 23 April 2018, confirmed on Monday 14 May 2018.

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(Cr. Colin Hampton, Chairperson – Council Meeting)

Dated this day of 2018