



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 16 DECEMBER 2019 at 7.00PM**

PRESENT	Cr. Sandra Mayer (Mayor) Cr. Colin Hampton Cr. Michael O'Reilly Cr. Glenn Aitken Cr. Brian Cunial Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Cr. Steve Toms
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Acting Director Corporate Development Dr. Gillian Kay, Director Community Development Mr. Cam Arullanantham, Acting Director Community Assets Mr. Stuart Caldwell, Acting Manager Planning & Environment Mr. Oliver Rees, Acting Coordinator Statutory Planning Mr. Taylor McVean, Coordinator Communications Ms. Tenille Craig, Councillor Support Officer Ms. Sharon Lozsan, Project and Business Support Officer
EXTERNAL REPRESENTATIVES:	Nil.

**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."*

Chairperson's initials *S. Mayer*

**PRAYER**

At the request of the Mayor, Councillor O'Connor read the Opening Prayer.

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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**1. PRESENTATION TO COMMUNITY GROUPS****1.1 Presentation to Kananook Community Garden Committee**

Cr Bolam acknowledged the work by the Kananook Community Garden Committee and presented a Certificate of Appreciation to the Committee members.

**2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Ordinary Meeting No. OM13 held on 14 October 2019.**

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Cunial**

That the minutes of the Ordinary Meeting No. OM13 held on 14 October 2019 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

**Special (Statutory) Meeting No.SP7 held on 7 November 2019.**

**Council Decision**

**Moved: Councillor Cunial**

**Seconded: Councillor Aitken**

That the minutes of the Special (Statutory) Meeting No. SP7 held on 7 November 2019 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

**Ordinary Meeting No. OM14 held on 18 November 2019.**

**Council Decision**

**Moved: Councillor Cunial**

**Seconded: Councillor O'Connor**

That the minutes of the Ordinary Meeting No. OM14 held on 18 November 2019 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted with an amendment to the Confirmation of Minutes section removing reference to an Ordinary Meeting held on 11 November 2019, which was an administrative error.

**Carried Unanimously**

**3. APOLOGIES**

Nil

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

Cr Hampton declared a Conflict of Interest for Item 14.1: 2019/NOM56 – Notice of Rescission – Item C.4: Local Government Inspectorate Investigation Outcome and will leave the Chamber at the time of discussion and voting.

**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.

Chairperson's initials *S. Mayer*

*Councillor Bolam left the chamber at 7:16 pm.*

*Councillor Bolam returned to the chamber at 7:17 pm.*

## 6. HEARING OF PUBLIC SUBMISSIONS

Mr. John Furborough made a submission to Council regarding Item 11.1: Planning Permit Application 74/2019/P – 4 Cassowary Close, Carrum Downs – To construct three (3) double storey dwellings;

Mr. John Dalton made a submission to Council regarding Item 11.1: Planning Permit Application 74/2019/P – 4 Cassowary Close, Carrum Downs – To construct three (3) double storey dwellings;

Mr. James Toncinich made a submission to Council regarding Item 11.1: Planning Permit Application 74/2019/P – 4 Cassowary Close, Carrum Downs – To construct three (3) double storey dwellings;

Mr. Ed Cox made a submission to Council regarding Item 11.2: Town Planning Application 343/2019/P – 24 and 26 Playne Street Frankston – To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme;

Mr. Michael Fraser made a submission to Council regarding Item 12.15: Parliamentary Enquiry into Homelessness – Frankston City Council Submission;

Mr. Kevin Vaughn made a submission to Council regarding Item 12.15: Parliamentary Enquiry into Homelessness – Frankston City Council Submission;

*Councillor Cunial left the chamber at 7:46 pm.*

Ms. Merridee Pilkington made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout;

Ms. Jenny-Rose Smith made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout;

*Councillor Cunial returned to the chamber at 7:55 pm.*

Ms. Carolyn O'Brien made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout;

Ms. Sara Bertazzon made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout;

Ms. Samantha Chippington made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout;

Ms. Sandy Riley made a submission to Council regarding Item 14.3: 2019/NOM59 – 5G Rollout.

**7. ITEMS BROUGHT FORWARD****Items Brought Forward****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Hampton**

That Items

- 11.1: Planning Permit Application 74/2019/P – 4 Cassowary Close, Carrum Downs – To construct three (3) double storey dwellings;
- 11.2: Town Planning Application 343/2019/P – 24 and 26 Playne Street Frankston – To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme
- 12.15: Parliamentary Enquiry into Homelessness – Frankston City Council Submission;
- 14.3: 2019/NOM59 – 5G Rollout
- 14.7: 2019/NOM63 - Free Wi-Fi Zones
- C.3: 2019/NOM57 - Centenary Park Golf Course Tender

be brought forward.

**Carried Unanimously****8. PRESENTATIONS / AWARDS**

Nil

**9. PRESENTATION OF PETITIONS AND JOINT LETTERS****Petition – 3 hour Parking Limit in McKenzie Street****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Cunial**

That a petition calling for a three (3) hour parking limit (except for resident) on weekends in McKenzie Street, Seaford, with 19 signatures be accepted

**Carried Unanimously****10. DELEGATES' REPORTS**

Nil



**ITEMS BROUGHT FORWARD****11.1 Planning Permit Application 74/2019/P - 4 Cassowary Close, Carrum Downs - To construct three (3) double storey dwellings**

*(SC 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 74/2019/P for the construction of three (3) double storey dwellings at 4 Cassowary Close, Carrum Downs, 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 identified as Project number 2018/24, Revision A, Sheets TP3 to TP6, prepared by Archimedium Australia Pty. Ltd., dated October 2018 (or some other specified plan) but modified to show:
  - (a) The removal of bedroom 4 from Dwellings 1 and 3 in accordance with the plans submitted to Council on 6 September 2019, identified as Project number 2018/24, Revision B, Sheets TP3 to TP6, prepared by Archimedium Australia Pty. Ltd.
  - (b) Tree 7 to be retained.
  - (c) 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 Arboricultural Impact Assessment and Tree Management Plan prepared by All Trees Consulting March 2019 and clearly state whether the tree is to be retained or removed.
  - (d) 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.
  - (e) A Landscape Plan in accordance with Condition 3.
  - (f) A Tree Protection Plan in accordance with Condition 5.
  - (g) Root sensitive footings and paving in accordance with Condition 6.
  - (h) Street tree removal noted in accordance with Condition 7.
  - (i) The kitchen window of Dwelling 2 to be removed or setback a minimum of 1 metre from the accessway and comply with Standard B15 of Clause 55.03-10 of the Frankston Planning Scheme.
  - (j) The garage of Dwelling 1 to have a minimum internal length of 6 metres and width of 3.5 metres in accordance with the requirements of Clause 52.06 of the Frankston Planning Scheme.
  - (k) A minimum of 0.5 metres in length to be provided between the garage and tandem space of Dwelling 1.
  - (l) Demonstrate that accessway grades are in accordance with Clause 52.06-9 of the Frankston Planning Scheme.

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- (m) A notation that the existing crossover to be modified to the Responsible Authorities standards and satisfaction and referenced from Council's Standard Details; SD310.
- (n) A notation that the proposed crossover shall be constructed to the Responsible Authorities standards and satisfaction and referenced from Council's Standard Details; SD310.
- (o) Storage sheds to be nominated with a minimum capacity of six (6) cubic metres.
- (p) The proposed letterboxes located within the corner splays of the accessways to have a maximum height of 0.9 metres.
- (q) Free standing trellis fence in accordance with Condition 15.
- (r) Bollard lighting to be included along the shared accessway in accordance with Condition 19.

### No Alterations

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

### Landscaping

- 3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - a. a survey (*including botanical names*) of all existing vegetation to be retained and/or removed;
  - b. buildings and trees (*including botanical names*) on neighbouring properties within three metres of the boundary;
  - c. details of surface finishes of pathways and driveways, retaining walls and areas of cut and fill;
  - d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
  - e. A planting theme of a minimum 20% indigenous, 40% native and 40% exotic within each plant group;
  - f. landscaping to a minimum height of 1.5m to be incorporated along the west boundary of the common driveway
  - g. 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 each of the front setbacks of Dwelling 1 and 2 with minimum mature heights of 10 metres.
    - (ii) One within the private open space of Dwellings 1 and 2 with a minimum mature height of 7 metres.
    - (iii) One (1) within the landscape area on the southern boundary adjacent to the garage of Dwelling 2 with a minimum mature height of 7 metres.

Trees are not to be sited over easements.

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

#### **Prior to Occupation**

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

#### **Tree Protection Management Plan**

5. A Tree Protection Management Plan generally in accordance with the Arboricultural Impact Assessment and Tree Management Plan prepared by All Trees Consulting March 2019 but modified to include all relevant measures regarding the retention of Tree 7; installation on root sensitive paving, footings and at / above grade slab or like; arboriculturally supervised excavations; requirement for ground protection and all other AS4970 Protection of Trees on Development Sites compliant measures to the satisfaction of the Responsible Authority.

#### **Root Sensitive Footings and Paving**

6. Root sensitive at / above grade paving and root sensitive footings and at / above grade capping beam and slab must be used within the following radial tree protection zone.
  - Tree 7 (Red Ironbark) – 7.4m

#### **Street tree removal**

7. Prior to the construction of the crossover the "Request Form - Street Tree Removal for Private Development" and payment for the removal of the Council Street tree species located on the nature strip at address must be provided to Frankston City Council's Planning and Environment Department in accordance with the fees for a Small Street Tree and the fees for the re-planting of another tree outlined in Council's Guidelines for Council Tree Removal for Private Development. Upon receipt of the form and payment the street tree removal will be actioned.

#### **Drainage**

8. 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.
9. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
10. Stormwater Drainage Outfall is to be constructed to the satisfaction of the responsible Authority.
11. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
12. Existing vehicle crossing shall be altered and widened to Frankston City Council's standards and specifications 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:
  - On-site stormwater detention and rainwater tanks.

Chairperson's initials *S. Mayer*

- 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.
14. The stormwater management system be designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) in compliance with Standard B9-Permeability and stormwater management objectives.

#### **Free-Standing Trellis**

15. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the northern (side) boundary of the site to a minimum height of 1.7 metres above the finished floor level of Dwelling 1, to restrict overlooking from northern habitable into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

#### **Urban Design**

16. 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.
17. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
18. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
19. 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**

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

#### **Permit Expiry**

21. This permit will expire if:
- a. The development has not started within two (2) years of the date of this permit.
  - b. The development is not completed within four (4) 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.

#### **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

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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 applicants responsibility to ensure all owners are notified of the allocated street numbering.

**Council Decision**

**Moved: Councillor Hampton**

**Seconded: Councillor McCormack**

That Council resolves to issue a Notice of Refusal in respect to Planning Permit Application number 74/2019/P to construct three (3) double storey dwellings at 4 Cassowary Close, Carrum Downs on the following grounds:

1. The proposed development is inconsistent with the objectives of the State and Local Policy Framework of the Frankston Planning Scheme, including:
  - a) Clause 15: Built Environment
  - b) Clause 16: Housing
  - c) Clause 22.08: Neighbourhood Character Policy
2. The proposal does not achieve the objectives of the Neighbourhood Character Policy (Clause 22.08 of the Frankston Planning Scheme), and the objectives of Carrum Downs 2 (CD2) Neighbourhood Character Precinct.
3. The siting, mass and bulk of the proposed development will have an unreasonable impact on the amenity of neighbouring properties and character of the area.

**Carried Unanimously**

Chairperson's initials *S. Mayer*

**11.2 Town Planning Application 343/2019/P- 24 and 26 Playne Street Frankston - To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

*(SC Community Development)*

**Council Decision**

**Moved: Councillor Hampton**

**Seconded: Councillor Cunial**

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 343/2019/P To use the land for the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme at 24 and 26 Playne Street Frankston, subject to the following conditions:

**Plans**

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the amended plans submitted with the application (or some other specified plan) but modified to show:
  - (a) The access and turning area for waste collection vehicles at the rear of the site via Arthurs Lane.
  - (b) The six (6) car parking spaces at the rear of the site clearly annotated on site plan to indicate that the spaces are to be used in association with the use of 26 Playne Street.
  - (c) Delete the footpath seating area unless approval is obtained under Local Laws.
  - (d) The Venue/Patron Management Plan amended in accordance with Condition 9.

**No Alterations**

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

**Amenity**

4. The amenity of the area must not be detrimentally affected by the use and development 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;

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- d) Presence of vermin; others as appropriate; or
  - e) In any other way.
5. Noise levels emanating from the premises must not exceed those required to be met under State Environment protection Policy (Control of Music Noise from Public Premises), No. N-2.

#### **Liquor Licence Requirements**

6. The sale and consumption of alcohol must only take place at the premises during the following hours:
- a. Hotel premises - Sale and consumption of liquor
    - Sunday 12noon to 11.30pm
    - Monday 12noon to 11pm
    - Tuesday and Wednesday 12noon to 11.30pm
    - Thursday to Saturday 12noon to 1am the following day.
    - Good Friday and Anzac day – 1pm to 10pm
  - b. Bottle shop - Sale and consumption of liquor
    - Monday to Sunday 12noon to 11pm
    - Anzac Day and Good Friday 1pm to 9pm

#### **Patron Numbers**

7. Not more than 250 patrons may be present on the premises at any one time.

#### **Car Parking availability**

8. A total of 6 car parking spaces to the rear of the land and as shown on the endorsed plans must be made available at all times for the exclusive use of 26 Playne Street to the satisfaction of the Responsible Authority.

#### **Satisfactorily Completed**

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

#### **Patron/Venue Management Plan**

10. Prior to the commencement of use, an amended Management plan must be submitted, for approval to the satisfaction of the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must be generally in accordance with the Patron/Venue Management Plan including details as follows:
- a) Renaming of the plan to Patron/Venue Management Plan;
  - b) Hours of Operation (on the premises and off the premises);
  - c) Venue shut down procedures to encourage the patrons to leave the premises sporadically.
  - d) The number of patrons admitted on site at any one time;
  - e) Signage to be used to encourage responsible off-site patron behaviour;
  - f) The training of staff and the management of patron behaviour;
  - g) Measures to control noise emissions from the premises and amenity control;

- h) Measures to prevent vandalism and antisocial behaviour;
- i) Details to address waste including bottles, rubbish and reduce generated by the use;

All to the satisfaction of a Responsible Authority.

### Signage Requirements

- 11. The signs hereby permitted must be constructed to the satisfaction of the Responsible Authority, and must be maintained to the satisfaction of the Responsible Authority.
- 12. For the advertising signs the permit expires 15 years from the date of this permit.
- 13. Upon expiry of the approved signage, all structures built specifically to support the structure must subsequently be removed.

### Permit Expiry

- 14. 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.
  - The use is not commenced within two (2) years of the date of this permit.
  - The use ceases for a continuous period of two (2) or more years.

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

### Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
  - a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
  - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

**Carried Unanimously**

Chairperson's initials *S. Mayer*



**12.15 Parliamentary Enquiry into Homelessness - Frankston City Council Submission**

*(TB Community Development)*

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

That Council:

1. Endorses the Parliamentary Inquiry Submission by Frankston City Council.
2. Delegates the Mayor to sign and send the submission to the Legislative Council's Legal and Social Issues Committee.

**Carried Unanimously**

**14.3 2019/NOM59 - 5G Rollout**

*(TC Chief Executive Office)*

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

That Council writes to the relevant Federal Minister in relation to the 5G rollout, asking the following question:

- Why the ARPANZA standards, that telecommunication applications are measured by, at such variance and disproportionate to a number of other countries throughout the world?

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

That Cr Aitken be granted an extension of time.

**Carried Unanimously****The motion was then put and  
Carried Unanimously**

**14.7 2019/NOM63 - Free Wi-Fi Zones**

(VR Chief Executive Office)

That Council provides a report to the March 2020 Ordinary Meeting on the potential of 'Free Wi-Fi Zones' for free public use.

This approach, as practiced by other municipalities (i.e. the City of Greater Dandenong, the City of Melbourne and the Mildura Rural City Council etc.), will allow the public to utilise free Wi-Fi in strategic locations such as the Frankston and Seaford town centres.

Prospective locations, in lieu of Wi-Fi coverage, are to also have signage and be listed on the council website.

*In accordance with Local Law No 1, Section 33 (11), Cr Bolam  
sought leave of council to amend his Notice of Motion*

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

That Council provides a report to the March 2020 Ordinary Meeting on the potential of 'Free Wi-Fi Zones' for free public use.

This approach, as practiced by other municipalities (i.e. the City of Greater Dandenong, the City of Melbourne and the Mildura Rural City Council etc.), will allow the public to utilise free Wi-Fi in strategic locations such as the Frankston and Seaford town centres.

Prospective locations, in lieu of Wi-Fi coverage, are to also have signage and be listed on the council website. The report is to also consider any health implication/s relative to 5G and electromagnetic frequency concerns expressed by members of the public.

**Carried**

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

Against the Motion: Cr Aitken

Chairperson's initials *S. Mayer*

**C.3 2019/NOM57 - Centenary Park Golf Course Tender**

(VR Chief Executive Office)

**Deferral Motion to another Council Meeting****Moved: Councillor Aitken****Seconded: Councillor McCormack**

That the matter be deferred to the 28 January 2020 Ordinary Meeting.

**Lost**

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

Against the Motion: Crs Bolam, Cunial, Hampton, Mayer and O'Connor

**Items Brought Forward into Open Council****Moved: Councillor Hampton****Seconded: Councillor Cunial**

That Item C.3: 2019/NOM57 – Centenary Park Golf Course Tender be brought forward into Open Council.

**Carried**

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

Against the Motion: Crs Aitken, McCormack and O'Reilly

Abstained: Cr Bolam

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

That the financial analysis of the Centenary Park Golf Course Tender, compiled by Cr Colin Hampton, which was made available to all Councillors and EMT well before the vote on this issue be made a public document.

Also the belated analysis and corroboration of Cr Colin Hampton's figures by the Director of Corporate Development, Tim Frederico be made a public document.

The names of the companies involved are to be redacted from the public documents.

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

That the motion be put.

**Carried Unanimously**

**The Motion was then put and Carried  
On the casting vote of the Mayor**

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

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

*Meeting adjournment at 9.03pm*

Chairperson's initials *S. Mayer*

*Meeting resumed at 9.12 pm with all Councillors present except Cr O'Connor*

### **Block Motion**

#### **Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Cunial**

That the following items be block resolved and that the recommendations in each item be adopted:

- 11.3: October 2019 Planning and Environment Progress Report
- 12.1: Notice of Motion and Deferred Report Status Update for 16 December 2019
- 12.2: External Committee Minutes for the CEO and Executive Management Team
- 12.3: Confirmation of Minutes for Frankston Cemetery Trust 2019
- 12.4: Minutes of the Frankston Arts Board – 21 October 2019
- 12.5: Minutes of the Frankston Arts Board – 19 November 2019
- 12.10: 2018-2019 Annual and Financial Report – Peninsula Leisure Pty Ltd
- 12.11: Review of Audit and Risk Committee Charter
- 12.12: Community Infrastructure and Community Sports Infrastructure Loan Schemes
- 12.13: Waste Minimisation and Management Plan – Year 4 (2018-19) Progress Report – December 2019
- 12.14: Quarterly Performance Report – Quarter One – July-September 2019
- 12.16: Adoption – Drainage Asset Management Plan
- 12.17: Eel Race Road Sculpture – Concept Design
- 12.18: Frankston City Health and Wellbeing Plan 2017-2021
- 12.20: Procurement Projects update
- 12.21: Kerbside Trading Guidelines – Addendum 2019
- 12.22: Parliamentary Inquiry into meeting Obligations to Protect Ramsar Wetlands – Council Statement at Public Hearing
- 12.23: Response to joint Letter for Acacia Heath / Spring Hill Estate
- 13.1: Further response to NOM 1312 – Unemployment in Frankston – Work Ready Program Progress Report
- 13.2: Further response to NOM 1312 – Unemployment in Frankston – South East Regional Skills Study
- 13.3: Response to 2019/NOM47 - Intercontinental Sporting Competitions

**Carried Unanimously**

**11. CONSIDERATION OF TOWN PLANNING REPORTS****11.3 October 2019 Planning and Environment Progress Report**

*(SC Community Development)*

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

That Council receives and notes the October 2019 Planning and Environment Progress Report.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Notice of Motion and Deferred Report Status Update for 16 December 2019**

(PC Chief Executive Office)

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

That Council:

1. Receives the Notices of Motion Report as at 16 December 2019.
2. Notes and accepts there are nine Notices of Motion that have been reported as being complete.
  - 2018/NOM35 - Proposed Downs Estate Business Case
  - 2019/NOM12 - Legal Advice
  - 2019/NOM15 - Consultancy Fees Report
  - 2019/NOM26 - Lawton Park Master Plan
  - 2019/NOM27 - Sandfield Reserve Fenced-off Leash-free area
  - 2019/NOM28 - Council Based Grants
  - 2019/NOM34 - Departmental Expenditure Limits (DELs)
  - 2019/NOM35 - Resident/Developer Discussions
  - 2019/NOM48 - Langwarrin Kindergarten and Library
3. Notes the report listed below will not be presented back to Council by its advised date and a detailed explanation is provided in the body of the report:
  - Feasibility to Relocate Council's Operations Centre (as per resolution under *Acquisition and Offset Opportunities*)
  - Frankston City Strategic Homelessness Alliance

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

Chairperson's initials *S. Mayer*

**12.2 External Committee Minutes for the CEO and Executive Management Team**

*(BA Corporate Development)*

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

That Council receives the Minutes of the following external Committees:

- CitiPower Powercor & United Energy Customer Consultative Committee dated 31 July 2019
- Peninsula Health Primary Care and Population Health Advisory Committee dated 12 September 2019

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

Chairperson's initials *S. Mayer*



**12.3 Confirmation of Minutes for Frankston Cemetery Trust 2019**

*(BA Corporate Development)*

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

That Council:

1. Receives the Minutes of the Frankston Cemetery Trust (FCT) meeting of Monday 14 October 2019.
2. Notes that FCT signed and sealed the Abstract of Accounts for 2018-2019 at the meeting on 14 October 2019.
3. Notes that FCT tabled the Model Rules and Code of Conduct for Directors.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.4 Minutes of the Frankston Arts Board - 21 October 2019**

*(AM Community Development)*

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

That Council:

1. Receives the Minutes of the Frankston Arts Board meeting of 21 October 2019.
2. Notes that FAB endorsed the sourcing of loan sculptures from Sculpture by the Sea as budget permits.
3. Notes that FAB endorsed suggested sculptures and sites.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.5 Minutes of the Frankston Arts Board - 19 November 2019**

*(AM Community Development)*

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

That Council:

1. Receives the Minutes of the Frankston Arts Board meeting of 19 November 2019.
2. Notes discussions and decisions regarding sculpture loans as outlined in the confidential minutes
3. Approves the draft Frankston Arts & Culture Strategy 2019 – 2022 to be released for public consultation.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.6 Live Streaming Policy**

*(BA Corporate Development)*

**Recommendation (Director Corporate Development)**

That Council:

1. Endorses the draft Live Streaming Policy (Policy) and agrees for it to be publicly exhibited for a period of six (6) weeks; and
2. Seeks a report back to Council no later than the March 2020 Ordinary Meeting to endorse the Policy, taking into account any feedback received by the community.

**Council Decision**

**Moved: Councillor McCormack**

**Seconded: Councillor Cunial**

That Council:

1. Notes the draft Live Streaming Policy (Policy) and agrees for it to be publicly exhibited for a period of six (6) weeks; and
2. Seeks a report back to Council no later than the March 2020 Ordinary Meeting to endorse the Policy, taking into account any feedback received by the community.

**Carried Unanimously**

**12.7 Policy and Protocol Framework**

*(BA Corporate Development)*

**Recommendation (Director Corporate Development)**

That Council:

1. Endorses the draft Policy and Protocol Framework (Framework) and agrees for it to be publicly exhibited for a period of five (5) weeks;
2. Notes the Policy and Protocol Development Guidelines;
3. Seeks a report back to Council no later than March 2020 to endorse the Framework, taking into account any feedback received by the community.

**Council Decision**

**Moved: Councillor McCormack**

**Seconded: Councillor Bolam**

That Council:

1. Notes the draft Policy and Protocol Framework (Framework) and agrees for it to be publicly exhibited for a period of five (5) weeks;
2. Notes the Policy and Protocol Development Guidelines;
3. Seeks a report back to Council no later than March 2020 to endorse the Framework, taking into account any feedback received by the community.

**Carried Unanimously**

**12.8 2019-2020 Mid-Year Budget Review**

(NA Corporate Development)

**Recommendation (Director Corporate Development)**

That Council:

1. Endorses the proposed amendments to the 2019-2020 Adopted Budget and Council allocate the cash surplus to reserves to contribute towards funding the 14 strategic priorities included in the adopted 2017 – 2021 Council Plan.
2. Notes the key dates for the 2020-2021 Annual Budget process.

**Recommendation**

That Council:

1. Endorses the proposed amendments to the 2019-2020 Adopted Budget and Council allocate the cash surplus to reserves to contribute towards funding the 14 strategic priorities included in the adopted 2017 – 2021 Council Plan.
2. Supports funding the following items:
  - a. Fletcher Road Underpass Murals (\$60,000)
  - b. Graduate Engineer Program and Cadet Building Surveyor – WorkReady Program (\$62,639 in 2019/20, \$125,279 ongoing)
  - c. Whistlestop Reserve Minor Upgrade Works (\$36,000)
  - d. Community Development/Disability Officer in Community Strengthening (\$100,609pa ongoing)
  - e. Pines Pool Masterplan (\$30,000)
3. Notes the key dates for the 2020-2021 Annual Budget process.

*Councillor O'Connor returned to the chamber at 9.17pm*

**Motion be put****Moved: Councillor Hampton**

That the motion be put.

*As there was no seconder, so the motion lapsed.*

*Councillor McCormack left the chamber at 9:28 pm.*

*Councillor McCormack returned to the chamber at 9:29 pm*

*In accordance with Section 44 of Council's Governance Local Law No 1, this motion was moved in parts*

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

That Council:

1. Endorses the proposed amendments to the 2019-2020 Adopted Budget and Council allocate the cash surplus to reserves to contribute towards funding the 14 strategic priorities included in the adopted 2017 – 2021 Council Plan.
3. Notes the key dates for the 2020-2021 Annual Budget process.

**Carried Unanimously**

Chairperson's initials *S. Mayer*

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

2. Supports funding the following items:
- a. Fletcher Road Underpass Murals (\$60,000)

**Carried**

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

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

2. Supports funding the following items:
- b. Graduate Engineer Program and Cadet Building Surveyor – WorkReady Program (\$62,639 in 2019/20, \$125,279 ongoing)

**Carried**

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

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

2. Supports funding the following items:
- c. Whistlestop Reserve Minor Upgrade Works (\$36,000)

**Carried**

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

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

2. Supports funding the following items:
- d. Community Development/Disability Officer in Community Strengthening (\$100,609pa ongoing)

**Carried****On the casting vote of the Mayor**

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

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

2. Supports funding the following items:
- e. Pines Pool Masterplan (\$30,000)

**Carried**

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

**12.9 Formal endorsement of Council Financial Policies**

*(NA Corporate Development)*

**Recommendation**

That Council:

1. Formally endorses the updated Investment Policy and the new Statutory and Discretionary Reserve Policy.
2. Notes that these policies were publicly exhibited for consultation with the community for a period of four weeks and no submissions were received.

**Councillor Recommendation**

**Moved: Councillor Bolam**

**Seconded: Councillor Aitken**

That Council:

1. Formally endorses the updated Investment Policy.
2. Formally endorses the new Statutory and Discretionary Reserve Policy including an additional criteria that must be met in order for funds to be transferred from the Strategic Asset Reserve as follows:  

‘5. Public consultation is held prior to the formal allocation of future monies from the Strategic Assets Fund.’
3. Notes that these policies were publicly exhibited for consultation with the community for a period of four weeks and no submissions were received.

*The motion lapsed as Cr Bolam withdrew his support for the motion.*

**Council Decision**

**Moved: Councillor Bolam**

**Seconded: Councillor Aitken**

That Council:

1. Formally endorses the updated Investment Policy and the new Statutory and Discretionary Reserve Policy.
2. Notes that these policies were publicly exhibited for consultation with the community for a period of four weeks and no submissions were received.

**Carried Unanimously**



**12.102018-2019 Annual and Financial Report - Peninsula Leisure Pty Ltd**

*(KJ Corporate Development)*

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

That Council:

1. Receives the Peninsula Leisure (PL) 2018-2019 Annual Report and 2018-2019 Financial Report.
2. Notes and congratulates Peninsula Leisure on its performance in managing both PARC and Pines Forest Aquatic Centre.
3. Directs that the confidential attachment (2018-2019 Financial Report) remain confidential.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolvedChairperson's initials *S. Mayer*

**12.11 Review of Audit and Risk Committee Charter**

*(KJ Corporate Development)*

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

That Council adopts the changes to the Audit and Risk Committee Charter as recommended by the Audit and Risk Committee.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.12 Community Infrastructure and Community Sports Infrastructure Loan Schemes**

(CA Community Assets)

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

That Council:

1. Notes and supports that a loan application has been submitted as part of the Victorian Government's Community Infrastructure Loan Scheme for following projects:
  - a. Ballam Park Entrance Precinct Improvement Works valued at \$3M
  - b. Evelyn Street Park Redevelopment valued at \$1.3M;
2. Commits to submit an application as part of Victorian Government's Community Sports Infrastructure Loans Scheme for the following projects:
  - a. Eric Bell Reserve Pavilion Redevelopment - \$6.25M (total project cost - \$6.75M)
  - b. Kevin Collopy Pavilion Works - \$3M; and
3. Authorises Chief Executive Officer to execute the loan agreement in items 1 & 2 should Council loan applications be successful and include necessary budget provisions in the 2020/21 Long Term Infrastructure Plan.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolvedChairperson's initials *S. Mayer*

**12.13 Waste Minimisation and Management Plan - Year 4 (2018-19) Progress Report -  
December 2019**

*(LU Community Assets)*

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

That Council notes the Year 4 (2018-19) Progress Report on the Waste Minimisation and Management Plan.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.14 Quarterly Performance Report - Quarter One - July-September 2019**

*(NA Corporate Development)*

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

That Council receives and notes the Council Plan Quarterly Performance Report for quarter one, July – September 2019.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.16 Adoption - Drainage Asset Management Plan**

(LU Community Assets)

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

That Council:

1. Notes there were no public submissions received during the community consultation period; and
2. Adopts the Drainage Asset Management Plan.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.17 Eel Race Road Sculpture - Concept Design**

*(AM Community Development)*

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

That Council:

1. Notes progress on concept development for the Eel Race Road gateway sculpture.
2. Notes at OM 2019/ 14 Council resolved to refer \$300,000 for the Eel Race Road gateway sculpture to the 2020/21 Annual Budget process for consideration.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.18 Frankston City Health and Wellbeing Plan 2017-2021 - Year Two Annual Report and draft Year Three Action Plan**

*(TB Community Development)*

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

That Council:

1. Receives and notes the Year Two Annual Report for the Frankston City Health and Wellbeing Plan 2017-2021 (Attachment A); and
2. Endorses the draft Year Three Action Plan for the Frankston City Health and Wellbeing Plan 2017-2021 (Attachment C).

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved



**12.19 Community Engagement for Short Stay Rental Accommodation Local Law 2020**

*(LR Community Development)*

**Recommendation**

That Council:

1. Endorses the draft Short Stay Rental Accommodation Local Law 2020 to be released for public exhibition of 28 days.
2. Approves the Community Engagement Plan.
3. Notes a report will be submitted to Council outlining public submissions and recommendations no later than January 2020.

**Council Decision**

**Moved: Councillor McCormack**

**Seconded: Councillor Aitken**

That Council:

1. Endorses the draft Short Stay Accommodation Local Law (Attachment A) for commencement of the statutory procedure for the making of a new local law.
2. Authorises a public notice to be given in the Age newspaper of Council's intention to make the Short Stay Accommodation Local Law, and inviting any person affected by the proposed new local law to make a submission under section 223 of the Local Government Act 1989, with the option to be heard at a future Council meeting.
3. Authorises a further notice to be given on Council's website and in the Leader newspaper, which refers to the public notice previously given in the Age newspaper and advises of the opportunity to make a submission to the proposed local law within 28 days of the date of the original public notice.
4. Notes that any submissions received will be considered at a future Council meeting.

**Carried Unanimously**

**12.20 Procurement Projects Update**

*(MP Corporate Development)*

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

That Council notes the update provided on the following projects, all items are on schedule to be included and implemented as part of the 2020/21 Procurement Policy:

- a. Development of a Social Procurement Strategy;
- b. Award of contracts in open Council;
- c. Transparency measure- publication of Council awarded contracts on the Frankston City Council website; and
- d. Inclusion of a Supplier Code of Conduct into Council's standard agreements.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.21 Kerbside Trading Guidelines - Addendum 2019**

*(SJ Corporate Development)*

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

That Council:

1. Adopts the Station Street Mall Kerbside Trading Addendum.
2. Approves the Station Street Mall Kerbside Trading Addendum be listed in the Government Gazette to be included formally within the Kerbside Trading Guidelines.
3. Endorses the trial Kerbside Dining Trading Fee Structure for Station Street Mall, being:
  - \$250.00 per square metre (non-licensed kerbside dining fee)
  - \$350.00 per square metre (licensed kerbside dining fee)
4. Notes that a comprehensive review to the Kerbside Trading Guidelines will commence in 2020, with a report due to Council by December 2020.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolvedChairperson's initials *S. Mayer*

**12.22 Parliamentary Inquiry into meeting Obligations to Protect Ramsar Wetlands -  
Council Statement at Public Hearing**  
*(SC Community Development)*

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Cunial**

That Council ratifies the Statement made at the Public hearing on 3 December 2019.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

**12.23 Response to Joint Letter for Acacia Heath / Spring Hill Estate**

*(KJ Corporate Development)*

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

That Council:

1. Notes the background and cost summary relating to additional Council costs associated with the Acacia Heath and Spring Hill Estates
2. Does not support refunding all rate monies collected above the ordinary rate for the life of the Estate to the residents of Acacia Heath and Spring Hill
3. Supports the retention of the Section 173 Agreement, however consider at each annual budget process commencing from the 2020/2021 financial year, whether to apply a differential rate to the Acacia Heath and Spring Hill Estate. The assessment will be based on the resources required from one year to the next during the annual budget process. If Council decides not to apply a differential rate in any given year from 2020/2021, the costs associated with the protection and management of reserves applicable within the Section 173 Agreement will be absorbed in the ordinary rate.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolved

**13. RESPONSE TO NOTICES OF MOTION****13.1 Further response to NOM 1312 - Unemployment in Frankston - Work Ready Program Progress Report**

*(FB Corporate Development)*

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

That Council:

1. Endorses the appointment of an additional trainee targeting a young, local person from an indigenous background to support the implementation of Council's Reconciliation Action Plan (\$40,000 per annum within existing budget).
2. Notes the recruitment of a part time Cadet Building Surveyor and Graduate Engineers Program as an inclusion to the Work Ready Program has been referred for consideration in the 2019/20 Mid-Year Budget Review.
3. Refers for consideration at the 2020/21 Annual Budget process, the additional funding of four (4) school based apprentices to commence in 2021, taking the total to eight (8) annually.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

Chairperson's initials *S. Mayer*

**13.2 Further response to NOM 1312 - Unemployment in Frankston - South East Regional Skills Study**

(SJ Corporate Development)

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

That Council notes the South East Regional Skills Study has identified five key opportunities, and that *'through sustained collaboration between industry, trainers and educators, this can help unlock the regions potential'*. These opportunities include:

- Increase exposure of high school students to local careers in the classroom and on-the-job.
- Support young workers to acquire the skills expected of them by employers to be considered work ready.
- Simplify the Funded Course List through prioritisation of common high value qualifications.
- Deliver meaningful pathways for new workers through stronger employer support and mentoring for new entrants to the workforce, including apprentices and trainees.
- Improve collaboration between providers and employers to support the transition of workers into supervisory and/or managerial roles through contextualised leadership and management training.

**Carried Unanimously**

**Note:** Refer to Page 19 of the Minutes where this item is block resolved

Chairperson's initials *S. Mayer*

**13.3 Response to 2019/NOM47 - Intercontinental Sporting Competitions**

*(TB Community Development)*

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

That Council:

1. Does not create a special category within the Miscellaneous Grants, but instead enhances the support provided to elite athletes at international events by making adjustments to the existing grant streams established (specifically the Representative Support Grant).
2. Refers an additional, recurrent \$5,000 to the Miscellaneous Grants Program in the 2020/21 annual budget for consideration to enable a miscellaneous grant increase from \$200 to \$250 for individuals and \$300 to \$500 for teams to enable consistency to benchmark standards and provide a greater allowance to those at an elite level.
3. Implements a further 20% funding consideration for applicants who demonstrate financial hardship through evidence of a Concession Card (excluding Student Cards).
4. Includes grant guidelines advice to athletes who are competing at an elite international level that specifically entails the Commonwealth Games, Olympic Games, Paralympic Games or a World Championships, to make contact with a designated officer to discuss what their broader support needs may be.
5. Continues to apply the same eligibility and funding conditions in lieu of Council support.

**Carried Unanimously****Note:** Refer to Page 19 of the Minutes where this item is block resolvedChairperson's initials *S. Mayer*



**14. NOTICES OF MOTION****14.1 2019/NOM56 - Notice of Rescission - Item C.4: Local Government Inspectorate Investigation Outcome**

*(VR Chief Executive Office)*

*Councillor Hampton declared a conflict of interest and left the chamber at 9.54pm*

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

I, Councillor McCormack, hereby give notice that at the next appropriate meeting of Council, I will move that the following decision of Council made at Ordinary Meeting 2019/OM14 held on Monday 18 November 2019 regarding Part 2 be rescinded:

2. Approves for the legal fees to the sum of \$3,630 being the actual expense incurred by Councillor Hampton to be reimbursed, in accordance with the 2018 Councillor Expense Reimbursement Policy.

Should this be carried, we intend to move the following motion:

Council determines that in accordance with section 18.1 of the Councillor Reimbursement Policy it is not appropriate for public funds to be used to settle or defend proceedings in relation to Councillor Colin Hampton.

**Extension of Time****Moved: Councillor Aitken****Seconded: Councillor Bolam**

That Cr Cunial be granted an extension of time.

**Carried Unanimously**

**The motion was then put  
and Carried**

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

Against the Motion: Crs Cunial, Mayer and O'Connor

*Councillor Hampton returned to the chamber at 10:10 pm.*

**14.2 2019/NOM58 - DHHS Housing**

*(JK Corporate Development)*

*Councillor O'Connor left the chamber at 10:12 pm.*

*Councillor Hampton left the chamber at 10:13 pm.*

*Councillor Hampton returned to the chamber at 10:14 pm.*

*Councillor O'Connor returned to the chamber at 10:14 pm.*

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

That Council write to the Minister for Department of Health and Human Services and ask the following questions in relation to DHHS housing:

1. Is the Minister aware that some DHHS residential rental properties are gravely abused by tenants, collectively to the sum of millions of dollars?
2. What does the Minister intend to do to introduce property inspections in the same manner as private commercial real estate?
3. Whilst it is recognised, and greatly appreciated, that public housing stock provides an essential service to the Victorian community that is greatly valued, is the Minister aware that frequently, when there are illegal activities at some of these addresses or extremely anti-social behaviour being generated at these addresses which impacts upon the amenity of all housing stock, there appears to be no cohesive system of reporting between police and the Department, with the result that when a major incident or outcome occurs, the Department has no knowledge of what has been going on?
4. What system would the Minister propose be put in place to create an information linkage pathway, so that the Department will know conclusively, what is going on at their properties?
5. Would the Minister consider that it's reasonable to suggest that the cost of damage repairs to DHHS housing stock, if averted, would largely compensate for the cost it would take to have a housing stock inspection program implemented? And with any residue funds saved to be invested in further housing stock for people who are in need?

**Carried Unanimously**

**14.4 2019/NOM60 - Two Storey Limitation in Seaford Township**

*(TC Chief Executive Office)*

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

That Council be provided a report of the costing associated with a planning amendment, which would seek to limit building construction to two-stories in Seaford township environs.

**Carried**

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

Against the Motion: Cr Hampton

**14.5 2019/NOM61 - PARC Swim Research Study**

*(KJ Corporate Development)*

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

That Council provides a report to the February 2020 Ordinary Meeting to consider partnering with Deakin University (DU) and Peninsula Leisure P/L (PL) in the development of a research paper that will potentially gain international and local industry interest.

PL and DU propose to undertake an extensive study, to focus specifically on:

- The developmental stage at which children establish foundational swimming skills; and
- Three schools for which regular and frequent learn-to-swim instruction is not commonplace.

The proposed target schools are located in Karingal and Frankston North, which are areas where statistical socioeconomic disadvantage exists. The schools that will be participating in this program are Mahogany Rise PS, Aldercourt PS and Ballam Park PS.

The study is expected to benefit between 200-300 children; and will incentivise students and their families to participate in free swimming lessons to improve their swimming capabilities.

There is an opportunity to seek Victorian Government funding to offset funding required by PL and Council.

The report will provide details of any proposed Council contribution to this initiative.

**Carried Unanimously**

**14.6 2019/NOM62 - Hoon Driving Report**

(VR Chief Executive Office)

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

That Council:

1. Notes the enormous damage hoon driving of all fashions has had, and will continue to have, on the amenity and people of Frankston;
2. Provides a report in April 2020 on the use of a 'bounty' initiative to incentivise the public to provide integral intel that leads to the fining and/or prosecution of people that commit hooning offences using either on-road vehicles or off-road powered bikes (monkey bikes). The report is to consider the approaches utilised by many municipalities that provide bounties for local laws based infractions/delegated infringement powers (ie. Shire of York, Western Australia). The report should consider the annual sinking allocation for bounties, Police cooperation, the threshold for a bounty being paid and the process for 'dobbing in' hoon offenders;
3. Considers in the same report, the approach presently undertaken by Hume City Council where council staff lay on roads a coarse spray seal. This treatment can burn through rubber, destroying the tyres of cars attempting skids and burnouts. This component of the report is to cover spray costs, signage and the nomination of roads/paths that endure high rates of hoon activity;
4. Consults with Victoria Police on initiatives 2. and 3; and
5. Supports that Council's bollard CCTV unit, presently located at the Seaford Wetlands, is to remain at this location, until determined otherwise by Council, given ongoing illegal off-road monkey bike activity in this precinct.

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

That the motion be put.

**Carried**

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

Against the Motion: Cr Bolam

**The Motion was then put  
and Carried**

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

Against the Motion: Cr Hampton

**14.8 2019/NOM64 - Release of Monitor's Report**

*(VR Chief Executive Office)*

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

That in the interests of transparency and accountability Council write to the Minister for Local Government and request the release of the reports prepared by the Municipal Monitor based on her time spent with Council as a matter of priority.

**Carried**

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

Against the Motion: Cr Hampton

Abstained: Cr Cunial

**14.9 2019/NOM65 - Cemetery Caretaker Provisions**

*(VR Chief Executive Office)*

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

1. That a report be prepared for consideration by Council in relation to options for re-instating the caretaker at the Frankston Cemetery following the abrupt cessation of the caretaker role, without community consultation.
2. That the report consider options for replacement of the position which includes the administrative requirements that the role requires, as well as options for cemetery maintenance.
3. That the report be brought back to Council for consideration in March 2020.

**Carried Unanimously**

**15. LATE REPORTS**

Nil.

**16. URGENT BUSINESS****Council Decision****Moved: Councillor Bolam****Seconded: Councillor Hampton**

That the matter of Casey City Council corruption allegations be accepted as urgent business.

**Carried Unanimously**

**Urgent Business – Casey City Council Corruption allegations****Council Decision****Moved: Councillor Bolam****Seconded: Councillor Hampton**

That a comprehensive public report be provided at the February Ordinary Meeting (without delay) concerning the fallout from the ongoing IBAC investigation relative to Casey City Council, namely:

- a) Whether any of the developers or named actors have had applications lodged in Frankston or have made representations to Frankston City Council;
- b) What increased processes Frankston City Council could implement to ensure that the allegations vis-a-vis Casey City Council do not occur at Frankston City Council;
- c) What additional future processes (if any) will Frankston City Council consider to further strengthen and protect its planning decisions; and
- d) That a stocktake of planning decisions - recent (previous 5 years) and current - be considered as part of Council's next Internal Audit.

**Carried Unanimously**



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

That the matter of Council's representative to the Peninsula Leisure Pty Ltd Board be accepted as urgent business.

**Carried Unanimously**

**Urgent Business – Council's representative to the Peninsula Leisure Pty Ltd Board****Council Decision****Moved: Councillor Cunial****Seconded: Councillor Hampton**

That Council:

1. Accepts the resignation of Cr Colin Hampton as Council's representative to the Peninsula Leisure Pty Ltd Board.
2. Nominates Cr Kris Bolam as Council's new representative to the Peninsula Leisure Pty Ltd Board.

**Carried Unanimously**

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

That the matter of Installation of Public Sculptures be accepted.

**Carried**

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

Against the Motion: Cr Hampton

**Urgent Business – Installation of Public Sculptures****Council Decision****Moved: Councillor McCormack****Seconded: Councillor Cunial**

That Council:

1. Ceases all activity and works with respect to erection of sculptures across the municipality pending a report to Council on the following:
  - (a) Full and proper disclosure of the proposed sites and proposed sculpture;
  - (b) Full and complete analysis of the proposed sites to ensure that the proposed sculpture is not impacting or detracting from other features or precincts at the proposed site; and
  - (c) Full details as to the total costs of the sculptures, including relevant Officer time, associated capital works requirements (ie plinth construct) and any leasing or purchasing arrangements.
2. Notes that the Arts Board do not have delegated authority to deal with public land.
3. Notes that upon receiving the report required above, by no later than February 2020, will make decisions with respect to public land use and the suitability or otherwise of each sculpture proposed.

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

In accordance with Section 26 of Council's Governance Local Law No 1, the meeting was extended for a further 30 minutes at 11.00 pm.

**Carried Unanimously****The Motion was then put and  
Carried Unanimously**

**17. CONFIDENTIAL ITEMS****Council Decision****Moved: Councillor Bolam****Seconded: Councillor Cunial**

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 Outcomes of the Audit and Risk Committee meetings**

Agenda Item C.1 Outcomes of the Audit and Risk Committee meetings is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.2 Award of Contract 2019/20-34 - Centenary Park Tennis Courts Redevelopment**

Agenda Item C.2 Award of Contract 2019/20-34 - Centenary Park Tennis Courts Redevelopment is designated confidential as it relates to contractual matters (s89 2d)

**Carried Unanimously**

.....  
Signed by the CEO

Chairperson's initials *S. Mayer*

*The meeting was closed to the public at 11.03 pm*

CONFIRMED THIS

DAY OF

2019

.....  
**CHAIRPERSON**

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Sandra Mayer, 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, 16 December 2019, confirmed on 28 January 2020.

.....  
(Cr. Sandra Mayer, Chairperson – Council Meeting)

Dated this

day of

2019

**QUESTION TIME**

*These Questions With Notice were presented at the Ordinary Meeting 2019/14 – 18 November 2019. As the submitter was in the gallery at the time, the questions and answers were read out publicly. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published at the next Ordinary Council Meeting Minutes.*

**Karen Jennings****Question 1**

In regards to Frankston City Council's Long Term Infrastructure Plan 2019-2029, re: page 17: Can the council be transparent about how it plans to build, make use of and operationalising artificial intelligence, smart city and related paradigm shifts?

**Response by Director Community Assets**

*The A1 reference in the LTIP is regarding a pilot for a chat bot on Council's webpages to assist visitors to the website by answering their questions or locating information required within the website.*

*Frankston City Council is currently working in partnership with six other Councils within Melbourne's south east on a City Deal, which is a partnership between three levels of government to undertake regionally significant projects to improve the well-being and productivity of our communities.*

*One key aspect of this is being able to make evidenced based decision making through use of both LoRaWan networks and the Internet of Things. This will enable partner Councils, government and key stakeholders to share collect and share information on a range of issues – including parking availability and management, collection of public bins, storm water flows, the measuring noise levels, pedestrian movements etc. This will in a sense make us a smart region.*

*Frankston City Council is in the early stages of considering a proof of concept projects – although no details are formalised on this at this stage.*

**Question 2**

In the follow up to my previous question, will the council plans include the deployment of the 5g network in order to make Frankston a "smart city?" (Re: Page 17 of the LTIP 2019-2029)

**Response by Director Community Assets**

No.

**Question 3**

With regards to consulting the community on the rollout of the 5g technology, does the council intend on gathering community input and involvement, (surveys, public notices and local media announcements) BEFORE contracts are signed with the telecommunications companies?

**Response by Director Community Assets**

*Council consults with the community on policies, projects and strategies being undertaken by Council.*

**Karen Doyle - Committee of Management member Belvedere Community Centre****Question 1**

I would like to know if the Councillors are aware of the dire needs of the Belvedere Community Centre?

**Response by Director Community Development**

*Councillors and Officers are aware and concerned about the current facility challenges that the Belvedere Community Centre. The requirements are generally being considered.*

*There also is an opportunity for Belvedere Community Centre to submit an EOI for inclusion in the Frankston Health and Wellbeing Hub (formerly Linen House). Officers have recently been in discussions with the Centre Manager in relation this.*

*Officers will continue to work with Belvedere Community Centre to explore these options to work toward a suitable outcome.*

**Moira Tucker****Question 1**

Why are patrons of FCC libraries charged fines for overdue items and Inter Library loans using ZPORTAL when, world wise research shows such financial penalties are counter-productive and discourage the usage of these invaluable community resource?

**Response by Director Community Development**

*Historically, Public Libraries have charged patrons overdue fines when items are returned late to encourage equal access to materials as a deterrent to library patrons returning materials late which may deprive others of limited shared resources.*

*Council is currently reviewing its Library Fees and Charges Policy.*

**Fay Roth****Question 1**

Is anyone in the Council concerned about the banks of computers in every class room and how the concentrated radiation is going to affect the next generation of our children?

**Response by Director Community Development**

*Council advocates on a range of evidence-based issues to improve the health and wellbeing of residents.*

*Council is not specifically aware at this time of the impacts of computers in classrooms.*

*Officers will make contact with the Department of Education Local Area Director to discuss the potential health impacts.*

**Question 2**

Did you know that some of the Kingston Councillors at their last meeting brought up their concerns about the large cell towers of the cell towers on their building and is it in the pipeline to put them on top of your building as well in the near future?

**Response by Director Corporate Development**

*Yes, we are aware of the Kingston Council situation. Frankston City Council has had no discussions with Telecommunications companies or agents regarding the installation of infrastructure on Council buildings.*

**Carolyn O'Brien****Question 1**

What is Frankston Council's liability if 5G deployment in Frankston area is found to be having a detrimental health effect on its citizens as well as wild life bees, trees etc?

**Response by Director Community Development**

*The Commonwealth Government and its respective agencies and regulators are responsible for communications services.*

*Council's liability is limited to its function as the responsible planning authority and on in circumstances in which an installation requires a Planning Permit. Electromagnetic Energy (EME) has not generally been accepted to be a relevant planning consideration in forums such as VCAT. However, Council maintains an overview of environmental health research to enable minimisation of harms.*

*Council has not been made aware of any proven negative health risks associated with 5G technology. Council refers to the federal government agency ARPANSA for commentary on this issue.*

<https://www.arpansa.gov.au/news/misinformation-about-australias-5g-network>

**Alexander Greenwood****Question 1**

Are you aware of the health risks of 5G?

**Response by Director Community Development**

*Council is aware that Telstra and Optus are currently rolling out 5G in selected areas within Australia, with Vodafone set to follow in 2020.*

*Safety standards for Electromagnetic Energy (EME) levels are set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), the Australian Government's primary authority on radiation protection and nuclear safety. In March 2019, the ARPANSA released information to state that the EME levels emitted by 5G networks comply with the limits of the ARPANSA safety standard.*

*Council has not been made aware of any proven negative health risks associated with 5G technology. Council refers to the Federal Government agency ARPANSA for commentary on this issue.*

<https://www.arpansa.gov.au/news/misinformation-about-australias-5g-network>

*Further enquiries will be made to ascertain results of any health and safety research on the impacts of 5G technology.*

**Merridee Pilkington****Question 1**

Is Council aware of the health risks to our children of having wifi in schools?

**Response by Director Community Development**

*Council advocates on a range of evidence based issues to improve the health and wellbeing of residents.*

*Council is not specifically aware at this time of the impacts of computers in classrooms but will refer you enquiries to the Department of Education and Training, Local Area Director to consider the potential health impacts.*



**Angela Riley****Question 1**

Why is Frankston Council rolling out a 'smart city' without first consulting with residents?

**Response by Director Corporate Development**

*Frankston City Council is currently working in partnership with six other Councils within Melbourne's south east on a City Deal, which is a partnership between three levels of government to undertake regionally significant projects to improve the wellbeing and productivity of our communities.*

*One key aspect of this is being able to make evidenced based decision making through use of both LoRaWan networks and the Internet of Things. This will enable partner Councils, government, and key stakeholders to share collect and share information on a range of issues – including parking availability and management, collection of public bins, storm water flows, the measuring noise levels, pedestrian movements etc. This will in a sense make us a smart region.*

*Frankston City Council is in the early stages of considering a proof of concept project – although no details are formalised on this at this stage.*

**Question 2**

Can Frankston Council guarantee the health and safety of residents and visitors once the deployment of 5G infrastructure is implemented?

**Response by Director Community Development**

*Council is aware that Telstra and Optus are currently rolling out 5G in selected areas within Australia, with Vodafone set to follow in 2020.*

*Safety standards for Electromagnetic Energy (EME) levels are set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), the Australian Government's primary authority on radiation protection and nuclear safety. In March 2019, the ARPANSA released information to state that the EME levels emitted by 5G networks comply with the limits of the ARPANSA safety standard.*

*Council has not been made aware of any proven negative health risks associated with 5G technology. Council refers to the federal government agency ARPANSA for commentary on this issue.*

<https://www.arpansa.gov.au/news/misinformation-about-australias-5g-network>

**Question 3**

We would like a 2 year moratorium on 5G so that we can all use our brain – weigh the benefits and the risks. Will Council call for a moratorium?

**Response by Director Community Development**

*Council will make further enquiries to ascertain results of any health and safety research on the impacts of 5G technology; subsequently, the information will be provided to Councillors.*

**Brian Walker****Question 1**

My concern about LED street lighting; why are these lights are so bright, the LED street lights intensity is so over the top that you need sunglasses to drive at night. "You don't have to understand the science to feel the effects of these lights"

**Response by Director Community Assets**

*LED street lighting is being implemented as a more efficient technology to provide street lighting. The lights provide a similar illumination to other types of light but with a much lower impact on the environment and at a lower operating cost. Consideration of the impacts of street lighting on local residents is balanced with the desire to illuminate public areas at night.*

**Question 2**

Have LED street lights been tested and certified by appropriate authorities?

**Response by Director Community Assets**

*LED street lights are being used by many road authorities throughout Australia with accreditation from the respective electricity distribution company. In the Frankston area United Energy is the distribution company and has an approved list of LED Street lights for use by Councils and Department of Transport.*

**Question 3**

Has a study on biological and environment impact of LED street lights been done by Authority or Council?

**Response by Director Community Assets**

*Council is not aware if a study has been conducted by any Authority. Frankston City Council has not undertaken a study on the impact of LED street lights.*

*The use of LED street lights is approved by the distribution company and are implemented to reduce energy usage and costs. LED lights are a more efficient technology with the longer life than fluorescent or mercury vapour lights. Both fluorescent and mercury vapour lights contain mercury vapour. The changeover to LED technology is included in Council's Towards Zero Emissions Plan. United Energy as the distribution company may be able to provide further details of the biological impacts and benefits of LED street lights over older lights.*

**Jenny Smith****Question 1**

Do council have the authority to implement an independent study into the health effects (mentally and physically) of 5G on the people, animals, insects and all plant life?

**Response by Director Community Development**

*Council has authority to fund research where it is in association with work that is required to meet the needs of the Council Plan.*

**Question 2**

Would Council support me/us on doing a survey of the health effects of the people living closest to the telecommunications towers?

**Response by Director Community Development**

*Council seeks to understand the published research before considering a commitment to a survey.*

**Question 3**

Are Council willing to support the people and work with them with the concerns that they have regarding 5G?

**Response by Director Community Development**

*Council always seeks to understand the Community's issues of concern and ensure all opportunities and benefits are afforded to the broad community.*

**Sara Bertazon****Question 1**

The Precautionary Principal is a tool for making better health and environmental decisions. It aims to prevent harm from the outset rather than manage it after the fact. When there is uncertainty regarding the impacts of an activity, the Precautionary Principal favours monitoring, preventing and/or mitigating uncertain potential threats.

In February 2019, the wireless industry representatives admitted the industry has done ZERO health and safety studies on 5G technology.

Considering the Frankston City Council has a social responsibility to serve, inform and protect the public and environment from exposure to harm, will it be implementing and actioning the Precautionary Principal in regards to the current rollout of 5G technology within the Frankston Electorate?

**Response by Director Community Development**

*Council is aware that Telstra and Optus are currently rolling out 5G in selected areas within Australia, with Vodafone set to follow in 2020.*

*Safety standards for Electromagnetic Energy (EME) levels are set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), the Australian Government's primary authority on radiation protection and nuclear safety. In March 2019, the ARPANSA released information to state that the EME levels emitted by 5G networks comply with the limits of the ARPANSA safety standard.*

*Council has not been made aware of any proven negative health risks associated with 5G technology. Council refers to the Federal Government agency ARPANSA for commentary on this issue.*

<https://www.arpansa.gov.au/news/misinformation-about-australias-5g-network>

*Further enquiries will be made to ascertain results of any health and safety research on the impacts of 5G technology.*

**Lizzie Patton****Question 1**

Can you provide us with an update re: "smart cities" and provide us with all information at your disposal ASAP?

**Response by Director Corporate Development**

*Frankston City Council is currently working in partnership with six other Councils within Melbourne's south east on a City Deal, which is a partnership between three levels of government to undertake regionally significant projects to improve the wellbeing and productivity of our communities.*

*One key aspect of this is being able to make evidenced based decision making through use of both LoRaWan networks and the Internet of Things. This will enable partner Councils, government, and key stakeholders to share collect and share information on a range of issues – including parking availability and management, collection of public bins, storm water flows, the measuring noise levels, pedestrian movements etc. This will in a sense make us a smart region.*

*Frankston City Council is in the early stages of considering a proof of concept project – although no details are formalised on this at this stage.*