COUNCILLOR STATEMENT

Councillor Toms 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.”
Councillors McCormack and Aitken entered the chamber at 7.02 pm

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor McCormack 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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14 May 2018

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1. PRESENTATION TO COMMUNITY GROUPS
   The Mayor acknowledged and thanked all the volunteers in the Frankston municipality for their efforts. There are 17,000 volunteers who contribute more than 40,000 hours each year to the Frankston community. All volunteers play an integral role in our community.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
   Ordinary Meeting No. OM5 held on 23 April 2018.
   **Council Decision**
   Moved: Councillor O'Connor                      Seconded: Councillor Toms
   That the minutes of the Ordinary Meeting No. OM5 held on 23 April 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.
   Carried Unanimously

3. APOLOGIES
   **Council Decision**
   Moved: Councillor Mayer                      Seconded: Councillor O'Connor
   That the apology be received and Councillors Brian Cunial and Michael O'Reilly be granted leave from the meeting.
   Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST
   The Mayor declared a conflict on Item 11.2: Frankston Planning Scheme Amendment C111 – Report on findings and recommendations of Panel Report. The Mayor advised that he made a submission on this matter and will leave the chamber during discussions and debate.

5. PUBLIC QUESTION TIME
   Three (3) people 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.
   One (1) person submitted questions to Council, but was not present at the meeting. The questions and answers were taken on notice and a written response will be provided within seven (7) days.

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;
Ms Katelyn Nash 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 7:39 pm._

Mr Kenneth Galbraith made a submission to Council regarding Item 11.3: Town planning application 252/2017/P - 33 Royle Street Frankston - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings);

Ms Meagan Gowing made a submission to Council regarding Item 11.4: Planning Permit Application 2/2018/P - 14 Grain Store Court, Langwarrin - To construct two (2) double storey dwellings and three (3) single storey dwellings (five (5) dwellings);

_Councillor Bolam returned to the chamber at 7:44 pm._

Mr Paul Nehls made a submission to Council regarding Item 11.5: 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);

Ms Leonie Clark (former Councillor) made a submission to Council regarding Item 11.5: 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);

_The Mayor acknowledged Hilary Poad, Senior Citizen of the Year 2018, Roy Giesemann, Senior Citizen of the Year 2017 and former Councillor Brad Hill and Councillor and Mayor Leonie Clark in the gallery._

Ms Karen Sawyer made a submission to Council regarding Item 14.5: 2018/NOM27 - Waiving of Kerbside Dining Fees for affected traders during Frankston Train Station Works; and

Ms Mari Hardwick made a submission to Council regarding Item 14.5: 2018/NOM27 - Waiving of Kerbside Dining Fees for affected traders during Frankston Train Station Works.

7. **ITEMS BROUGHT FORWARD**
Council Decision

Moved: Councillor McCormack  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;
- 11.3: Town planning application 252/2017/P - 33 Royle Street Frankston - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings);
- 11.4: Planning Permit Application 2/2018/P - 14 Grain Store Court, Langwarrin - To construct two (2) double storey dwellings and three (3) single storey dwellings (five (5) dwellings);
- 11.5: 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) and
- 14.5: 2018/NOM27 - Waiving of Kerbside Dining Fees for affected traders during Frankston Train Station Works.

be brought forward.

Carried Unanimously

8. PRESENTATIONS / AWARDS
Nil

9. PRESENTATION OF PETITIONS AND JOINT LETTERS
Nil
10. DELEGATES’ REPORTS

10.1 Delegates Report by Cr Bolam - Mediation Training Course

(MT Chief Executive Office)

Council Decision

Moved: Councillor Aitken  Seconded: Councillor McCormack

That Council receives the Delegates Report from Councillor Kris Bolam who attended the Mediation Training through the Dispute Settlement Centre of Victoria in February 2018 and notes the suggestions made by Councillor Kris Bolam which are contained in the Officer’s Assessment section of the Council report.

Carried Unanimously
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

(MP 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.

Council Decision

Moved: Councillor Toms  Seconded: Councillor Aitken

That the matter be deferred pending a briefing with Councillors and that it be presented back to Council June 2018.

Carried

For the Motion:  Crs Aitken, Bolam, Hampton, Mayer, O'Connor and Toms
Against the Motion:  Nil
Abstained:  Cr McCormack
11.3 Town planning application 252/2017/P - 33 Royle Street Frankston - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)

(MP Community Development)

Recommendation (Director Community Development Community Development)

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 252/2017/P for construction of one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) at 33 Royle Street Frankston, subject to the following conditions:

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 submitted with the application but modified to show:
   a. The drive is fully reconstructed with concrete.
   b. Deletion of the visitor car parking space from all relevant plans with landscaping shown in this area.
   c. The west elevation of the existing dwelling.
   d. A corner splay (or area) on the north side of the driveway providing at least 50 per cent clear of visual obstructions (pedestrian triangles) extending at least 2 metres along the road frontage and 2.5 metres into the driveway.
   e. Tandem car spaces provided with an additional 500mm in length between spaces in accordance with clause 52.06-9 of Frankston Planning Scheme.
   f. A 1.4m sill height for the existing dwelling’s bedroom 2 window on the south elevation.
   g. Free standing trellis in accordance with Condition 9.
   h. Minimum 1.7m high privacy screening for all habitable room windows on the north and west elevations at first floor level of Dwelling 2 in accordance with Standard B22 of Clause 55.04-6 of the Frankston Planning Scheme.
   i. Minimum 1.7m high privacy screening on the west and south elevations of terrace of Dwelling 2 and either the provision of privacy screening at east side of the terrace in accordance with Standard B22 of Clause 55.04-6 of the Frankston Planning Scheme or demonstration that no overlooking would occur into the adjoining property.
   j. Reduction in the height of the fence along the north side of the driveway to maximum of 1.5m.
   k. Finished surface levels of both secluded private open space areas and finished floor level of the Dwelling 2 decking area.
   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 Tree Assessment Report prepared by Dr. Peter Yau of PSY Inv Pty Ltd in November 2017 and clearly state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.
m. The 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 in accordance with Condition 5.

n. Tree protection conditions noted in accordance with Conditions 4-7.

o. A Landscape Plan in accordance with Condition 3.

p. Lighting plan in accordance with condition 19.

**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.

**Landscaping**

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 a landscape strip along the south side of the driveway and the interface of the property boundary except within pedestrian sight triangle area.

   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.

   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 (1) within the front setback minimum mature height of 5m
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(ii) One (1) within the private open space of both dwellings minimum mature height 5m.

l) 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.

Tree Protection

4. 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.

5. Prior to the commencement of the development (including 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 at a radius of 5metres from the trunk of tree 1 parallel to the back fence line, as not to encroach further than 10% of the TPZ and minimise the chance of works materials and equipment being stored in the area, tree grouping 11 will require fencing beside the driveway to the south of the trees and along the western side appropriately 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

6. Prior to the commencement of construction the following tree protection conditions apply within the identified Tree Protection Zones for trees being retained 1, 2 and 11 as identified in the arborist report prepared by Dr. Peter Yau of PSY Inv Pty Ltd in November 2017. 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) The existing driveway is to be removed by hand with works overseen by a suitably qualified and experienced Arborist.
   c) 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.
   d) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
   e) No storage of equipment, machinery or material is to occur.
   f) 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.
   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

7. 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.
   a) Any pruning or removal of tree limbs, particularly hollow-baring tree limbs, must be to the minimum extent necessary.

Prior to Occupation

8. 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.

Free Standing Trellis

9. Prior to the occupation of the development a freestanding trellis (maximum 25% opening) must be erected above the exiting fences in the following locations:
   a) Along the western boundary of dwelling 2 to restrict overlooking into the adjoining residential properties to a minimum of 1.7 metres above the finished floor level of dwelling 2 in accordance with Standard B22 of Clause 55.04-6 of the Frankston Planning Scheme.

The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.
Drainage

10. 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.

11. Soakage system for Stormwater drainage shall be provided with Geotechnical design to demonstrate that effective drainage can be provided without detriment to premises and/or other properties. Design to be in accordance with CSIRO publication Water Sensitive Urban Design Engineering procedures – Stormwater, Chapter 11 – Infiltration Measures.

12. Prior to commencement of construction, detailed Drainage and Pavement design plans of the internal stormwater drainage system including drainage computations and the method of connection to the existing Council drainage infrastructure are to be submitted, approved and constructed to the satisfaction of the Responsible Authority.

13. 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:
   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.

Access and Parking

14. Existing vehicle crossing to be retained, should the crossing be damaged during construction works the crossing must be reconstructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.

15. 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.

16. 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

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.

Completion of Buildings and Works

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 (2) years of the date of this permit.
   - The development is not completed within four (4) 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.

Permit Notes

A. Asset Protection Permit

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.

B. Extension of Time

Section 69 of the Planning and Environment Act, 1987 provides that before the permit expires or within 6 months afterwards, the owner or occupier of the land to which the permit applies may ask the responsible authority for an extension of time. Please note, 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.

Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

C. Variation to Planning Permit

Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
D. Street Numbering

Local Government is the Authority responsible for property addressing. There is a requirement under Local Law No. 7 2.12 for the owner or occupier of each property to clearly display the street numbering allocated by Council.

Proposed Street Numbering can be provided by contacting Frankston City Council Rates department - Phone 9784 1853.

It is the applicant’s responsibility to ensure all owners are notified of the allocated street numbering.

Council Decision

Moved: Councillor McCormack Seconded: Councillor Aitken

That the matter be deferred to the 4 June 2018 Council Meeting.

Carried Unanimously
11.4 Planning Permit Application 2/2018/P - 14 Grain Store Court, Langwarrin - To construct two (2) double storey dwellings and three (3) single storey dwellings (five (5) dwellings)

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 2/2018/P to construct two (2) double storey dwellings and three (3) single storey dwellings (five (5) dwellings) at 14 Grain Store Court, Langwarrin, subject to the following conditions:

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 submitted with the application (or some other specified plan) but modified to show:

   (a) The vehicle passing area to have dimensions of 6.1m wide by 7m long to comply with Clause 52.06-9.

   (b) The northern crossover moved 340mm to the north outside the SRZ of tree 1.

   (c) Fence heights to be shown on the elevations to ensure that no overlooking would occur from ground floor windows to comply with Standard B22.

   (d) 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 Tree Assessment Report prepared by Adam Hamilton of Constructive Arboriculture in December 2017 and clearly state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.

   (e) The 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.

   (f) Tree protection conditions noted in accordance with Conditions 5, 6, 7, 8 and 9.

   (g) A Landscape Plan in accordance with Condition 12.

   (h) A Tree Protection Plan in accordance with Condition 3.

   (i) Notation on all relevant plans that the driveway is to be constructed in accordance with condition 11.

No Alterations

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

3. A Tree Protection Management Plan prepared in accordance with Frankston City Council’s ‘Arboricultural Report Writing Guide’ must be submitted by a suitably qualified and experienced Arborist in relation to the management and maintenance of the trees, and must be approved by the Responsible Authority prior to the commencement of any works (including any demolition, levelling of the site, excavations, tree removal, delivery of building/construction materials and/or temporary buildings). The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following (where relevant) ensuring that the trees remain healthy and viable during and following construction:

(a) A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations (any relocations required) and any areas where ground protection systems will be used;

(b) Restricted activities in the TPZ;

(c) Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages;

(d) Details of any TPZ encroachments including:
   - Details of exploratory root investigation
   - Alternative construction techniques
   - Root pruning
   - Supervision
   - Details of any root pruning

(e) Methods for installation of services e.g.; sewerage, storm water, telecommunications, electricity etc;

(f) Remedial works as required including a detailed photographic diagram specifying what pruning will occur;

(g) Final Certification of Tree protection template.

4. The Final Certification Report Template as required in the Tree Protection Management Plan must be completed and submitted 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 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 at a radius of 5m (tree 1), 4.8m (tree 2), 2.4m (tree 3), 3.96m (tree 4 and 5), 4.32m (tree 8), 4.8m (tree 12 and 15), 6.48m (tree 16), 4.56m (tree 18), 3m (tree 19), 7.2m (tree 20), 3m (tree 21) and 2.04m (tree 22 from the trunk numbered 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 being retained 1 – 16, 18 – 22 as identified in the arborist report prepared by Adam Hamilton of Constructive Arboriculture in December 2017. 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) The existing driveway is to be removed by hand with works overseen by a suitably qualified and experienced Arborist.

c) 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.

d) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.

e) No storage of equipment, machinery or material is to occur.
f) 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.

g) 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 safety erected than trunk and limb protection must be installed as per the Australian Standard AS 4970-2009 Protection of trees on development sites.

h) 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.

   a) Any pruning or removal of tree limbs, particularly hollow-baring tree limbs, must be to the minimum extent necessary.

**Tree Protection: Construction**

9. Within the Tree Protection Zone associated with tree (*Corymbus citriodore* - tree 16) the following is required to the satisfaction of the Responsible Authority:

   (a) The footing for the eastern walls of (bedroom 3 of Dwelling 3 must be constructed on (insert appropriate construction method i.e. Screw piers or bored piles and suspended slab on pier and beam footings). If used, the beam should be designed to be positioned above soil grade to minimise soil excavation and root severance.

   (b) No excavation works are to be undertaken within the structural root zone of the tree (2.56m radius of this tree).

   (c) Accurately survey and stakeout the area of the excavation for the piers and footings;

   (d) Footings must be selectively placed with consideration for any significant tree roots that may be present within the soil profile.

   (e) Minor excavation by hand to 0.5 m deep should be undertaken at the points of pier placements to determine if any significant roots are present. Roots greater than 40 mm in diameter are deemed significant. If such roots are encountered the positioning of the piers must be altered to provide at least 0.3 m of clearance from the roots.

   (f) Any excavation within must be done by hand and in the presence of a Qualified Arborist.

   (g) Smaller roots can be cut cleanly with a sharp implement in accordance with AS4373-2007 by a suitably qualified and experience Arborist.
Deck/Fence Footings

10. Excavation for fence footings must be hand dug and overseen by a suitably qualified and experienced Arborist. Any roots with a diameter greater than 40mm are to be retained and the footing relocated. Small roots to be hand trimmed in accordance with AS4373-2007.

Driveway Construction

11. The driveway must be constructed above the existing soil grade and be root sensitive permeable paving such as ‘on-ground’ or ‘no-dig’ paving (or similar) are to be used where any part of the proposed paving comes within the TPZ of tree 1, 3 and 4.

Landscaping

12. 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 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.

(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 (1) Eucalyptus viminalis (Manna Gum) with a minimum mature height 6m, within the front setback of dwelling one.

(ii) One (1) within the private open space of dwelling four minimum
mature height 10m.

(iii) One (1) within the private open space of dwelling five minimum mature height 7m.

(l) 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.

Prior to Occupation

13. 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

14. 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.

15. 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.

16. 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.

17. 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.

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

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

20. 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.

Chairperson’s initials
e.) Car spaces, access lanes and driveways must be kept available for these purposes at all times.

21. 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

22. 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.

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

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

25. 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

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

Permit Expiry

27. 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.

Council Decision

Moved: Councillor Mayer Seconded: Councillor McCormack

That Council resolves to issue a Notice of Refusal to Grant a Planning Permit in respect to Planning Permit Application number 2/2018/P to construct two (2) double storey dwellings and three (3) single storey dwellings (five (5) dwellings) at 14 Grain Store Court, Langwarrin, on the following ground:

1. The proposed development is contrary to the Neighbourhood Character Policy at Clause 22.08 of the Frankston Planning Scheme, in that it will not contribute to the sense of spaciousness around dwellings and garden settings. In this regard the local, immediate setting of Grain Store Court has a low scale character which is distinctly different to that surrounding it, which is not adequately respected by the proposed development.

Carried Unanimously
11.5 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)

(MP Community Development)

Council Decision

Moved: Councillor Toms Seconded: Councillor McCormack

A: That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 481/2017/P 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) at 3 McLean Court, Frankston South, subject to the following conditions:

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 submitted with the application (or some other specified plan) but modified to show:

   (a) The setback of the shed from the common boundary with 4 McLean Court increased by a minimum of 2 metres.

   (b) Proposed site plan to show the existing approved building envelope under Planning Permit 263/1998/P and delete the enlarged building envelope.

   (c) The maximum height of the shed reduced to 3.47 metres.

   (d) Elevation plans of all three (3) structures to include clear information about which elevation they relate to.

   (e) Alfresco area to be open on either the south west or north west elevations and enclosed on the south east elevation.

   (f) 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. Prior to commencement of the development a Landscape Plan must be submitted to and approved by the Responsible Authority. The Landscape Plan must show a row of planting of native vegetation in the form of Lilly Pillies along the southern and northern property boundaries where no vegetation currently exists to a minimum mature height of 3.4 metres to provide screening of the north and south side of the proposed shed. The trees must be of a minimum pot size of 30cm when planted and maintained to the satisfaction of the Responsible Authority.
Use

4. The three (3) structures (garage, shed and alfresco area) hereby approved must be used only for the purpose of domestic storage/hobby purposes. It must not be used for human habitation, or as a workshop for any commercial enterprise or the storage of equipment, goods or motor vehicles used in conjunction with the occupation of a resident of the dwelling on the land other than in accordance with the provisions of Clause 52.11 (Home Occupation) of the Frankston Planning Scheme.

Amenity

5. The amenity of the area must not be detrimentally affected by the development and/or use through the:-
   (a) Transport of materials, goods or commodities to or from the land;
   (b) Appearance of any building, works or materials;
   (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
   (d) Presence of vermin;
   (e) Others as appropriate; or
   (f) In any other way.

6. The external finishes to the three (3) structures (garage, shed and alfresco) must be of muted natural colours and tones that are consistent with the surrounding landscape to the satisfaction of the Responsible Authority.

Satisfactorily Completed

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

Permit Expiry

8. 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 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.

a. If the 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.

B: That the head petitioner of the Petition concerning the planning application for 3 McLean Court, Frankston South that was tabled at the April 23rd 2018 Council meeting be advised of Council’s resolution.

**Carried Unanimously**
14.5 2018/NOM27 - Waiving of Kerbside Dining Fees for affected traders during Frankston Train Station Works
(MT Chief Executive Office)

In accordance with Section 44 (1) of Council’s Governance Local Law No1, this motion was moved in parts

Council Decision
Moved: Councillor Toms Seconded: Councillor Aitken

That:

1. The current waiving of kerbside trading fees for businesses in the area directly affected by the Frankston Station Precinct works be extended for 2018-2019. The affected area is defined as:
   a. Young Street (between Playne and Beach Streets);
   b. Beach Street (between Young Street and the Myer entrance);
   c. Ross Smith Avenue East;
   d. Balmoral Street;
   e. Station Street; and
   f. Wells Street (Young Street - Park Lane on south side and Young Street - Shannon Street Mall on north side).

Carried Unanimously

Council Decision
Moved: Councillor Toms Seconded: Councillor Aitken

2. A report be provided at the July 2018 Ordinary Meeting on providing two (2) hour car parking on Wells Street in our city centre to assist locals and traders who are wishing to stay in Frankston longer;

Carried Unanimously

Council Decision
Moved: Councillor Toms Seconded: Councillor Aitken

3. Council allocates $6,000 from within the 2017-2018 budget, to a four (4) week advertising campaign to encourage customers to shop in Frankston city centre. The advertising will be placed on local bus services travelling to Frankston city centre; and

4. A letter be written to Member for Frankston, Paul Edbrooke to seek his matched funding for this advertising campaign.

Carried

For the Motion: Crs Aitken, Bolam, Mayer, McCormack and Toms
Against the Motion: Crs Hampton and O’Connor
11. CONSIDERATION OF TOWN PLANNING REPORTS

11.2 Frankston Planning Scheme Amendment C111 - Report on findings and recommendations of Panel Report

*(MP Community Development)*

The Mayor declared a conflict of interest and left the chamber at 8.33 pm.

The Deputy Mayor assumed the Chair.

**Council Decision**

Moved: Councillor Aitken                Seconded: Councillor Bolam

1. That Council notes the Panel Report and
2. Adopts Amendment C111.
3. Authorises officers to request the Minister for Planning to approve Frankston Planning Scheme Amendment C111 as exhibited, subject to the following changes:
   a. Delete the motor cycle parking rates in Clause 3 of Schedule 1 to the Parking Overlay.
   b. Delete the requirement for a Car Parking Management Plan in Clause 4 of Schedule 1 to the Parking Overlay.
   c. Modify the wording in Schedule 1 to the Parking Overlay to accord with the Panel preferred version.
4. Authorises officers to amend the FMAC Parking Precinct Plan to remove reference to motor cycle parking rates in accordance with Panel recommendations.
5. Authorises officers to initiate the establishment of the Integrated Car Park Cooperation and Management Parking Coordination Committee as proposed by the FMAC Parking Precinct Plan in order to advance the issues raised in the Councillors Urgent Business item from OM308 held on 16 October 2017.

Carried Unanimously

The Mayor returned to the Chamber at 8.35 pm
11.6 April 2018 Town Planning Progress Report
(MP Community Development)

Council Decision
Moved: Councillor Aitken Seconded: Councillor Toms
That Council receives and notes the April 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 Aitken Seconded: Councillor Toms

That Council:

1. Receives the Notices of Motion Report as at 14 May 2018.

2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
   - NOM 1265 - Cleanliness of Frankston City
   - NOM 1366 - Official Invitations to the Head of State, Victorian Vice Regal and Government Leaders
   - NOM 1387 - Central Park in Frankston
   - NOM 1391 - Apsley Place Concerns

3. Notes that since 11 April 2018, 58 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.
   - Response to NOM 1375 – East / West Wells Street Project
   - Response to NOM 1316 - Former Frankston Ambassador Site
   - Planning Application for 21 Edward Street, Langwarrin (Community Development)
   - Response to NOM 1384 – Citywide Summit (Community Development)
   - Code of Conduct and Review of Local Laws
   - Urban Design Excellence

Carried Unanimously
12.2 Confirmation of Minutes for Frankston Cemetery Trust

*(MC Corporate Development)*

**Recommendation**

That:

1. Council, acting as the Trustee of the Frankston Cemetery Trust, receives the Minutes of the Cemetery Trust Meeting held on Monday 26 March 2018 as a true and correct record of the meeting.
2. The recommendations of the Cemetery Committee be adopted.

**Council Decision**

Moved: Councillor Bolam  
Seconded: Councillor Aitken

That:

1. Council, acting as the Trustee of the Frankston Cemetery Trust, receives the Minutes of the Cemetery Trust Meeting held on Monday 26 March 2018 as a true and correct record of the meeting.
2. The recommendations of the Cemetery Committee be adopted.
3. A report be provided at the June Ordinary Meeting on any identified capital/renewal works required at the Frankston Cemetery.

Carried Unanimously
12.3 Committee Minutes
(DH Chief Executive Office)

Council Decision
Moved: Councillor Mayer  Seconded: Councillor Aitken
That the minutes of the following Committee be received:
- Metropolitan Local Government Waste Forum Meeting Minutes – February 2018;
- Frankston Charitable Fund Committee of Management Minutes – March 2018;
- Frankston City News Editorial Committee Minutes – December 2017; and
- Frankston City News Editorial Committee Minutes – March 2018.

Carried Unanimously
12.4 Record of Assemblies of Councillors
(DH Chief Executive Office)

**Council Decision**

**Moved:** Councillor Aitken  
**Seconded:** Councillor O’Connor

That Council receives the following written records and removes the 15 March 2018 Assembly record in relation to the Visitor Information Centre:

- 12 February 2018 (Councillor Briefing);
- 19 February 2018 (Council Pre-Agenda)
- 24 February 2018 (Councillor Briefing – Budget Session)
- 26 February 2018 (Councillor Briefing)
- 28 February 2018 (Briefing of Council’s Advocacy Strategy)
- 28 February 2018 (Councillor Briefing)
- 5 March 2018 (Advocacy Sub-Committee)
- 5 March 2018 (Councillor Briefing)
- 13 March 2018 (Council Pre-Agenda)
- 19 March 2018 (Councillor Briefing)
- 26 March 2018 (Councillor Briefing)
- 28 March 2018 (Councillor Briefing)
- 9 April 2018 (Councillor Briefing)
- 17 April 2018 (Councillor Briefing)

**Carried Unanimously**

**Council Decision**

**Moved:** Councillor Aitken  
**Seconded:** Councillor Hampton

That the Record of Assembly attendance regarding the Visitor Information Centre held on 15 March 2018 be accepted.

**Carried Unanimously**
12.5 March 2018 Quarterly Financial Report
(KJ Corporate Development)

Council Decision

Moved: Councillor Toms  Seconded: Councillor O'Connor


Carried Unanimously
12.6 Capital Works Quarterly Report - Q3 - January - March 2017/18
(LU Community Assets)

Council Decision

Moved: Councillor Aitken          Seconded: Councillor Mayer

That Council receives and notes the quarterly progress report (January – March 2018) for the 2017/18 Capital Works Program.

Carried Unanimously
12.7 Visitor Information Centre
(SJ Corporate Development)

Council Decision

Moved: Councillor Aitken
Seconded: Councillor Hampton

That Council:

1. Notes this report.
2. Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.
3. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC):
   a. The FVIC ceases providing the following services that provide a low or negative return on investment:
      i. Accommodation Bookings
      ii. Fishing Licences
      iii. Tennis Court hire
      iv. Coffee for purchase
   b. The following services be investigated to commence being provided from the FVIC:
      i. Walking Frankston City/arts/bike tours
      ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays
      iii. 3D experiences
      iv. Member businesses providing pop up displays and/or demonstrations
      v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)
      vi. A passenger collection point for Skybus
   c. The FVIC continue providing the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:
      i. Hire of the Beach Wheelchair
      ii. Provision of Liberty Swing Key
      iii. iPads for customer use
      iv. Multiple languages on website
      v. Familiarisation tours for Volunteers and Staff
      vi. Greater promotion of FVIC in Council’s What’s On (online and print)
      vii. Online and social media promotions
      viii. Keep a Frankston City Centric focus as a major priority, whilst linking with the broader Mornington Peninsula Region
   d. The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:
      i. Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality
      ii. Increase city event ticketing sold through the FVIC
      iii. Have the current Guided Ranger Tours depart from / return to the FVIC
      iv. The Residents morning tea continue but be reduced in frequency to quarterly
4. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to Merchandise:
   a. Acknowledgement that merchandise is more than a profit generator, in that
there is greater value derived from:
  i. supporting local businesses
  ii. increasing repeat visitation to the FVIC
  iii. providing gifts for visitor/locals

b. Review and reduce the footprint, quantity and range of merchandise
c. Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC

5. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the floor plan of the FVIC:
   a. The floor plan of the FVIC be reviewed to achieve the objectives of:
      i. Improving access into and through the building
      ii. Maximising the return on investment of the building by:
         1. facilitating co-tenancy arrangements
         2. reducing the space dedicated to merchandise
         3. enclosing the rear deck
      iii. Allow customers to sit and enjoy the Centre through the provision of a seating section
   b. Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications

6. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the operating hours of the FVIC:
   a. The Centre remains open seven days per week
   b. The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm)
   c. During opening hours the following staffing levels be provided for face-to-face visitor servicing activities:
      i. Winter (May - September) - one Council Officer and four volunteers per day (two per shift)
      ii. Summer (October-April) – two Council Officers and four volunteers per day (two per shift)

7. Notes that the Frankston Visitor Information Centre sub-committee recommended the following actions which don’t directly relate to the operations of the FVIC, but which support the strengthening of Frankston City’s tourism sector:
   i. Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City
   ii. Review events that the Roving Ambassadors attend and expand to include events like Monash ‘O-week’ to appeal to a different audience

8. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to industry memberships:
   a. All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council’s Economic Development Policy)
   b. Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC.

9. Endorse the following 2018-2019 key performance indicators as identified by the Frankston Visitor Information Centre sub-committee:
   a. FVIC Income targets
      i. Merchandise - $35,000 net profit
      ii. Event commission/other - $5,000
      iii. Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process)
   b. FVIC visitation - 52,000 walk in visitors
   c. FVIC Customer Service - Mystery shoppers 95% customer satisfaction

Chairperson’s initials
d. FVIC Industry Appeal - 100 FVIC members

e. Other KPI's for noting, but not a measure of success of the performance of the FVIC:
   i. satellite visitor information displays - 3
   ii. co-operative tenant located in the FVIC - 1

10. Endorses the commencement of implementation of these recommendations as of 1 July 2018.

11. Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors’ experiences of Frankston City.

12. Notes that in accordance with Council’s resolution of 3 April, officers will provide a report to Council no later than June 2019 as to the performance of the Frankston Visitor Information Centre against the KPI’s and to determine if further modifications are needed.

13. Notes that Officers will provide a quarterly report to the Frankston Visitor Information Centre sub-committee on how the Frankston Visitor Information Centre is performing against the endorsed Key Performance Indicators.

Carried Unanimously
12.8 Commercial Activities in Public Open Space Protocol  
(SJ Corporate Development)

**Recommendation (Director Corporate Development)**

That Council:
1. Notes this report
2. Adopts the Commercial Activities in Public Open Space Protocol
3. Notes that funding of $5,000 will be allocated from within existing budgetary allocations to promote the 2018-2019 Commercial Activities on Public Open Space Program

**Council Decision**

Moved: Councillor Bolam  
Seconded: Councillor Aitken

That Council:
1. Notes this report
2. That the protocols be amended to enable a further permit to be awarded to a mobile business at Ballam Park with a focus on hot/cold foods.
3. Adopts the Commercial Activities in Public Open Space Protocol
4. Notes that funding of $5,000 will be allocated from within existing budgetary allocations to promote the 2018-2019 Commercial Activities on Public Open Space Program
5. Provides a report to Council of the Expression of Interest Outcome.

Carried Unanimously
12.9 Committee for Greater Frankston membership
(SJ Corporate Development)

Recommendation (Director Corporate Development)

That:

1. Council becomes a Corporate Diamond member of the Committee for Greater Frankston.
2. Council nominates Mr Dennis Hovenden, Chief Executive Officer (or delegate) as Council’s representative to attend monthly Committee for Greater Frankston Board meetings.
3. Council commits the funding of $10,000 per annum towards membership of the Committee for Greater Frankston and authorises the Chief Executive Officer to make the necessary adjustments to the Annual Budget.

Councillor Aitken left the chamber at 8:52 pm.

Council Decision

Moved: Councillor Bolam Seconded: Councillor Aitken

That:

1. Council becomes a Corporate Diamond member of the Committee for Greater Frankston.
2. Council nominates Mr Dennis Hovenden, Chief Executive Officer (or delegate) as Council’s representative to attend monthly Committee for Greater Frankston Board meetings.
3. Council commits the funding of $10,000 per annum towards membership of the Committee for Greater Frankston and authorises the Chief Executive Officer to make the necessary adjustments to the Annual Budget.
4. Council's contribution is to be reviewed annually with other 'standing grants'.

Carried Unanimously

For the Motion: Crs Bolam, Hampton, Mayer, O'Connor and Toms
Against the Motion: Cr McCormack
Absent: Cr Aitken
13. RESPONSE TO NOTICES OF MOTION

13.1 Response to NOM 1327 - Support for new and existing Planned Activity Groups

(JF Community Development)

Council Decision

Moved: Councillor O’Connor          Seconded: Councillor Bolam

That Council:

1. Notes the current funding arrangements and service support for Planned Activity Groups (PAG);  
2. Notes the rollout of the National Disability Insurance Scheme (NDIS) and the continued rollout of the Aged Care Packages through the Aged Care Reform process; both of which will impact on Council’s services; and  
3. Notes that PAG is currently and consistently exceeding funding targets and meeting the needs of the clients, therefore no changes are recommended at this time.

Carried Unanimously
13.2 Response to NOM 1350 - Community Bus Service

(From Community Development)

Chairperson Aitken returned to the chamber at 9:01 pm.

Recommendation (Director Community Development)

That Council:
1. Notes the Community Bus Services meets the current community demand at this time;
2. Notes the introduction of the NDIS, the continued roll out of the Aged Care Packages through the Aged Care Reform and greater client choice through Consumer Directed Care is now offered in a competitive market where consumer choice will possibly see a reduction in demand; and
3. Upgrades the bus fleet to age appropriate, accessible vehicles when they become due for replacement, to better support elderly, disabled and disadvantaged clients and also reduce risk of falls.

Council Decision

Moved: Councillor Bolam                Seconded: Councillor Toms

That Council:
1. Notes the Community Bus Services meets the current community demand at this time;
2. Notes the introduction of the NDIS, the continued roll out of the Aged Care Packages through the Aged Care Reform and greater client choice through Consumer Directed Care is now offered in a competitive market where consumer choice will possibly see a reduction in demand; and
3. Upgrades the bus fleet to age appropriate, accessible vehicles when they become due for replacement, to better support elderly, disabled and disadvantaged clients and also reduce risk of falls.
4. Continues the practice of supplying the local SES with a decommissioned Council Bus for exclusive SES usage.
5. Arranges a meeting of interested Councillors, relevant officers and the local SES Controller is to occur regarding the bus/transportation needs of the local SES.

Carried Unanimously
13.3 Response to NOM 1365 - Victorian Wide EBA

*(TF Corporate Development)*

**Council Decision**

*Moved: Councillor Aitken  Seconded: Councillor O'Connor*

That:

1. Council notes the information sheet that has been prepared and is to be distributed to the MAV Delegates regarding a state wide Enterprise Bargaining Agreement; and
2. A motion be prepared for the MAV State Council Meeting in October 2018 in relation to this matter.

*Carried*

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

Against the Motion: Nil

Abstained: Cr McCormack
13.4 Response to NOM 1389 - Ballam Park Precinct Improvements - update

(VG Community Assets)

Recommendation (Director Community Assets)

That Council notes this update report in response to NOM 1389 – Ballam Park Precinct Improvements.

Council Decision

Moved: Councillor Bolam Seconded: Councillor Aitken

That Council:

1. Notes this update in response to NOM 1389 – Ballam Park Precinct Improvements.

2. Provides a report at the September Ordinary Meeting with costings and suggested funding routes for all outstanding items in Attachment 1 and all other items aforementioned in this resolution.

3. Includes costings in the September report for the following:
   
a) The formal offer of a bronzed statue of a local luminary at Ballam Park;
   
b) The installation of a CCTV unit at the Ballam Park toilets;
   
c) The inclusion of minor planting costs in the total sum for the proposed overflow car park;
   
d) The creation of a ‘green zone’ in the north-east quadrant of Ballam Park (ie. Ballam Park Primary School) for the purpose of bulk tree plantings and native flora.
   
e) The installation of a prominent sculpture/monument near the proposed overflow car park
   
f) Soft lighting in Ballam Park in the evenings

4. Writes to the relevant authority expressing concerns about the condition of the Telecom Substation at Ballam Park. Council notes that graffiti damage to the site is not being regularly removed, its fence line is regularly vandalised and its overall presentation is not in line with the amenity of the area. The Council is to request the sought improvements and the response is to be included in the September report.

Carried Unanimously
13.5 Response to 2018/NOM12 - Waiving inspection/building fees for Capital Works Projects
(LR Community Development)

Council Decision
Moved: Councillor McCormack            Seconded: Councillor Toms

That Council:
1. Endorses all minor works projects to Council owned assets proposed by community groups be considered and undertaken by Council.
2. Notes that this will ensure alignment of upgrades and minor improvements meet the relevant Building Regulations, relevant legislation and Council’s quality control.
3. Notes this approach also will ensure building permit costs are covered by Council.

Carried Unanimously
14. NOTICES OF MOTION

14.1 2018/NOM23 - Operational and Performance Review

*(MT Chief Executive Office)*

**Council Decision**

Moved: Councillor Bolam  Seconded: Councillor McCormack

That the Chief Executive Officer prepare a report for the September 2018 Ordinary Meeting of Council on options available for Council to undertake an Operational and/or Performance Audit of the delivery of operational and capital programs, to determine whether efficiencies, budget allocations and performance objectives are being achieved, having regard to practice in the Local Government sector Australia-Wide. This is to include scope for attrition opportunities where identified. Any proposed audit is to be in line with the next 'Internal Audit' to mitigate costs and resourcing.

**Carried**

For the Motion:  Crs Aitken, Bolam, Hampton, McCormack, O'Connor and Toms
Against the Motion:  Cr Mayer
14.2 2018/NOM24 - Frankston 'Future Fund'
(MT Chief Executive Office)

Councillor Mayer left the chamber at 9:11 pm.
Councillor Mayer returned to the chamber at 9:17 pm.

Council Decision
Moved: Councillor Bolam               Seconded: Councillor Toms

That a report be presented at the September 2018 Ordinary Meeting on the creation, and maintenance, of a Frankston based ‘Future Fund’. The purpose of the fund is to accumulate funds for the benefit of future generations. The accumulation of the funds for this dedicated purpose should be via safe investments and interest bearing opportunities. This could include a percentage of an Annual Budget amount being allocated to a fixed interest account and unlocked and utilised after a timed period. The report should refer to both governmental and non-governmental examples.

Carried

For the Motion:                Crs Aitken, Bolam, McCormack, O'Connor and Toms
Against the Motion:          Crs Hampton and Mayer
14.3 2018/NOM25 - Investment in CCTV
(MT Chief Executive Office)

**Council Decision**

**Moved:** Councillor Bolam  
**Seconded:** Councillor Aitken

That a report be presented at the August 2018 Ordinary Meeting on the use of increased CCTV technology to improve perceptions of public safety and to detect unlawful offences.

The report is to consider:

1. State and Federal funding opportunities for new CCTV units;
2. Potential locations for additional CCTV units;
3. Cost effective and unique CCTV technology/ies that could be utilised;
4. Potential Midyear Budget referral for such CCTV units;
5. Number plate recognition software and/or specific software;
6. The mounting of CCTV units on utility poles as is practiced in other municipalities;
7. The creation of a formal ‘Public Spaces CCTV Policy’ (i.e. placement of CCTV units, relationship with stakeholders, individual access to CCTV footage and the archiving of CCTV footage etc.); and
8. The workability of the existing citywide system and any improvements sought.

**Carried Unanimously**
14.4 2018/NOM26 - Request for approval to relist 2018/NOM19 - Paid parking at Sherlock and Hay Car Park

*(MT Chief Executive Office)*

**Recommendation**

That in accordance with Clause 51 of the Governance Local Law, Council resolve to reconsider the Notice of Motion 2018/NOM19 – Paid parking at Sherlock and Hay Car Park at the next Ordinary Meeting to be held on 4 June 2018.

The rationale for doing so is that the current arrangements are having an unanticipated impact on the business holders in the Young Street area.

*Cr Bolam left the Chamber at 9.26 pm*

*Cr Bolam returned to the Chamber at 9.28 pm*

*Cr Aitken sought Leave of Council to amend his Notice of Motion*

**Council Decision**

**Moved: Councillor Aitken**  **Seconded: Councillor McCormack**

The rationale for doing so is that the current arrangements are having an unanticipated impact on the business holders in part of Young Street (between Wells Street up to Davey Street) and in part of Playne Street (between Thompson Street up to Playne Street overpass) area.

*Lost*

*On the casting vote of the Chair*

For the Motion: Crs Aitken, McCormack and Toms
Against the Motion: Crs Hampton, Mayer and O’Connor
14.6 2018/NOM28 - Letter under seal for 2018 Commonwealth Games Participants

(MT Chief Executive Office)

Council Decision

Moved: Councillor Toms  Seconded: Councillor Aitken

That a letter under seal be prepared and presented to the following participants at the Council Meeting in July 2018, who represented Australia at the 2018 Commonwealth Games, to congratulate them on their achievements on behalf of our City:

- Francois Etoundi
- Ellie Cole
- James Bolding
- Laetisha Scanlan

Carried Unanimously
14.7 2018/NOM29 - Significant trees between Fletcher Road and Frankston Train Station


(MT Chief Executive Office)

**Council Decision**

**Moved:** Councillor Toms  
**Seconded:** Councillor Aitken

That Council writes to the Level Crossing Removal Authority (LXRA) thanking it for its written response in providing reassurance for the two (2) mature gum trees within the VicTrack car park at Frankston Train Station be retained and seeks further assurances that no other trees will be removed.

**Carried**

For the Motion:  
Crs Aitken, Bolam, Mayer, McCormack and Toms

Against the Motion:  
Crs Hampton and O’Connor
15. LATE REPORTS

16. URGENT BUSINESS

Urgent Business

Council Decision

 Moved: Councillor Aitken         Seconded: Councillor Bolam

That the matter of Leave of Absence of Cr Toms be accepted as urgent business.

Carried Unanimously

Urgent Business – Leave of Absence – Cr S Toms

Council Decision

 Moved: Councillor Aitken         Seconded: Councillor Bolam

That Leave of Absence be granted to Cr Steve Toms for the period of 31 May to 12 June 2018 (inclusive).

Carried Unanimously
17. CONFIDENTIAL ITEMS

**Council Decision**

Moved: Councillor Bolam  Seconded: Councillor Aitken

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 **Establishment of City Centre Market on Young Street**
   Agenda Item C.1 Establishment of City Centre Market on Young Street is designated confidential as it relates to contractual matters (s89 2d)

C.2 **Frankston Skate Park Management Tender**
   Agenda Item C.2 Frankston Skate Park Management Tender is designated confidential as it relates to contractual matters (s89 2d)

C.3 **Centenary Park Golf Course Expression of Interest**
   Agenda Item C.3 Centenary Park Golf Course Expression of Interest is designated confidential as it relates to contractual matters (s89 2d)

C.4 **Peninsula Leisure Company Update**
   Agenda Item C.4 Peninsula Leisure Company Update is designated confidential as it relates to contractual matters (s89 2d)

C.5 **Contract 2017/18-36 Provision of Pound Services**
   Agenda Item C.5 Contract 2017/18-36 Provision of Pound Services is designated confidential as it relates to contractual matters (s89 2d)

C.6 **Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension - Seeking Council Delegation for Chief Executive Officer to Enter into the Contract**
   Agenda Item C.6 Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension - Seeking Council Delegation for Chief Executive Officer to Enter into the Contract is designated confidential as it relates to contractual matters (s89 2d)

Carried Unanimously

…………………………………………
Signed by the CEO
18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS

C.2 Award of Contract 2017/18-67 - Warrandyte Road Construction (Southern Section) - Golf Links Road to 440 metres North, Langwarrin South (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2)(d) ‘contractual matters’.

**Council Decision**

**Moved:** Councillor Toms  
**Seconded:** Councillor Cunial

That:

1. Council notes the details of the acceptance of the tender from Gilmore Civil for Warrandyte Road Construction (southern section) - Golf Links Road to 440 metres North, Langwarrin South for a sum of $653,240.30 (exclusive of GST) under the delegation specifically awarded to the Chief Executive Officer for this project at its OM2 on 19 February 2018;

2. Council notes that a project contingency of $80,000 for unforeseen latent conditions will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of any arising cost variations from that sum;

3. The Chief Executive Officer be authorised to sign and seal the contract; and

4. The recommendation (without commercially sensitive information) is released at the next open meeting of Council.

*The motion was put and Carried*

C.3 Award of Contract 2017/78 – Supply and Installation of Sports Lighting at AFL Football Ovals 1, 2 and 3 at Belvedere Reserve (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2)(d) ‘contractual matters’.

**Council Decision**

**Moved:** Councillor Aitken  
**Seconded:** Councillor O’Connor

That:

1. Council approves the acceptance of the tender from Commlec Services for the Supply and Installation of Sports Lighting – AFL Football Ovals 1, 2 & 3 at Belvedere Reserve for $545,960.00 (exclusive of GST);

2. Council notes that a project contingency of $163,788 will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of any arising cost variations from that sum;

3. The Chief Executive Officer be authorised to sign and seal the contract; and

4. The recommendation (without commercially sensitive information) be released at the next open meeting of Council.

*The motion was put and Carried*
C.4 Frankston Charitable Fund Committee of Management Appointment  (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (h) ‘Any other matter which the Council or special committee considers would prejudice the Council or any person’.

**Council Decision**

**Moved:** Councillor Aitken          **Seconded:** Councillor Cunial

That Council:

1. Appoint Jackie Galloway to the Frankston Charitable Fund Committee of Management for a two year term.
2. Thanks the unsuccessful applicant for their interest in the Frankston Charitable Fund Committee of Management and encourages the applicant to resubmit in two years.
3. Resolves that the recommendation be released immediately following the meeting.

*The motion was put and Carried*


In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

**Council Decision**

**Moved:** Councillor Cunial          **Seconded:** Councillor Toms

That:

1. Council approves the acceptance of the tender from Warrandale Industries Pty Ltd for the construction of the Frankston Waterfront Playground Redevelopment Works including Optional Item – Shell Cubby (Bespoke Play Item – Big Fish) for $941,813.75 (exclusive of GST);
2. Council commits the overall project allocation of $1.25 million to complete the project which comprises of $600,000 in the 2017/18 financial year and a further $650,000 in the draft 2018/19 financial year Capital Works Program;
3. Council notes that a project contingency of $95,000 (10%) will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of any arising cost variations from that sum;
4. The Chief Executive Officer be authorised to sign and seal the contract; and
5. The recommendation (without commercially sensitive information) is released at the next open meeting of Council.

*The motion was put and Carried*
C.6 Centenary Park Golf Course Expression of Interest  (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

Deferral Motion to another Council Meeting

Moved: Councillor Mayer  Seconded: Councillor Cunial

That the matter be deferred pending legal and probity advice.

The motion was put and Carried

C.7 Home and Community Care (HACC) Review  (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (h) ‘Any other matter which the Council or special committee considers would prejudice the Council or any person’.

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

That Council:

1. Considers the information and the preferred approach to Council’s Aged Care Service delivery in light of the changes in the Aged and Disability Sector.

2. Adopts Option 1 recommending that Council retains the existing services for eligible over 65’s and clients under 65 who are in-eligible for NDIS.

3. Notes Councillors supported responses to two Notices of Motion NOM 1327 (support for new and existing Planned Activity Groups) and NOM 1350 (Community Bus Services) will be submitted to Council separately. This will be May 2018 OM.

4. Releases the adopted recommendations only following 2018/OM5.

The motion was put and Carried
C.8 Appointment of new Ballam Park Advisory and Heritage Assets and Promotion Committee members (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (h) ‘Any other matter which the Council or special committee considers would prejudice the Council or any person’.

**Council Decision**

**Moved: Councillor Aitken**  
**Seconded: Councillor Bolam**

That Council:

1. Authorises the appointment of two (2) new, additional members, Esther Ringer and Carole Pico, to the Ballam Park Advisory and Heritage Assets and Promotion Committee; and

2. Authorises the amendment of the Ballam Park Advisory Committee and Heritage Assets and Promotion Committee Terms of Reference to include provision for two (2) additional Committee members.

3. Authorises the release of the adopted recommendations following 2018/OM5.

   *The motion was put and Carried*

C.9 Chief Executive Officer Key Performance Indicators for 2017/2018 (considered at 2018/OM5 – 23 April 2018)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

**Council Decision**

**Moved: Councillor Bolam**  
**Seconded: Councillor O’Connor**

That:

1. Council endorse the Chief Executive Officers Key Performance Indicators and measures for 2017/2018; and

2. The resolution be released as part of the public minutes of this meeting.

   *The motion was put and Carried*

C.2 Frankston Skate Park Management Tender (considered at this meeting)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

**Deferral Motion to another Council Meeting**

**Moved: Councillor Bolam**  
**Seconded: Councillor Aitken**

That the matter be deferred to the Ordinary Meeting being held on 4 June 2018.

   *The motion was put and Carried*
C.3 Centenary Park Golf Course Expression of Interest (considered at this meeting)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

Council Decision

Moved: Councillor Hampton  Seconded: Councillor Aitken

That Council:

1. Notes the evaluation of the submissions in the EOI process for Centenary Park Golf Course;
2. Endorses as the preferred model “Golf services and performance responsibilities contracted out to an external golf services provider, with course maintenance and presentation responsibilities (and capital upgrades) performed by Council”;
3. Authorises officers to prepare tender documentation and invites all companies and organisations which have put in Expressions of Interest for this service to submit tenders for Golf Services and Performance responsibilities at Centenary Park Golf Course;
4. Requests that officers ensure that “community benefit” is included as part of the weighting for the tender evaluation criteria;
5. Requests that the full tender assessment be included in the report when the tender evaluation is brought back to Council;
6. Notes that subject to agreement, the D & S Golf Pty. Ltd. contract will be extended for a period of 6 months to allow the tender process to be completed, and
7. Authorises the recommendation only be released in the minutes of the meeting, but that the report remain confidential.

The motion was put and Carried

C.5 Contract 2017/18-36 Provision of Pound Services (considered at this meeting)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.

Council Decision

Moved: Councillor Aitken  Seconded: Councillor Bolam

That Council:

1. Approves the acceptance of the tender from the Lost Dogs Home for the provision of animal pound services for the term of 3 years plus option for 2 x 1 year extensions (years 4 and 5 to be negotiated as required).
4. Delegates authority to the CEO to sign and seal the contract for the Provision of Pound Services 2017/18-36 to The Lost Dogs Home (ABN: 84 004 789 726) for a 3 year period and negotiate options to extend the contract (2 x 1 years) as required.
5. Notes procedural improvements have been reflected in the contract negotiations whereby more animals are anticipated to be returned to owners prior to impoundment or adopted if impounded.
6. Releases recommendation 1,4,5 and 6 of this report to the public immediately following this meeting.

The motion was put and Carried
C.6 Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension - Seeking Council Delegation for Chief Executive Officer to Enter into the Contract (considered at this meeting)

*In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.*

**Council Decision**

**Moved:** Councillor Aitken  
**Seconded:** Councillor Bolam

That Council:

1. Notes the update in relation to the project and its status.
2. Delegates the authority to the CEO to sign and seal the contract for the construction of the new change room extension at Seaford North Soccer Pavilion under Contract 2017/18-87, subject to following conditions:
   
a. The recommended tender sum being within or plus twenty percent (20%) of the allocated Capital Works Budget for the construction of $985,000 excluding GST, which is funded across the 2017/18 and 2018/19 financial year; and
   
b. A report is to be presented to Council at its meeting on 04 June 2018 to note the details of award of tender for the contract 2017/18-87 under the delegation. This report will also include details of the tender evaluation process.
3. The recommendation (without commercially sensitive information) be released by July 2018 open meeting.

*The motion was put and Carried*

4. **Urgent Business – Appointment of Acting Chief Executive Officer (considered at this meeting)**

*In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) ‘contractual matters’.*

**Council Decision**

**Moved:** Councillor Aitken  
**Seconded:** Councillor O’Connor

That Tim Frederico, Director Corporate Development, be appointed as the Acting Chief Executive Officer during the period 26 May to 11 June 2018 (inclusive) while Dennis Hovenden is on leave

*The motion was put and Carried*
The meeting was closed to the public at 9.47 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 14 May 2018, confirmed on Monday 4 June 2018.

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(Cr. Colin Hampton, Chairperson – Council Meeting)

Dated this day of 2018