



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 13 MAY 2019 at 7.06PM**

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| PRESENT | Cr. Michael O'Reilly (Mayor) Cr. Colin Hampton Cr. Sandra Mayer Cr. Glenn Aitken Cr. Brian Cunial Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor |
| APOLOGIES: | Nil. |
| ABSENT: | Nil. |
| OFFICERS: | Mr. Dennis Hovenden, Chief Executive Officer Dr. Gillian Kay, Director Community Development Mr. Phil Cantillon, Director Community Assets Ms. Brianna Alcock, Manager Governance & Information Mr. Michael Papageorgiou, Manager Planning & Environment Mr. Stuart Caldwell, Coordinator Statutory Planning Mr. Taylor McVean, Coordinator Communications Ms. Vera Roberts, Executive Assistant to Mayor Ms. Tenille Craig, Councillor Support Officer |
| EXTERNAL REPRESENTATIVES: | Nil. |

COUNCILLOR STATEMENT

Councillor Hampton made the following statement:

"All members of this Council pledge to the City of Frankston community to consider every item listed on this evening's agenda:

- *Based on the individual merits of each item;*
- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.*

Any Councillor having a conflict of interest in an item will make proper, prior disclosure to the meeting and will not participate or vote on the issue."

Chairperson's initials

PRAYER

At the request of the Mayor, Councillor Bolam 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.

Chairperson’s initials



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Cr Aitken entered the Chambers at 7.07pm

1. PRESENTATION TO COMMUNITY GROUPS

1.1 Presentation of Letter Under Seal to Alexia Loizou

The Mayor, Cr Michael O'Reilly presented a Letter Under Seal to Alexia Loizou to acknowledge her outstanding win at the Stawell Gift held on Monday 22 April 2019.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Decision

Moved: Councillor O'Connor

Seconded: Councillor Toms

That the minutes of the Ordinary Meeting No. OM5 held on 23 April 2019 and the Special meeting No. SP2 held on 8 May 2019, copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Nil

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

There were no questions with or without notice submitted to Council.

6. HEARING OF PUBLIC SUBMISSIONS

Mr. John Hastings made a submission to Council regarding Item 11.1: Town planning application 484/2018/P – 48 Norman Avenue Frankston South – To use the land for sell and consumption of liquor (restaurant and café licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme;

Mr. Tom Walker made a submission to Council regarding Item 11.1: Town planning application 484/2018/P – 48 Norman Avenue Frankston South – To use the land for sell and consumption of liquor (restaurant and café licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme;

Mr. James Robson made a submission to Council regarding Item 11.1: Town planning application 484/2018/P – 48 Norman Avenue Frankston South – To use the land for sell and consumption of liquor (restaurant and café licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme;

Ms Maureen Griffin made a submission to Council regarding Item 11.1: Town planning application 484/2018/P – 48 Norman Avenue Frankston South – To use the land for sell and consumption of liquor (restaurant and café licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme;

Mr. Dillon Anderson made a submission to Council regarding Item 11.2: Planning Permit Application 3/2018/P – 68-70 Seaford Grove, Seaford – To construct eight (8) double storey dwellings;

Ms Michaela Boucher made a submission to Council regarding Item 11.3: Planning Permit Application 477/2018/P – 10 New Street Frankston – To use the site for a micro-brewery, food and drink premises (restaurant in association with a micro-brewery) sale and consumption of liquor (wine and beer production licence), a reduction in the car parking requirements of Clause 52.06 of Frankston Planning Scheme and removal of restrictive covenant as to part of PS342345F-24/10/1997;

Ms Helen Thygesen made a submission to Council regarding Item 11.3: Planning Permit Application 477/2018/P – 10 New Street Frankston – To use the site for a micro-brewery, food and drink premises (restaurant in association with a micro-brewery) sale and consumption of liquor (wine and beer production licence), a reduction in the car parking requirements of Clause 52.06 of Frankston Planning Scheme and removal of restrictive covenant as to part of PS342345F-24/10/1997;

Mr Wayne Holdsworth made a submission to Council regarding Item 12.13: Establishment of Kananook Community Garden and Seaford Farmers Market Shed at Kananook Reserve;

Ms Ginevra Hosking made a submission to Council regarding Item 14.1: 2019/NOM9 – Car parking in Frankston Metropolitan Activity Centre (FMAC).

7. ITEMS BROUGHT FORWARD

Council Decision

Moved: Councillor Cunial

Seconded: Councillor McCormack

That Items below be brought forward:

- Item 11.1: Town planning application 484/2018/P - 48 Norman Avenue Frankston South - To use the land for sell and consumption of liquor (restaurant and cafe licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme
- Item 11.2: Planning Permit Application 3/2018/P - 68-70 Seaford Grove, Seaford - To construct eight (8) double storey dwellings
- Item 11.3: Planning Permit Application 477/2018/P - 10 New Street Frankston - To use the site for a micro-brewery, food and drink premises (restaurant in association with a micro-brewery) sale and consumption of liquor (wine and beer production licence), a reduction in the car parking requirements of Clause 52.06 of Frankston Planning Scheme and removal of restrictive covenant as to part of PS342345F-24/10/1997
- Item 12.13: Establishment of Kananook Community Garden and Seaford Farmers Market Shed at Kananook Reserve
- Item 14.1: 2019/NOM9 - Car parking in Frankston Metropolitan Activity Centre (FMAC)

Carried Unanimously

8. PRESENTATIONS / AWARDS

Nil.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Petition: Tap Installation at Whistlestop Reserve

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That the petition, containing 29 signatures requesting to install a combined water tap for humans and dogs at Whistlestop Reserve, be accepted

Carried Unanimously

Petition: Entrance Road at Marriot Crescent, Skye

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Hampton

That the petition, containing 28 signatures requesting to prevent an entrance road being created via Marriot Crescent, Skye through to the new estate that is being built, be accepted

Carried Unanimously

10. DELEGATES' REPORTS

Nil

ITEMS BROUGHT FORWARD**11.1 Town planning application 484/2018/P - 48 Norman Avenue Frankston South - To use the land for sell and consumption of liquor (restaurant and cafe licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme**

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Notice of Refusal in respect to Planning Permit Application number 484/2018/P to use the land for sale and consumption of liquor (Restaurant and Cafe Licence) and reduction in the car parking requirement of Clause 52.06 of the Frankston Planning Scheme on the following grounds;

1. The proposal is inconsistent with the objectives of the State and Local Planning Policy Framework of the Frankston Planning Scheme.
2. The proposal is inconsistent with the purposes of Clause 52.06 of the Frankston Planning Scheme in that it does not ensure provision of an appropriate number of car parking spaces having regard to demand likely to be generated, and does not ensure that the parking of vehicles associated with the use will not adversely affect the amenity of the locality.
3. The proposed parking reduction is not supported by suitable evidence of alternative parking availability, and is dependent upon on street parking in residential zones in the locality of the land that are intended for residential use.
4. The proposal would have an unreasonable, detrimental effect on the amenity of nearby residential properties by way of noise generation, traffic and parking impacts, and patron behaviour.

Council Decision

Moved: Councillor Toms

Seconded: Councillor Mayer

That Council resolves to issue a Notice of decision to Grant a Planning permit in respect to Planning Application Number 484/2018/P to use the land at 48 Norman St, Frankston South for sale and consumption of liquor (Restaurant and Cafe Licence) of the Frankston Planning Scheme on the following ground:

Patron Management Plan

1. Before the use starts, a Patron 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 Management Plan including details as follows:
 - a) Hours of Operation (on the premises and off the premises);
 - b) Venue shut down procedures to encourage the patrons to leave the premises sporadically.
 - c) Patrons must be reminded to be quiet and actively encouraged not to go near sensitive land uses.
 - 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;

Chairperson's initials



- i) Details to address waste including bottles, rubbish and reduce generated by the use;

All to the satisfaction of a Responsible Authority.

No Alterations

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

Liquor Licence Requirements

3. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place at the premises during the following hours:
 - 11am – 9pm Monday – Sunday

Patron Numbers

4. A maximum of 29 will be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Amenity

5. 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;
 - d) Presence of vermin; others as appropriate; or
 - e) In any other way.
6. 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.

Permit Expiry

7. This permit will expire if one of the following circumstances applies:
 - (a) The use is not started within two years of the date of this permit.
 - (b) 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. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.
- B. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.

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.

Extension of Time

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Cr Toms be granted an extension of time.

Carried Unanimously

Deferral Motion to another Council Meeting

Moved: Councillor Hampton

Seconded: Councillor Aitken

That the matter be deferred to the next Ordinary Meeting.

Lost

For the Motion: Crs Aitken and Hampton

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

**The Motion was then Put
And Carried**

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

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

11.2 Planning Permit Application 3/2018/P - 68-70 Seaford Grove, Seaford - To construct eight (8) double storey dwellings

(MP Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 3/2018/P for the construction of eight double storey dwellings at 68-70 Seaford Grove, Seaford, 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. The plans must be substantially in accordance with the amended plans prepared by Cultured House and Building Design submitted to Council on 20/09/2018 but modified to show:
 - (a) All trees growing on the site and on adjoining properties within 3m of the boundaries to demonstrate canopy width, trunk location and clearly labelled in accordance with the "Arboricultural Impact Assessment prepared by Treespace Solutions Pty Ltd, dated March 2018" and clearly state whether the tree is to be retained or removed.
 - (b) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all trees to be retained and the tree protection fence locations must be illustrated on all relevant plans.
 - (c) Melbourne Water requirements of Conditions 3-14.
 - (d) Garages to Dwellings 1 and 4 as required by Condition 6.
 - (e) The entrances to Dwellings 5 to 8 to be more visible by increasing the area of the transitional porch space as required by Clause 55.05-2 (Dwelling entry) of the Frankston Planning Scheme.
 - (f) 40m² minimum of secluded private open space provided for Dwellings 6 and 7.
 - (g) Shading devices to all north and west facing habitable room windows.
 - (h) Fixed screens to a height of 1.7m (maximum transparency of 25%) above finished floor level to address overlooking from the upper level windows in:
 - Dwelling 1 - bedroom 2 – west façade.
 - Dwelling 4 bedroom 2 – east façade.
 - (i) A free standing trellis along the western and eastern boundaries as required by Condition 37.
 - (j) The minimum garden area as required by Clause 32.08-4 of the Frankston Planning Scheme noted on all relevant plans.
 - (k) A schedule of proposed external finishes and colours including samples.
 - (l) No permeable pavers within first 7m from the property frontage along the shared driveway.
 - (m) A Tree Management Plan as required by Condition 15.
 - (n) A Landscape Plan as required by Condition 21.

- (o) A Waste Management Plan as required by Condition 32.
- (p) Outdoor lighting as required by Condition 36.
- (q) Sightlines as required by Condition 38

No Alterations

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

Melbourne Water Requirements

3. Prior to the development plans being endorsed, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions relating to open style fencing. Plans must be submitted with ground and floor levels to Australian Height Datum (AHD).
4. The dwellings must be constructed with finished floor levels set no lower than 2.59 metres to Australian Height Datum (AHD) which is 300mm above the applicable 1% AEP flood level of 2.29m to AHD.
5. The Unit 2, 3, 5, 6, 7, 8 garages must be constructed with finished floor levels set no lower than 2.44m to AHD which is 150mm above the applicable 1% AEP flood level of 2.29m to AHD.
6. Unit 1 and 4 carports must be constructed at natural surface and must remain unenclosed with no roller/tilt doors at the front and rear for the life of the structure.
7. The 'Visitor Car space' must be constructed at natural surface and must remain unenclosed with no roller/tilt doors at the front and rear for the life of the structure.
8. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
9. The development must maintain a minimum 1m of open space from the northeast property boundary, set at the existing natural surface level for the passage of overland flows. No obstructions are permitted within this setback, (i.e. no garages, sheds or water tanks) with the exception of open style fencing/gates/
10. The development must maintain a minimum 1m of open space from the southwest property boundary set at the existing natural surface level for the passage of overland flows. No obstructions are permitted within this setback (i.e. No garages, sheds or water tanks) with the exception of open style fencing/gates.
11. The development must maintain 40% of open space at existing surface levels.
12. The internal driveway must be designed to be freely draining towards Seaford Grove to prevent floodwater backing up into dwellings and garages.
13. All decking must be constructed with unenclosed foundations and steps to the Private Open Space areas contain no vertical risers, to allow for the passage of overland flows.
14. All internal fencing/gates and fencing fronting Seaford Grove must be of an open style construction (50% open style) unless with the written consent of Melbourne Water, to allow for the passage of floodwaters/overland flows.

Tree Protection Management Plan

15. A Tree Protection Management Plan prepared in accordance with Frankston City Council's 'Arboricultural Report Writing Guide' must be submitted by a suitably qualified and experienced Arborist in relation to the management and

maintenance of the trees, and must be approved by the Responsible Authority prior to the commencement of any works (including any demolition, levelling of the site, excavations, tree removal, delivery of building/construction materials and/or temporary buildings). The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following (where relevant) ensuring that the trees remain healthy and viable during and following construction:

- a) A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations (any relocations required) and any areas where ground protection systems will be used.
- b) Restricted activities in the TPZ.
- c) Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages.
- d) Details of any TPZ encroachments including:
 - Details of exploratory root investigation.
 - Alternative construction techniques.
 - Root pruning.
 - Supervision.
 - Details of any root pruning.
- e) Methods for installation of services e.g.; sewerage, storm water, telecommunications, electricity etc.
- f) Methods of construction for any structures, buildings and pavement.
- g) Remedial works as required including a detailed photographic diagram specifying what pruning will occur.
- h) Final Certification of Tree protection template. The Final Certification Report Template as required in the Tree Protection Management Plan must be completed and submitted to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Tree Protection

16. Tree protection must be carried out in accordance with the Australian Standard AS4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.
17. 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 for Tree 1 and Tree 3 (street trees), and Tree 11, 12 and 13, as identified in the *"Arboricultural Impact Assessment prepared by Treespace Solutions Pty Ltd, dated March 2018"*, from the trunk numbered to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- a) Coarse mulch laid to a depth of 50-100 mm (excluding street trees).

- b) No vehicular or pedestrian access.
- c) The existing soil level must not be altered either by fill or excavation.
- d) The soil must not be compacted or the soil's drainage changed.
- e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- f) No storage of equipment, machinery or material is to occur.
- g) The installation of pipes and services within a Tree Protection Zone must not damage any roots and shall be performed by boring method under the supervision of a qualified arborist.
- 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

18. Prior to the commencement of construction the following tree protection conditions apply within the identified Tree Protection Zones for trees being retained 11, 12 and 13 as identified in the *“Arboricultural Impact Assessment prepared by Treespace Solutions Pty Ltd, dated March 2018.”* 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) The installation of pipes and services within a Tree Protection Zone and a Structural Root Zone must not damage any roots and shall be performed by boring method under the supervision of a qualified arborist.
 - g) a tree protection fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at the closest point appropriate to the tree / at the property fence line if the existing property boundary fencing is to be removed. If no fencing can be safety erected than trunk and limb protection must be installed as per the Australian Standard AS 4970-2009 Protection of trees on development sites.

- h) If machinery is used to remove existing structures, concrete, bricks or other materials it must be located outside of the defined Tree Protection Zones with ONLY the main arm of the machine reaching into this Zone. Tree Pruning

Tree Pruning

19. 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.
20. Any pruning or removal of tree limbs, particularly hollow-baring tree limbs, must be to the minimum extent necessary.

Landscape Plans

21. Before the commencement of buildings and works, a landscape plan in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- a) A survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed.
 - b) The tree number, Tree Protection Zone, Structural Root Zone and notations regarding protection methods during construction of retained trees.
 - c) Buildings on neighbouring properties within three metres of the boundary.
 - d) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site.
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
 - f) A range of plant types from ground covers to large shrubs and trees.
 - g) Landscaping and planting within all open areas of the site.
 - h) Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals).
 - i) The provision of suitable screen planting within a landscape strip at the interface of the property boundary and driveway (to Dwellings 1 and 4).
 - j) A planting theme of a minimum 20% indigenous and 40% native within each plant group.
 - k) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.

- l) The provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority:
 - i. One (1) within the front setback of each dwelling with a minimum mature height of 4m.
 - ii. One (1) within the private open space of all dwellings with a minimum mature height 4m.
 - iii. One (1) suitable canopy tree within the circular landscaped area located at the north end of the shared accessway.
- m) 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; and
- n) All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use

Prior to Occupation

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

Drainage

23. Stormwater Drainage Outfall is to be constructed to the satisfaction of the Responsible Authority.
24. 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.
25. 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.
26. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention
 - Rainwater tanks for harvesting and re-use of stormwater for laundry, toilet flushing, landscape irrigation, etc.
 - Soil percolation
 - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
 - Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the dwellings, garages and driveway ramp to the satisfaction of the Responsible Authority.
27. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.

28. All discussed vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
29. 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 :
- Constructed to the satisfaction of the Responsible Authority;
 - Properly formed to such levels that they can be used in accordance with the plans;
 - Surfaced with an all-weather sealcoat; and
 - Drained and maintained to the satisfaction of the Responsible Authority.
30. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
31. 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.

Waste Management

32. Before the use and development starts, a Waste Management Plan must be submitted to, and approved by, the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must include reference to the following:
- (a) The estimated garbage and recycling generation volumes for the proposed use.
 - (b) The garbage and recycling equipment to be used and the collection service requirements, including the frequency of collection.
 - (c) The location, proximity, screening of and space allocated both to the garbage and recycling storage areas and collection points.
 - (d) How noise, odour and litter will be managed and minimised.
 - (e) Approved facilities for washing bins and storage areas.
 - (f) Swept path diagrams illustrating how waste vehicles will access the site.

The approved Waste Management Plan must be implemented to the satisfaction of the Responsible Authority.

Urban Design

33. 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.
34. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
35. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.

Chairperson's initials



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

Free-Standing Trellis

37. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected above the existing fence on the following boundaries of the site to demonstrate compliance with Clause 55.04-6 (overlooking) of the Frankston Planning Scheme:

- Along the western (side) boundary of ground level habitable room windows to Dwelling 1 and 5.
- Along the eastern (side) boundary of ground level habitable room windows to Dwellings 8.

The trellis must appropriately restrict overlooking into the adjoining residential property to the satisfaction of the Responsible Authority. The trellis must be framed and thereafter maintained to the satisfaction of the Responsible Authority.

Sightline Requirements

38. A corner splay or area of at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrian on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height, as required by Clause 52.06-9 (Design standards for car parking) of the Frankston Planning Scheme.

Satisfactorily Completed

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

Permit Expiry

40. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the issued date of this permit.

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

Notes

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:

- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
- b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Deferral Motion to next Council Meeting

Moved: Councillor Aitken

Seconded: Councillor Toms

That the matter be deferred to the next Ordinary Meeting.

Carried Unanimously

11.3 Planning Permit Application 477/2018/P - 10 New Street Frankston - To use the site for a micro-brewery, food and drink premises (restaurant in association with a micro-brewery) sale and consumption of liquor (wine and beer production licence), a reduction in the car parking requirements of Clause 52.06 of Frankston Planning Scheme and removal of restrictive covenant as to part of PS342345F-24/10/1997

(MP Community Development)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Toms

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 477/2018/P to use the site for a micro-brewery, food and drink premises (restaurant in association a micro-brewery), sale and consumption of liquor (wine and beer production licence), reduction in the car parking requirements of Clause 52.06 of Frankston Planning Scheme and removal of restrictive covenant as to part of PS342345F-24/10/1997 at 10 New Street Frankston, subject to the following conditions:

Amended Plans

1. Before the use 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 must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
 - a. One (1) bicycle parking space located appropriately within the site.
 - b. A venue management plan in accordance with Condition 8.
2. Before the use starts, evidence of the removal of the restrictive covenant from the title must be provided to the satisfaction of the Responsible Authority.

No Alterations

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

Liquor Licence Requirements

5. The sale and/or consumption of alcohol and food and drink premises (restaurant) must only take place at the premises during the following hours:

| Date | Restaurant/Liquor sale/consumption |
|-------------|---|
| Thursday | 4pm - 10pm |
| Friday | 3pm - 11pm |
| Saturday | 12 noon - 11pm |
| Sunday | 12 noon – 9pm |

6. The micro-brewery (industry) hereby permitted may operate only between the hours of:
 - a. 7am to 3pm from Monday to Friday.

7. Not more than 80 patrons may be present on the premises at any one time in association with the food and drink premises (restaurant) and liquor consumption.

Venue Management Plan

8. Prior to the commencement of the sale and consumption of alcohol within the site, a venue management plan is to be submitted to and approved by the Responsible Authority that details (but is not limited to) the following:
 - a. Standard procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of the Responsible Authority, or an officer of Liquor Licensing Victoria.
 - b. Details of training provided for bar staff in the responsible serving of alcohol.
 - c. Lighting within the boundaries of the site.
 - d. Security lighting outside the premises.
 - e. Measures taken to have a passive surveillance within the site and particularly at the time when the patrons leave the site.

All of the above is to be to the satisfaction of the Responsible Authority. Once approved the plan must be implemented to the satisfaction of the Responsible Authority.


Amenity

9. The licensee/permit holder shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.
10. Noise generated from the premises (including the operation of plant and equipment) must at all times comply with the EPA standards.
11. The amenity of the area must not be detrimentally affected by the use through:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
12. No external sound amplification equipment or loudspeakers shall be used for the purpose of announcements, broadcast, playing of music or similar purposes.
13. Any outdoor lighting of the site must be baffled to prevent light from the site causing any detriment to the locality.

Environment Protection Authority (EPA) conditions

14. Effective noise levels from the use of the premises must comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
15. Odours offensive to the senses of human beings must not be discharged, emitted or released beyond the boundaries of the premises.
16. The permit holder must not contaminate land or groundwater.
17. Stormwater contaminated with liquid or solid waste, (including - site specific waste) must not be discharged beyond the boundary of the premises.
18. Wastewater generated at the premises must be connected to a reticulated sewer under a Trade Waste Agreement.

Chairperson's initials



19. All development and use of the premises involving the emission of dust and other air quality indicators must comply with the State Environment Protection Policy (Air Quality Management).
20. No litter is to be deposited beyond the boundary of the premises.
21. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 1698 Liquid Storage and Handling Guidelines 2018 or as amended.

Permit Expiry

22. This permit will expire if one of the following circumstances applies:
 - a. The use is not started within two (2) years of the date of this permit.
 - b. The use ceases for a continuous period of two (2) or more years.
 - c. The plan of removal of the restrictive covenant is not registered by the title office within two (2) years of the date of this permit.

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

Notes

- A. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.
- B. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- 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.

Environmental Protection Authority (EPA)

- D. This permit is not an EPA works approval for licence. Before the use and development authorised under this permit starts, the permit holder must meet any obligations or duties that arise under the Environment Protection Act 1970. This may include obtaining a works approval and licence.
- E. In accordance with the Environment Protection (Scheduled Premises and Exemptions) Regulations 2017 -D09 - Beverage Manufacturing, all beverage manufacturing or processing works except wineries processing less than 300 tonnes per year of grapes and retaining all wastes onsite, require a works approval to be issued by EPA before works can commence.

- F. EPA is able to grant works approval exemptions for some activities that are eligible for an exemption under the Environment Protection (Scheduled Premises) Regulations 2017. EPA may also grant a works approval exemption under the Environment Protection Act 1970 in certain circumstances.
- G. The proponent will need to complete the 'Pathways' form found on EPA's website(<http://www.epa.vic.gov.au/business-and-industry/forms/licenceand-works-approval-forms>) and discuss the proposal with our Development Assessment Unit to determine the appropriate approvals pathway (including approval requirements for wastewater).
- H. Should the proponent have any queries with respect to works approvals or the 'Pathways' form they should contact the EPA Development Assessment Unit.

Carried Unanimously

12.13 Establishment of Kananook Community Garden and Seaford Farmers Market Shed at Kananook Reserve

(VG Community Assets)

Recommendation (Director Community Assets)

That Council:

1. Approves the proposed location for establishment of the Kananook Community Garden at the Kananook Reserve and authorise Council officers to formalise licencing arrangement associated with the proposed use;
2. Approves the proposed location for construction of shed for the Seaford Farmers Market at the Kananook Reserve subject to grant of planning permit and authorise Council officers to formalise licencing arrangement associated with the proposed use;
3. Notes that site specific licence agreements will be drafted, including non-negotiable special conditions, for both occupiers to mitigate risks and liability to Council due to the subject land being a closed landfill site; e.g., only using clean soil, raising garden beds and not breaking the surface for the Community Garden, adherence to EPA requirements, development of a Construction Environmental Management Plan and a site wide Environmental Management Plan to avoid or mitigate negative environmental impacts on site (such and encountering asbestos or buried waste) for the shed; and
4. Approves waiving of Council's planning application fees associated with the construction of the shed for the Seaford Farmers Market.

Deferral Motion to next Council Meeting

Moved: Councillor McCormack

Seconded: Councillor Cunial

That the matter be deferred to the next Ordinary Meeting.

Carried Unanimously

14.1 2019/NOM9 - Car parking in Frankston Metropolitan Activity Centre (FMAC)

(TC Chief Executive Office)

Councillor Recommendation

That Council:

1. Requests a report to come back to Council at the 1 July 2019 Ordinary Meeting on the proposed establishment of a Frankston City Council Working Group for the purpose of preparing independent recommendations for the consideration of Council to improve Frankston City Centre's present car parking pricing, supply and management, and benefit Frankston's CBD for its future parking needs in 2035. The working group should include interested Councillors, appropriate Council officers, one representative of the Committee for Greater Frankston, and a representative from each of the following groups/organisations Frankston City traders, Chisholm, PARC, and Monash University;
2. Provides in this report recommendations on suitable funding sources in order to secure funding required to enable the working group to properly perform its task, which should include:
 - An update on the Frankston Metropolitan Activity Centre 2016 car parking usage study Part A (including private spaces);
 - An expanded car parking supply-demand model across the FMAC;
 - Accurate forecast growth rates in demand for car-parking over the next decade;
 - User needs analysis including price sensitivity, substitution options and market competition;
 - Expert advice best practise solutions and case studies; and
 - Expert advice on car parking management technologies that would assist the better management of existing car parking now and into the future.

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Hampton

That Council:

1. Requests a report to come back to Council at the 1 July 2019 Ordinary Meeting on the proposed establishment of a Frankston City Council Working Group for the purpose of preparing independent recommendations for the consideration of Council to improve Frankston City Centre's present car parking pricing, supply and management, and benefit Frankston's CBD for its future parking needs in 2035. The working group should include interested Councillors, appropriate Council officers, two representative of the Committee for Greater Frankston, and a representative from each of the following groups/organisations Frankston City traders, Chisholm, PARC, and Monash University;
2. Provides in this report recommendations on suitable funding sources in order to secure funding required to enable the working group to properly perform its task, which should include:
 - An update on the Frankston Metropolitan Activity Centre 2016 car parking usage study Part A (including private spaces);
 - An expanded car parking supply-demand model across the FMAC;

Chairperson's initials



- Accurate forecast growth rates in demand for car-parking over the next decade;
- User needs analysis including price sensitivity, substitution options and market competition;
- Expert advice best practise solutions and case studies; and
- Expert advice on car parking management technologies that would assist the better management of existing car parking now and into the future.

Lost

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

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

*In accordance with Section 41 of Council's Governance Local Law No. 1,
Cr Toms Foreshadowed the original motion*

Council Decision

Moved: Councillor Toms

Seconded: Councillor Cunial

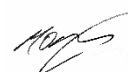
That Council:

1. Requests a report to come back to Council at the 1 July 2019 Ordinary Meeting on the proposed establishment of a Frankston City Council Working Group for the purpose of preparing independent recommendations for the consideration of Council to improve Frankston City Centre's present car parking pricing, supply and management, and benefit Frankston's CBD for its future parking needs in 2035. The working group should include interested Councillors, appropriate Council officers, one representative of the Committee for Greater Frankston, and a representative from each of the following groups/organisations Frankston City traders, Chisholm, PARC, and Monash University;
2. Provides in this report recommendations on suitable funding sources in order to secure funding required to enable the working group to properly perform its task, which should include:
 - An update on the Frankston Metropolitan Activity Centre 2016 car parking usage study Part A (including private spaces);
 - An expanded car parking supply-demand model across the FMAC;
 - Accurate forecast growth rates in demand for car-parking over the next decade;
 - User needs analysis including price sensitivity, substitution options and market competition;
 - Expert advice best practise solutions and case studies; and
 - Expert advice on car parking management technologies that would assist the better management of existing car parking now and into the future.

Carried Unanimously

The Mayor adjourned the meeting at 8.31 pm

Chairperson's initials



The Mayor resumed the meeting at 8.39 pm

11. CONSIDERATION OF TOWN PLANNING REPORTS

- 11.4 Planning Permit Application 283/2018/P - 490-504 Nepean Highway Frankston - Frankston House - Use of the land for Retail (Shop), Food and Drink Premises (Restaurant and Cafe), Office and Accommodation (108 Apartments), construction of a 10 storey building, and a reduction in the car parking requirements of Clause 52.06 of the Frankston Planning Scheme**
(MP Community Development)

Council Decision

Moved: Councillor Cunial

Seconded: Councillor McCormack

That should a review under section 79 of the Planning and Environment Act 1987 not have been lodged with the Victorian and Civil Administrative Tribunal, Council would have resolved to issue a Notice of Refusal to Grant a Planning Permit in respect to Planning Permit Application number 283/2018/P for the use and development of the land for Retail (Shop), Food and Drink Premises (Restaurant and Café), Office and Accommodation (108 Apartments), construction of a 10 storey building, and a reduction in car parking requirements of Clause 52.06 at 490-504 Nepean Highway Frankston, subject to the following grounds:

1. The proposal does not comply with the mandatory height controls for Sub-Precinct 1B of the Activity Centre Zone – Schedule 1 adopted in Planning Scheme Amendment C123.
2. The proposal is not consistent with the strategic directions for the preferred maximum height controls for Precinct 1 identified in the Building and Heights Plan of the Frankston Metropolitan Activity Structure Plan, May 2015.
3. The proposal does not provide a satisfactory urban design response to Playne Street of Kananook Creek Boulevard and is not consistent with the strategic objectives of the Frankston Metropolitan Activity Structure Plan, May 2015 and Clause 22.07 – Streetscapes Policy.
4. The bulk, mass and scale of the development is not consistent with the strategic objectives of the Frankston Metropolitan Activity Structure Plan, May 2015.
5. The development has the potential to impact unreasonably on adjoining properties by way of overshadowing.
6. The proposal does not provide an appropriate level of amenity for the rooftop garden and an acceptable level of amenity to the balconies or internal amenity to some apartments and fails to meet the objectives of Clause 58.05 and 58.07 of the Frankston Planning Scheme.
7. The proposal fails to comply with the car parking requirements of Clause 52.06 – Car Parking of the Frankston Planning Scheme and Clause 45.09 – Schedule 1 – Parking Overlay.
8. The development would cause the loss of a significant number of Council owned car parks which form an important element in the management of traffic and car parking demands within the Frankston Metropolitan Activity Centre.
9. The proposal fails to comply with minimum standards of AS/NZ2890.1 for the queuing of vehicles at the car parking entrance.

10. The proposal has not demonstrated that the existing road network has the capacity to accommodate the increase in generation of vehicle movements without the need for upgrading of road infrastructure including Playne Street and the intersection of Playne and Nepean Highway.
11. The layout and design of the development does not provide dedicated on-site waste collection areas and loading bay facilities, and has not demonstrated that waste collection can be facilitated on-site in a safe and satisfactory manner.

Carried Unanimously

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

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

- 11.5 Frankston Planning Scheme Amendment C127 - Public Open Space Contribution Rates - Review of submissions to the amendment and progression to adoption
- 12.1 Notice of Motion Status Update
- 12.2 March 2019 Quarterly Financial Report
- 12.3 Council Plan Performance Report - Quarter Three January - March 2019
- 12.5 Six-monthly Report on Council's Greenhouse Gas Emissions, Energy and Water Usage and Costs
- 12.6 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - January, February, March 2019
- 12.7 Living Melbourne: Our Metropolitan Urban Forest Strategy
- 12.8 Accountability and Transparency Reform Update
- 12.9 Confirmation of Minutes for Frankston Cemetery Trust 2019
- 12.10 Formal endorsement of the Public Submission and Question Time Policy 2019
- 12.11 Response to Petition - Safe Boat Refuge
- 12.12 Visitor Economy Strategy 2019-2024
- 12.14 Belvedere Bowls Club - Extension Funding

Carried Unanimously

11.5 Frankston Planning Scheme Amendment C127 - Public Open Space Contribution Rates - Review of submissions to the amendment and progression to adoption
(MP Community Development)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Mayer

That Council:

1. Notes the submissions to the Frankston Planning Scheme Amendment C127;
2. Continues to progress Planning Scheme Amendment C127;
3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C127.
4. Advises the objecting submitter of Council's decision.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Notice of Motion Status Update**

(DH Chief Executive Office)

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

That Council:

1. Receives the Notices of Motion Report as at 13 May 2019.
2. Notes that there is one Notice of Motion that has been reported as being complete.
 - 2018/NOM60 – Artwork for Frankston Train Station
3. Notes that since 9 April 2019, 24 resolutions have been completed as detailed in the body of the report.
4. Notes that the report listed below will not be presented back to Council by its advised date and that a detailed explanation is provided in the body of the report:
 - Establishment of a Process to Attract a New Signature Event for Frankston City

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.2 March 2019 Quarterly Financial Report

(KJ Corporate Development)

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

That Council receives and notes the Council Financial Report for the quarter ended 31 March 2019.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.3 Council Plan Performance Report - Quarter Three January - March 2019

(KJ Corporate Development)

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

That Council receives and notes the Quarterly Council Plan Performance Report for quarter three January – March 2019.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.4 Capital Works Quarterly Report - Q3 - January - March 2018/19

(LU Community Assets)

Recommendation (Director Community Assets)

That Council receives and notes the quarterly progress report for the third quarter (January – March 2019) of the 2018/19 Capital Works Program.

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

That:

1. Council receives and notes the quarterly progress report for the third quarter (January – March 2019) of the 2018/19 Capital Works Program.
2. Given the State Government decision to not proceed with the upgrade of the Seaford Substation, that the \$70K originally reserved for Council's commitment to this project (2018/2019) be re-allocated to the upgrade of the (neighbouring Karingal PLACE) Ashleigh Avenue recreational park including:
 - a) bbq and drinking fountain;
 - b) shade sail;
 - c) solar lighting;
 - d) minor planting; and
 - e) picnic table and park bench
 - f) bins

Deferral Motion to another Council Meeting**Moved: Councillor Cunial****Seconded: Councillor Mayer**

That the matter be deferred to the next Ordinary Meeting.

Lost

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

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

**The Motion was put
and Carried**

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

Against the Motion: Crs Cunial and O'Reilly

12.5 Six-monthly Report on Council's Greenhouse Gas Emissions, Energy and Water Usage and Costs

(LU Community Assets)

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

That Council:

1. Receives and notes Council's six-monthly progress report on the organisation's greenhouse gas emissions, energy and water usage and costs for July to December 2018;
2. Notes that between July to December 2018, Council's total cost of utilities (electricity, natural gas and water) increased by 22.7% (or \$284,000), when compared to the same period in 2017; and
3. Notes the majority of these increases were from Council's facilities, in particular PARC which had the biggest impact on the increased usage due to it being closed for repairs in 2017 and operating as business as usual in 2018.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

**12.6 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions -
January, February, March 2019**

(CB Community Development)

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

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

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.7 Living Melbourne: Our Metropolitan Urban Forest Strategy

(MP Community Development)

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

That Council:

1. Adopts Living Melbourne: our metropolitan urban forest strategy;
2. Authorises the use of the Frankston City Council logo to appear as an endorsing organisation in the final version of Living Melbourne, which will be launched in June 2019;
3. Releases this report to the public after the Strategy is officially launched by The Nature Conservancy and Resilient Melbourne in June 2019.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.8 Accountability and Transparency Reform Update

(BA Corporate Development)

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

That Council notes:

1. The Accountability and Transparency Reform document;
2. That the items shaded in orange have been actioned and no further response is required;
3. That a briefing will be scheduled to further discuss the items shaded in red;
4. That an update on the items to be actioned will be presented to Council at its meeting in August 2019.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.9 Confirmation of Minutes for Frankston Cemetery Trust 2019

(BA Corporate Development)

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

That:

1. Council, as the Trustee of the Frankston Cemetery Trust, receives the Minutes of the Cemetery Trust Meeting held on Tuesday 12 March 2019 as a true and correct record of the meeting.
2. Council notes that the Abstract of Accounts were signed and sealed on 1 April 2019.
3. Council notes the recommendations from the review into the management and operations of the Cemetery.
4. The recommendations of the Frankston Cemetery Trust be adopted.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.10 Formal endorsement of the Public Submission and Question Time Policy 2019

(BA Corporate Development)

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

That Council notes:

1. The changes and endorses the Public Submission and Question Time Policy;
and
2. That a response will be provided to each of the submitters in writing within seven (7) business days of this meeting, advising of the outcome.

Carried Unanimously**Note:** Refer to Page 27 of the Minutes where this item was block resolved

12.11 Response to Petition - Safe Boat Refuge

(VG Community Assets)

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

That Council:

1. Notes the petition received at its meeting on 1 April 2019 (2019/OM4) containing 1,377 signatures demonstrating support for the Coast Guard facility and Safe Boat Refuge at Frankston;
2. Notes that the outcomes of the initial assessment on alternate options for the proposed Coast Guard Facility and Boat Refuge will be reported to Council at its October 2019 Meeting which will also satisfactorily respond to the request contained in the petition; and
3. Notes that the Head Petitioner be advised accordingly.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.12 Visitor Economy Strategy 2019-2024

(SJ Corporate Development)

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

That Council:

1. Endorses the Draft 2019-2024 Frankston City Visitor Economy Strategy to be placed on public exhibition for a four week period
2. Notes the identified Priority Programs within the Draft 2019-2024 Frankston City Visitor Economy Strategy which require additional budget:
 - a) Signature off-peak event attraction - \$200,000 annually for six years referred to 2019-2020 Mid-year Budget Review
 - b) Interpretative and Way-Finding Signage Strategy - \$50,000 referred to 2019-2020 Mid-year Budget Review (one off)
 - c) 10 Year Frankston City Tourism Events, Arts and Culture Strategy - \$50,000 referred to 2020-2021 Annual Budget Process (one off)
 - d) Interpretative and Way-Finding Signage Implementation Program – Capital Works Bid to be undertaken
3. Following public exhibition, requests that a further report be presented to Council with a view to formally adopting the Draft 2019-2024 Frankston City Visitor Economy Strategy.
4. Note that at such stage that the Draft 2019-2024 Frankston City Visitor Economy Strategy is adopted, the unbudgeted items identified are referred to the relevant budget process for consideration.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

12.14 Belvedere Bowls Club - Extension Funding

(CB Community Development)

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

That Council:

1. Notes the progress of the design of the Belvedere Bowls Club expansion project;
2. Confirms Council pledge of \$700K towards construction of the Belvedere Bowls Club expansion and notes that it has been included in the 2020/21 LTIP;
3. Supports advocacy to State and Federal Governments for a matching contribution of \$700K each towards the Belvedere Bowls Club expansion, noting that the Federal Government through Chris Crewther have provided a \$250k election commitment to the project;
4. Supports advocacy to the Federal Government and State Governments to secure total contributions of \$700k each;
5. Supports Council officers to seek a \$70K total contribution from the Belvedere Bowls Club and notes that \$360K was contributed by the RSL in 2016 to assist with the construction of a synthetic bowling green as part of the merger of the Seaford Bowls Club and Frankston RSL Bowls Club at the Belvedere site.

Carried Unanimously

Note: Refer to Page 27 of the Minutes where this item was block resolved

13. RESPONSE TO NOTICES OF MOTION

13.1 Further Response to NOM 1389 - Ballam Park Precinct Improvements

(SJ Corporate Development)

Recommendation (Corporate Development)

That Council:

1. Notes this report.
2. Endorses the updating of the Frankston City Honour Roll boards in the Frankston Library.
3. Endorses the incorporation of the recognition of Hall of Fame (HoF) inductees into the Clyde Street streetscape upgrade.
4. Refers the funding of the following to the Mid-Year Budget Review for further consideration:
 - a. \$2,000 for the updating of the Frankston City Honour Roll,
 - b. \$150,000 towards inclusion of the HoF in the Clyde Street / Station Street upgrade.
5. Notes that the Frankston City Council Naming Policy is currently being revised and will be presented to Council later in 2019. This revision will provide high level policy statements relating to the recognition of notable Frankston City citizens as well as requiring the development of a protocol to govern how this will occur.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council:

1. Notes this report.
2. Endorses the updating of the Frankston City Honour Roll boards in the Frankston Library.
3. Endorses the incorporation of the recognition of Hall of Fame (HoF) inductees into the Clyde Street streetscape upgrade.
4. Refers \$2,000 be allocated from the current 2018/19 budget for the purpose of updating the Frankston City Honour Roll and that the CEO determine the source.
5. Refers the funding to the Mid-Year Budget Review for further consideration of \$150,000 towards inclusion of the HoF in the Clyde Street / Station Street upgrade.
6. Notes that the Frankston City Council Naming Policy is currently being revised and will be presented to Council later in 2019. This revision will provide high level policy statements relating to the recognition of notable Frankston City citizens as well as requiring the development of a protocol to govern how this will occur.

Carried

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

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

14. NOTICES OF MOTION**14.2 2019/NOM10 - Boat Moorings at Kananook Creek**

(PC Community Assets)

Councillors Recommendation

Officers to investigate and prepare an updated report for consideration by Council on the benefits of reintroducing permanent boat mooring facilities along Kananook Creek, Frankston, between its mouth and Wells Street, with particular attention to the economic, social, recreational and health benefits associated with activation of the Kananook Creek and the Kananook Creek Boulevard.

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

Officers to investigate and prepare an updated report for consideration by Council at its Ordinary Meeting on 22 July 2019 on the benefits of reintroducing permanent boat mooring facilities along Kananook Creek, Frankston, between its mouth and Wells Street, with particular attention to the economic, social, recreational and health benefits associated with activation of the Kananook Creek and the Kananook Creek Boulevard

Carried Unanimously

15. LATE REPORTS

Nil.

16. URGENT BUSINESS

Nil.

Chairperson's initials



17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor McCormack****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 Frankston Charitable Fund Grants

Agenda Item C.1 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.2 Award of Contract - Annual Supply Concrete Works

Agenda Item C.2 Award of Contract - Annual Supply Concrete Works is designated confidential as it relates to contractual matters (s89 2d)

C.3 Standing Grants Program 2019-2020 Supplementary Report

Agenda Item C.3 Standing Grants Program 2019-2020 Supplementary Report 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.4 Leasing of Commercial Tenancy at the Frankston Yacht Club Building

Agenda Item C.4 Leasing of Commercial Tenancy at the Frankston Yacht Club Building is designated confidential as it relates to contractual matters (s89 2d)

C.5 Confidential Personnel Matters

Agenda Item C.5 Confidential Personnel Matters is designated confidential as it relates to personnel matters and contractual matters (s89 2a & S89 2d):

Carried Unanimously

.....
Signed by the CEO

Chairperson's initials



The meeting was closed to the public at 9.13 pm

CONFIRMED THIS

DAY OF

2019

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Michael O'Reilly, 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 13 May 2019, confirmed on Monday 3 June 2019

.....
(Cr. Michael O'Reilly, Chairperson – Council Meeting)

Dated this

day of

2019