MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 4 JUNE 2018 at 7.00PM

PRESENT
Cr. Colin Hampton (Mayor)
Cr. Sandra Mayer
Cr. Glenn Aitken
Cr. Michael O’Reilly
Cr. Quinn McCormack
Cr. Kris Bolam

APOLOGIES:
Cr. Brian Cunial
Cr. Steve Toms
Cr. Lillian O’Connor

ABSENT:
Mr. Dennis Hovenden, Chief Executive Officer

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

EXTERNAL REPRESENTATIVES:
Ms. Prue Digby, Municipal Monitor

COUNCILLOR STATEMENT

Councillor McCormack 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.”
PRAYER

At the request of the Mayor, Councillor O’Reilly read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Mayer 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.
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>PRESENTATION TO COMMUNITY GROUPS</td>
</tr>
<tr>
<td>2.</td>
<td>CONFIRMATION OF MINUTES OF PREVIOUS MEETING</td>
</tr>
<tr>
<td></td>
<td>Ordinary Meeting No. OM6 held on 14 May 2018</td>
</tr>
<tr>
<td>3.</td>
<td>APOLOGIES</td>
</tr>
<tr>
<td>4.</td>
<td>DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST</td>
</tr>
<tr>
<td>5.</td>
<td>PUBLIC QUESTION TIME</td>
</tr>
<tr>
<td>6.</td>
<td>HEARING OF PUBLIC SUBMISSIONS</td>
</tr>
<tr>
<td>7.</td>
<td>ITEMS BROUGHT FORWARD</td>
</tr>
<tr>
<td>8.</td>
<td>PRESENTATIONS / AWARDS</td>
</tr>
<tr>
<td>9.</td>
<td>PRESENTATION OF PETITIONS AND JOINT LETTERS</td>
</tr>
<tr>
<td>10.</td>
<td>DELEGATES’ REPORTS</td>
</tr>
<tr>
<td>11.</td>
<td>CONSIDERATION OF TOWN PLANNING REPORTS</td>
</tr>
<tr>
<td>11.1</td>
<td>Final Draft ‘Refresh’ Frankston Housing Strategy 2017 - Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones</td>
</tr>
<tr>
<td>11.2</td>
<td>Town Planning Application 478/2013/P/A - 101 Young Street Frankston - To amend the permit by further increasing the licenced area</td>
</tr>
<tr>
<td>12.6</td>
<td>Update on Short Term Accommodation/Party Houses</td>
</tr>
<tr>
<td>12.8</td>
<td>Hearing of submitters - proposed discontinuance of unused government road - corner North and Aldershot Roads, Langwarrin</td>
</tr>
<tr>
<td>12.9</td>
<td>Hearing of submitters – proposed Annual Budget 2018-2019</td>
</tr>
<tr>
<td>13.3</td>
<td>Response to 2018/NOM13 - Rescission Motion - NOM 1391 - Apsley Place</td>
</tr>
<tr>
<td>11.3</td>
<td>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)</td>
</tr>
<tr>
<td>12.1</td>
<td>Resolution Progress Update</td>
</tr>
<tr>
<td>12.2</td>
<td>Investment Strategy</td>
</tr>
<tr>
<td>12.3</td>
<td>Adoption - Pathway Asset Management Plan</td>
</tr>
</tbody>
</table>
12.4 Lessons learnt from the Carrum Downs/Frankston North fires in January 2018.................................25
12.5 Council Plan Performance Report - Quarter three 2017-2018.............26
12.7 Frankston Memorial Park - Renewal of toilet block............................27

13. RESPONSE TO NOTICES OF MOTION..............................................28
13.1 Response to NOM 1319 - Access to Hindu Temple via Boundary Lane .................................................................28
13.2 Response to NOM 1384 - Citywide Summit - Building Civic Pride ......29

14. NOTICES OF MOTION...................................................................30
14.1 2018/NOM30 - Council to bid for 1 x W-Class Tram and 1 x Z-Class Tram ...............................................................30
14.2 2018/NOM31 - Improvements to the Planning Process....................31
14.3 2018/NOM32 - Waiving of Kerbside Trading Fee..........................32

15. LATE REPORTS ............................................................................33

16. URGENT BUSINESS.....................................................................33
Urgent Business – Transparency of LXRA.............................................33

17. CONFIDENTIAL ITEMS.................................................................34
C.1 Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension ................................................34
C.2 Sandhurst and Sandarra Estates - Asset Condition Audit and Investigation .................................................................34
C.3 Microsoft Licensing Agreement and Services Renewal .....................34
C.4 620 McClelland Drive, Langwarrin................................................34
C.5 Frankston Charitable Fund Grants ..................................................34
C.6 Minutes of the Frankston Arts Board - 22 May 2018 .......................34
C.7 Major Projects - Jubilee Park Indoor Stadium & Centenary Park Regional Tennis and Gymnastics Centre .........................34
C.8 Corporate Device Replacement..........................................................34
C.9 Frankston Skate Park Management Tender......................................35

18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS ........36
C.1 Establishment of City Centre Market on Young Street (considered at 2018/OM6 – 14 May 2018) ........................................36
C.3 Microsoft Licensing Agreement and Services Renewal (considered at this meeting) ..........................................................36
C.7 Major Projects - Jubilee Park Indoor Stadium & Centenary Park Regional Tennis and Gymnastics Centre (considered at this meeting) ..........................................................37

Chairperson’s initials
C.8 Corporate Device Replacement (considered at this meeting).................38
1. PRESENTATION TO COMMUNITY GROUPS
Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
Ordinary Meeting No. OM6 held on 14 May 2018.

Council Decision
Moved: Councillor Aitken       Seconded: Councillor McCormack
That the minutes of the Ordinary Meeting No. OM6 held on 14 May 2018 copies of
which had previously been circulated to all Councillors, be confirmed, approved and
adopted.

   Carried Unanimously

3. APOLOGIES
Apology
Council Decision
Moved: Councillor Aitken       Seconded: Councillor McCormack
That the apologies be received and Councillors Cunial, O’Connor and Toms be granted
leave from the meeting.

   Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF
INTEREST
Nil

5. PUBLIC QUESTION TIME
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 Karin Carter made a submission to Council regarding Item 11.1: Final Draft Refresh
Frankston Housing Strategy 2017 – Report on public consultation and progress to a
Planning Scheme Amendment to implement the reformed residential zones;

Mr Steven Cataldo 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;

The Mayor acknowledged Ms Hilary Poad, Senior Citizen of the Year 2018
in the Gallery

Mr Kevin Vaughan 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 Mariah Poduch and Mr Denis Moore made a submission to Council regarding Item 11.2: Town Planning Application 478/2013/P/A – 101 Young Street, Frankston – To amend the permit by further increasing the licenced area;
Mr Alex Fitzgerald made a submission to Council regarding Item 12.6: Update on Short Term Accommodation/Party Houses;

Mr Robert Thurley made a submission to Council regarding Item 12.6: Update on Short Term Accommodation/Party Houses;

Ms Hilary Poad made a submission to Council regarding Item 12.6: Update on Short Term Accommodation/Party Houses;

Ms Grace Mongoso made a submission to Council regarding Item 13.3: Response to 2018/NOM13 – Rescission Motion – NOM 1391 – Aspley Place;

Ms Robyn Hegedus made a submission to Council regarding Item 13.3: Response to 2018/NOM13 – Rescission Motion – NOM 1391 – Aspley Place;

Mr Benjamin Savage made a submission under Section 223 to Council regarding Item 12.8: Hearing of submitters – proposed discontinuance of unused government road – corner North and Aldershot Roads, Langwarrin;

Mr Brett Young made a submission under Section 223 to Council regarding Item 12.8: Hearing of submitters – proposed discontinuance of unused government road – corner North and Aldershot Roads, Langwarrin;

Mr Rod Atherton made a submission under Section 223 to Council regarding Item 12.9: Hearing of submitters – proposed Annual Budget 2018-2019;

Mr Norm Jardine made a submission under Section 223 to Council regarding Item 12.9: Hearing of submitters – proposed Annual Budget 2018-2019;

Rev Tim Costello and Ms Ann Bardsely made a submission under Section 223 to Council regarding Item 12.9: Hearing of submitters – proposed Annual Budget 2018-2019;

Mr Brendan Hatswell made a submission under Section 223 to Council regarding Item 12.9: Hearing of submitters – proposed Annual Budget 2018-2019.

7. ITEMS BROUGHT FORWARD

Council Decision

Moved: Councillor Aitken
Seconded: Councillor Bolam

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;

- 11.2: Town Planning Application 478/2013/P/A – 101 Young Street, Frankston – To amend the permit by further increasing the licenced area;

- 12.6: Update on Short Term Accommodation/Party Houses;

- 12.8: Hearing of submitters - proposed discontinuance of unused government road - corner North and Aldershot Roads, Langwarrin

- 12.9: Hearing of submitters – proposed Annual Budget 2018-2019;

- 13.3: Response to 2018/NOM13 – Rescission Motion – NOM 1391 – Aspley Place;

be brought forward.

Carried Unanimously

Chairperson’s initials

E. Hampton
8. **PRESENTATIONS / AWARDS**

   The Mayor presented to the Chamber a plaque received from the “Look Good Feel Better” group thanking and celebrating the 10 years of partnership with Frankston City Council.

9. **PRESENTATION OF PETITIONS AND JOINT LETTERS**

   **General Motion**

   **Council Decision**

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

   That the petition from Bayside Gymnastics Club containing 195 signatures requesting to include the sport of gymnastics in the Centenary Park Sporting Complex be received.

   **Carried Unanimously**

   *The meeting was adjourned at 8.16 pm*

   *The meeting resumed at 8.25 pm*

10. **DELEGATES' REPORTS**

    Nil
ITEMS BROUGHT FORWARD

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

(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 McCormack Seconded: Councillor Aitken

That Council:

1. Adopts in principle the ‘Refresh’ Frankston Housing Strategy, 2017, with the following amendments:

   (a) Ensure the inclusion of the environmentally sensitive Neighbourhood Character precincts FS7, FS8, FS11, FS12 and FS14 in the minimal change zone;

   (b) Remove the Belvedere precinct and Nepean Hwy precinct from the substantial change zone, and include in the incremental change zone;

   (c) Adjust all mapping and recommendations accordingly to give effect to (a) and (b) above;

   (d) Any Housing Reference Group to be established to include Councillor and resident membership in addition to developer and officer members;

   (e) Inclusion of the aims of the United Nations Habitat III, which elaborates on Goal 11 of the Sustainable Development Goals: “Make cities and human settlements inclusive, safe, resilient and sustainable”, with respect to Strategy development, review and implementation; and

   (f) Provide additional referencing of source materials throughout strategy (evidence) as rationale.

2. Subject to 1 above, Council 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. For the Seaford Wetlands Residential Environs Study area (Action B4) Council authorises officers to write to the Minister seeking the immediate implementation of an interim planning overlay control, requiring a 40% permeability standard for new development.

4. Endorses the Implementation Plan, subject to regular reports being made to Council, with the following changes:

   (a) Action B4 (Seaford Wetlands Residential Environs Study) to have its priority listed as “High” with a view to completing this study within this calendar year (2018).

Carried Unanimously

Chairperson’s initials
11.2 Town Planning Application 478/2013/P/A - 101 Young Street Frankston - To amend the permit by further increasing the licenced area.

(MP Community Development)

**Council Decision**

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

That Council resolves to issue an Amended Planning Permit in respect to Planning Permit Application number 478/2013/P/A for a further increase to the licenced area at 101 Young Street Frankston subject to the following conditions:

**Plans**

1. Before the use of the outdoor areas for liquor consumption begins, 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 (3) 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 dotted red line replaced with a solid red line;
   
   (b) Delete the solid red line across the footpath; and
   
   (c) An updated management plan reflecting the increased licenced area to the rear of the site in accordance with Condition 5 of this permit.

**No Alterations**

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

3. No liquor can be consumed outside the licenced area.

**Prior to consumption of liquor**

4. Unless otherwise agreed in writing by the responsible authority the consumption of liquor on the nature strip/footpath must not occur until a Footpath Trading Permit has been issued and all associated works in the public realm have been completed to the satisfaction of the Responsible Authority.

5. The operator of this permit must submit a Management Plan, in which the following matters are addressed, to the satisfaction of the responsible authority:

   a. How the operator will manage the following on and around the premises:
      1. People
      2. Security
      3. Safety
      4. Transport
   
   b. The method of addressing the following principles of Council's liquor accord:
      - To minimise or eliminate practices that lead to rapid or excessive consumption of alcohol
      - To eliminate underage patronage at licensed premises.
      - To minimise movement of crowds between licensed venues particularly at late night or early hours.
      - To ensure that alcohol is consumed on licensed premises or in the home.
• To maintain public order and a safer environment for the Frankston community
• To maintain a free and competitive market between venues.
• An Accord should be self regulating

c. How the operator will manage the responsible serving of alcohol, and the actions to achieve this.

The Management Plan, once approved shall form part of this permit.

6. The applicant shall comply with all requirements of its liquor licence issued under the Liquor Control Reform Act 1998.

7. The consumption of liquor at the bench seating and kerb side area must be in conjunction with the serving of food.

Hours

8. The hours to consume liquor in the outdoor licenced area is as follows:
   Monday to Saturday 11am – 1am
   Sunday 11am – 11pm
   Good Friday and Anzac Day 12noon – 11pm

Number of Patrons

9. The number of patrons allowed to consume liquor in the outdoor licenced area is as follows:
   a. Bench seating – 14 patrons
   b. Kerbside area – in accordance with maximum number allowed under any kerbside trading permit issued by Council

10. The premises must be vacated after the approved hours of operation in an orderly and proper manner and no nuisance is to be caused to the surrounding area/neighbourhood

Permit Expiry

11. This permit will expire if the following circumstances applies:
   • The use of the outdoor liquor licence areas has not commenced with two (2) years from the date of this permit

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

Notes

A. Any request for a variation/amendment of this permit must be lodged with the relevant fee.

B. The permit holder is encouraged to become a member of the Frankston Liquor Industry Accord.

C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
   • Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
• Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Carried Unanimously
12.6 Update on Short Term Accommodation/Party Houses

(LR Community Development)

**Council Decision**

**Moved:** Councillor Bolam  
**Seconded:** Councillor McCormack

That Council:


2. Notes Officers proactively apply the provisions of the Local Law and Acts in respect of investigating and prosecuting complaints received in relation to short term accommodation/party houses.

3. Notes Council has listed the matter of non-registration of a Short Term Accommodation property at the Magistrates Court on 14 June 2018. The outcome of this case will set the precedence not only for Frankston City Council but for other Local Government agencies. Further, issues of non-compliance with building regulations are also being separately pursued.

4. Notes Council officers have researched all short term accommodation in Frankston and have a letter prepared to send to them pending the outcome of the court case.

*Carried Unanimously*
12.8 Hearing of submitters - proposed discontinuance of unused government road - corner North and Aldershot Roads, Langwarrin
(TF Corporate Development)

Council Decision

Moved: Councillor Aitken Seconded: Councillor Mayer

1. That the submissions be received.
2. Councillors note that a detailed report will be submitted to a future Council meeting to enable Council to formally consider the matters raised in the submissions.

Carried Unanimously
12.9 Hearing of submitters – proposed Annual Budget 2018-2019

(KJ Corporate Development)

Council Decision

Moved: Councillor Aitken  Seconded: Councillor McCormack

That Council hears and considers the public submissions relating to the proposed Annual Budget 2018-2019 prior to its adoption.

Carried Unanimously
13.3 Response to 2018/NOM13 - Rescission Motion - NOM 1391 - Apsley Place
(LR Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes the current actions being undertaken by officers with regard to 6-7 Apsley Place.

2. Notes legal advice highlights that Council does not have the power under the Planning and Environment Act to enter properties without reasonable suspicion.

3. Resolves to:
   a) Continue a complaints based system of enforcement compliance
   Or
   b) Establish a schedule of programmed desk top audits noting that once resourcing this method can be effected subject to EMT consideration there will be a further cost to Council of $46k per annum.
   Or
   c) Undertake a programme of desk top audits over the next 6 months whereby detected anomalies will be investigated at a cost of $65K which will be referred to the mid year budget for approval

4. Continues to examine pollution (noise, air, water) complaints about industrial properties on a case by case basis in co-operation with the Environmental Protection Authority to ensure they fulfil appropriate testing in a timely way.

Council Decision

Moved: Councillor Aitken  
Seconded: Councillor Bolam

That Council:

1. Notes the current actions being undertaken by officers with regard to 6-7 Apsley Place.

2. Notes legal advice highlights that Council does not have the power under the Planning and Environment Act to enter properties without reasonable suspicion.

3. Resolves to continue a complaints based system of enforcement compliance.

4. Continues to examine pollution (noise, air, water) complaints about industrial properties on a case by case basis in co-operation with the Environmental Protection Authority to ensure they fulfil appropriate testing in a timely way.

5. Officers take every reasonable effort to initiate an immediate proactive investigation into complaints of a similar nature to effect a wrap around response; potentially incorporating planning investigation, environmental health, building compliance and relevant sections of the General Local Law No 8.

Carried Unanimously
11. CONSIDERATION OF TOWN PLANNING REPORTS

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)*

**Council Decision**

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

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.
I. 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
   (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.

Carried Unanimously
12. CONSIDERATION OF REPORTS OF OFFICERS

12.1 Resolution Progress Update

(TF Corporate Development)

**Council Decision**

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

That Council:

1. Receives the Notices of Motion Report as at 4 June 2018.
2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
   - NOM 1364 – Duplication of Lathams Road
   - NOM 1365 - Victorian Wide EBA
   - 2018/NOM8 – Utility Companies sought to consult more widely
   - 2018/NOM17 – Support Neighbourhood Houses Funding Campaign
3. Notes that since 30 April 2018, 33 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 1316 – Former Frankston Ambassador site
   - Planning Permit Application 424/2017/P – 21 Edward Street, Langwarrin – To construct six (6) dwellings (three (3) single storey and three (3) double storey)
   - Procurement Policy 2017/2018 Review

**Carried Unanimously**
12.2 Investment Strategy

(KJ Corporate Development)

Recommendation (Director Corporate Development)

That Council supports the principle of proactively managing its investment portfolio and endorses the recommendation to proceed under Chief Executive Officer delegation with a request for quote of an independent investment advisor on Council's public funds.

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

That Council:

1. Supports the principle of proactively managing its investment portfolio and endorses the recommendation to proceed under Chief Executive Officer delegation with a request for quote of an independent investment advisor on Council's public funds.

2. Presents a report annually to Council on the 'state of play' as it relates to the health of council investments and holdings. Further, in the Annual Report, an investor summary is to be provided (for public consideration) as a general overview of investments and holdings.

Carried Unanimously
12.3 Adoption - Pathway Asset Management Plan  
*(OV Community Assets)*

**Council Decision**

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

That Council:

1. Notes the submissions received and subsequent changes to the proposed Pathway Asset Management Plan to be adopted; and

*Carried Unanimously*
12.4 Lessons learnt from the Carrum Downs/Frankston North fires in January 2018  
(LR Community Development)

Council Decision

Moved: Councillor Bolam  
Seconded: Councillor O'Reilly

That Council:

1. Notes the concerns of the community have been acknowledged by both individual state agencies and Council who have subsequently undertaken ‘after action’ reviews. It has been recognised that education and awareness of the community needs to be improved.

2. Notes state government agencies have the responsibility for responding to emergency events and the co-ordination of relief and recovery is undertaken by Council.

3. Notes Council officers have placed community education and awareness on the next Municipal Emergency Planning Committee (MEMPC) meeting scheduled in July for discussion an appropriate action.

4. Notes the relief and recovery response by Council officers to the Carrum Downs fire received high praise from State Agencies.

5. Notes the proposed legislative changes demonstrate the evolution of Municipal Emergency Management Planning arrangements. Once implemented:
   - A review of the Municipal Emergency Management Planning Committee will be undertaken to ensure capability to meet statutory obligations and meet state wide emergency management planning arrangements
   - A review of resource requirements to ensure capacity to meet the statutory obligations and planning arrangements. Subject to the need for additional resources a report will be presented to the Executive Management Team for consideration.

6. Notes that Parks Victoria report the Pines Flora & Fauna Reserve is regenerating and has already seen a substantial recovery.

7. Notes that a report will be brought back to 2 July 2018 Ordinary Meeting to allow Council to consider nominating delegate(s) to the MEMPC.

Carried Unanimously
12.5 Council Plan Performance Report - Quarter three 2017-2018
(JK Corporate Development)

**Council Decision**

**Moved:** Councillor Mayer  
**Seconded:** Councillor McCormack

That Council receives and notes the Quarterly Council Plan Performance Report for quarter three, January – March 2018.

**Carried Unanimously**
12.7 Frankston Memorial Park - Renewal of toilet block
(TF Corporate Development)

Council Decision

Moved: Councillor Mayer  Seconded: Councillor Bolam

That Council:
1. Notes the Cemetery Trust’s previous support of the proposal to replace the toilet facility.
2. Endorses that the sum of $150K be referred to the 2019/20 Budget to design and build a single ambulant unisex toilet at Frankston Memorial Park on a smaller scale to the existing facility or such other design Council may determine.

Carried Unanimously
13. RESPONSE TO NOTICES OF MOTION

13.1 Response to NOM 1319 - Access to Hindu Temple via Boundary Lane

(*DD Community Assets*)

**Council Decision**

Moved: Councillor Mayer  
Seconded: Councillor O’Reilly

That Council:

1. Notes this report responds to NOM 1319 – Access to Hindu Temple via Boundary Lane;

2. Notes that the Hindu Temple’s management has agreed to explore alternative access and circulation improvements within the Temple site through improvements to the Temple’s Master Plan;

3. Resolves that access to the Hindu Temple remains from Boundary Road and not proceed with the construction of Boundary Lane to accommodate vehicle traffic at this point in time.

Carried Unanimously
13.2 Response to NOM 1384 - Citywide Summit - Building Civic Pride  
(LD Community Development)

**Council Decision**

Moved: Councillor Bolam  
Seconded: Councillor Aitken

That Council:

1. Notes proposed Civic Pride Local Area Community Projects approach; and
2. Notes the existing budget will be adjusted to enable implementation of projects which are anticipated to cost $10,000 2018/19 and $6,000 2019/2020.

**Carried Unanimously**
14. NOTICES OF MOTION

14.1 2018/NOM30 - Council to bid for 1 x W-Class Tram and 1 x Z-Class Tram

(VR Chief Executive Office)

**Council Decision**

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

1. That the Chief Executive Officer writes to the Minister for Transport, the Hon Jacinta Allan MP and VicTrack spokesman, Mr James O’Brien commending them on the scheme to sell historic trams which will see the preservation and continued use of the decommissioned trams;

2. That Council notes the purchase cost of a tram is $1K and supports the making a thorough and in depth submission to Victrack to purchase 1 X W Class tram and 1 X Z class tram (total = $2000);

3. A report be submitted to the July Ordinary Meeting exploring the best and most appropriate use of the trams including but not limited to:
   - as a training cafe (White Street Mall);
   - a community meeting space (Beach St - Nepean Highway).

   The report must also include:
   - implementation costs associated with each option and recommendation/s to be considered at the mid-year budget review for both the capital and operational costs; and
   - Suitable locations for permanent options, which are to include but not be limited to White Street Mall and Beach Street - Cranbourne Road.

4. That a submission/s also be prepared in the event Council wishes to formally enter into an Expression of Interest bid for the aforementioned trams noting that the deadline is 6 July 2018.

   **Carried**

   For the Motion: Crs Aitken, Bolam, Hampton, Mayer and O'Reilly
   Against the Motion: Cr McCormack

Chairperson's initials: [Signature]
14.2 2018/NOM31 - Improvements to the Planning Process
(VR Chief Executive Office)

Recommendation

That Council:

1. Supports officers reporting the average legal and officer costs together with the number of planning consultants and lawyers associated with each month’s resolved VCAT cases as part of the monthly Town Planning Report.

2. Approves officers conveying residents’ and ratepayers’ concerns (on their behalf where agreed) to Council’s legal representatives where a related planning matter is scheduled for VCAT.

3. Mandates the amended ‘town planning application call-in’ template, which will be attached to all reports called in by Councillors (see attached).

4. Endorses Resident Discussion Meetings be required for all applications where there are more than three objectors and the applicant is willing to attend.

5. Notes that Town Planning Progress Reports will be presented no later than 2 months after the cessation of the month on the proviso that State Government data is available.


Cr Bolam sought Leave of Council to amend his Notice of Motion

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

That Council:

1. Supports officers reporting the average legal and officer costs together with the number of planning consultants and lawyers associated with each month’s resolved VCAT cases as part of the monthly Town Planning Report.

2. Approves officers conveying residents’ and ratepayers’ concerns (on their behalf where agreed) to Council’s legal representatives where a related planning matter is scheduled for VCAT.

3. Mandates the amended ‘town planning application call-in’ template, which will be attached to all reports called in by Councillors (see attached).

4. Endorses Resident Discussion Meetings be required for all applications where there are more than three objectors and the applicant is willing to attend.

5. Notes that Town Planning Progress Reports will be presented no later than 2 months after the cessation of the month on the proviso that State Government data is available.


7. Notes that all planning matters that involve liquor or gaming machines are to be referred to the appropriate agency/organisation for expert advice (i.e. Frankston Liquor Accord, Frankston/Carrum Downs Police etc). All subsequent reports, with the above instances, must be accompanied with feedback from such agencies/organisations. Where such agencies/organisations have not provided formal responses, this is to be reflected in the report.

Carried Unanimously

Chairperson's initials

[Signature]
14.3 2018/NOM32 - Waiving of Kerbside Trading Fee

*(TC Chief Executive Office)*

**Council Decision**

Moved: Councillor Aitken  
Seconded: Councillor McCormack

The waiving of the Kerbside trading fee, as per the formula adopted by Council at its Ordinary Meeting of 14 May 2018 (2018/OM6), be extended to include the remainder of Young Street up to Davey Street, Frankston.

*Carried Unanimously*
15. LATE REPORTS

Nil.

16. URGENT BUSINESS

Urgent Business

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

That the matter of Transparency of LXRA be accepted as urgent business.

Carried

For the Motion:  Crs Aitken, Bolam, Mayer, McCormack and O'Reilly
Against the Motion:  Cr Hampton

Urgent Business – Transparency of LXRA

Council Decision

Moved: Councillor Bolam  Seconded: Councillor Aitken

Council writes to the Minister Public Transport and Local MP Sonya Kilkenny outlining Council’s deep concerns with regards to the lack of transparency and probity as to the:

- The State Government’s prioritisation of the $10M funds set aside for projects associated with the rail works in Seaford
- The role that the LXRA is playing with facilitating the current community discussion as to how the $10M fund will be spent and the inappropriateness of LXRA consulting with the community about its redevelopment of Council owned land
- The uncertainty of as to whether the RF Miles Pavilion will be funded for redevelopment by the State Government

Council notes the importance of and requests these matters being clarified urgently in writing to provide the necessary clarification for the Seaford Football Netball Club to return to the RF Miles Reserve once the works have been completed.

In addition, clarification is also sought regarding the status of proposals and bids for funding from community groups (i.e. 1st Seaford Scouts Group) seeking access to the $10M fund.

Carried

For the Motion:  Crs Aitken, Bolam, Mayer, McCormack and O'Reilly
Against the Motion:  Cr Hampton

Chairperson’s initials  

[Signature]
17. CONFIDENTIAL ITEMS

**Council Decision**

Moved: Councillor Aitken  Seconded: Councillor Mayer

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 **Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension**

Agenda Item C.1 Award of Contract 2017/18-87 Seaford North Soccer Pavilion - Change Rooms Extension is designated confidential as it relates to contractual matters (s89 2d)

C.2 **Sandhurst and Sandarra Estates - Asset Condition Audit and Investigation**

Agenda Item C.2 Sandhurst and Sandarra Estates - Asset Condition Audit and Investigation is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.3 **Microsoft Licensing Agreement and Services Renewal**

Agenda Item C.3 Microsoft Licensing Agreement and Services Renewal is designated confidential as it relates to contractual matters (s89 2d)

C.4 **620 McClelland Drive, Langwarrin**

Agenda Item C.4 620 McClelland Drive, Langwarrin is designated confidential as it relates to legal advice (s89 2f)

C.5 **Frankston Charitable Fund Grants**

Agenda Item C.5 Frankston Charitable Fund Grants is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.6 **Minutes of the Frankston Arts Board - 22 May 2018**

Agenda Item C.6 Minutes of the Frankston Arts Board - 22 May 2018 is designated confidential as it relates to contractual matters (s89 2d)

C.7 **Major Projects - Jubilee Park Indoor Stadium & Centenary Park Regional Tennis and Gymnastics Centre**

Agenda Item C.7 Major Projects - Jubilee Park Indoor Stadium & Centenary Park Regional Tennis and Gymnastics Centre is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.8 **Corporate Device Replacement**

Agenda Item C.8 Corporate Device Replacement is designated confidential as it relates to contractual matters (s89 2d)
C.9  Frankston Skate Park Management Tender
    ... Agenda Item C.9 Frankston Skate Park Management Tender 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.1 Establishment of City Centre Market on Young Street (considered at 2018/OM6 – 14 May 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 Mayer**

That Council:

1. Endorses the implementation of a City Centre Market located on Young Street, commencing September 2018.
2. Notes that the Rose Street Market has been selected as the preferred market operator.
3. Notes that the proposed market would operate as a twilight market, once a month on Saturdays within summer months and a day market during winter months.
4. Resolves that the recommendation be released at the next open meeting of Council.

*The motion was put and Carried*

---

C.3 **Microsoft Licensing Agreement and Services Renewal (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 O’Reilly**  
**Seconded: Councillor Bolam**

That:

1. Council approves the acceptance of the contract renewal from Winc for the *Microsoft Licensing Agreement and Services Renewal* for $887,047.65 (exclusive of GST); and,
2. The Contracts be signed and sealed.
3. The resolution only (without commercially sensitive information) be released with the minutes of the meeting.

*The motion was put and Carried*
C.7 Major Projects - Jubilee Park Indoor Stadium & Centenary Park Regional Tennis and Gymnastics Centre (considered at this meeting)

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’.

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

**Council Decision**

**Moved:** Councillor Bolam  **Seconded:** Councillor Mayer

**Jubilee Park Indoor Stadium**

That Council:

1. Supports the preferred concept design and timeline for Jubilee Park Indoor Stadium Project;

2. Supports the total estimated project cost of approximately $31.5M and proposed Funding Pledge Strategy as follows:
   i) Council Pledge : $7.1M
   ii) State Government Ask : $7.1M
   iii) Federal Government Ask : $7.1M

3. Together with Peak Sporting Associations and Clubs, strongly advocates and calls on State and Federal Government to match Council’s funding pledge by providing $7.1M each toward the Jubilee Park Indoor Stadium Project.

4. Notes completion of the project within the identified timelines depends on funding being secured from State and Federal Government.

5. Supports Council Officers to:
   i) Continue discussions with internal and external stakeholders (Clubs) to finalise the preferred concept design;
   ii) Commence the detailed design;
   iii) Inform the community about the project and commence community consultation.

6. Notes the tender process will only commence once funding from State and Federal Government is secured.

7. The resolution be incorporated into the public minutes of this meeting.

*The motion was put and Carried*
Council Decision
Moved: Councillor Bolam  Seconded: Councillor Mayer

Centenary Park Regional Tennis & Gymnastics Centre
That Council:

1. Supports the preferred concept design and timeline for Combined Centenary Park Regional Tennis & Gymnastics Centre;

2. Supports the total estimated project cost of approximately $27.6M and proposed Funding Pledge Strategy as follows:
   i) Council Pledge : $8.05M
   ii) State Government Ask : $8.05M
   iii) Federal Government Ask : $8.05M

3. Together with Peak Sporting Associations and Clubs, strongly advocates and calls on State and Federal Government to match Council’s funding pledge by providing $8.05M each toward the Centenary Park Regional Tennis & Gymnastics Centre.

4. Notes completion of the project within the identified timelines depends on funding being secured from State and Federal Government.

5. Supports Council Officers to:
   i) Continue discussions with internal and external stakeholders (Clubs) to finalise and signoff on the preferred concept design;
   ii) Commence the detailed design;
   iii) Inform the community about the project and commence community consultation;
   iv) Work with Clubs on the temporary provision of tennis facilities whilst project funding (and later construction) is progressed.

6. Notes the tender process will only commence once funding from State and Federal Government is secured.

7. The resolution be incorporated into the public minutes of this meeting.

The motion was put and Carried

C.8 Corporate Device Replacement (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 Mayer  Seconded: Councillor Bolam
That:

1. Approves the replacement of Council’s IT desktop/laptop fleet on the basis of a four year lease arrangement from DELL Australia.

2. Delegates the authority to the Chief Executive Officer to sign off on the lease including ongoing increases and decreases in lease costs with normal fluctuations on the number of devices required.

3. That the resolution only be released in the minutes of this meeting.

The motion was put and Carried

Chairperson’s initials
The meeting was closed to the public at 9.13 pm

CONFIRMED THIS 2018

…………………………………………………………
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 4 June 2018, confirmed on Monday 2 July 2018.

…………………………………………………………
(Cr. Colin Hampton, Chairperson – Council Meeting)

Dated this day of 2018