



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 12 AUGUST 2024 at 7:00 PM**

- PRESENT** Cr. Nathan Conroy (Mayor)
Cr. Liam Hughes (Deputy Mayor)
Cr. Glenn Aitken
Cr. David Asker
Cr. Sue Baker
Cr. Kris Bolam
Cr. Claire Harvey
Cr. Brad Hill
Cr. Suzette Tayler
- APOLOGIES:** Nil.
- ABSENT:** Nil.
- OFFICERS:** Mr. Phil Cantillon, Chief Executive Officer
Ms. Kim Jaensch, Director Corporate and Commercial Services
Ms. Angela Hughes, Director Communities
Mr. Cam Arullanantham, Director Infrastructure and Operations
Ms. Shweta Babbar, Director Customer Innovation and Arts
Ms. Brianna Alcock, Manager Governance
Mr. Sam Clements, Manager Development Services (via Zoom)
Ms. Claire Benzie, Manager Family Health Support Services (via Zoom)
Mr. Tim Bearup, Manager Community Strengthening (via Zoom)
Ms. Fiona McQueen, Manager Community Relations (via Zoom)
Mr. Nathan Upson, Manager People and Culture
Mr. Rob Antonic, Manager Safer Communities
Ms. Brooke Whatmough, Coordinator Strategic Planning (via Zoom)
Mr. Jarred Stevens, Coordinator Safer Communities (via Zoom)
Ms. Tracey Greenaway, Coordinator Economic Development (via Zoom)
Ms. Nathalie Nunn, Coordinator Environmental Policy and Planning (via Zoom)
Dr. John McSwiney, Coordinator Governance
Ms. Tenille Craig, Team Leader Governance
Mr. Ric Rais, Systems Support Officer
Mr. Josh Lacey, Supervising Technician
- EXTERNAL REPRESENTATIVES:** Nil.

COUNCILLOR STATEMENT

Deputy Mayor, Councillor Liam Hughes made the following statement:

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

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

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

PRAYER

At the request of the Mayor, Deputy Mayor, Councillor Liam Hughes read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Deputy Mayor, Councillor Liam Hughes acknowledged the Bunurong People of the Kulin Nation – the Traditional Custodians of the land on which we stand, and paid respect to Elders past, present and future. Respect was also extended to Elders of other communities who may have been present.

Chairperson’s initials

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1. APOLOGIES

Nil

2. COUNCILLOR APPRECIATION AWARDS**2.1 Presentation to The Griffiths Family**

Councillor Bolam presented a Councillor Appreciation Award to the Griffiths family in recognition of the support, assistance and generosity the family has provided to Council towards the upgrade design at Whistlestop Reserve.

This has included historic information and artwork developed into the design to recognise and honour the former Whistlestop Amusement Park.

The amusement park was owned and created by the late Jack Griffiths and his family have been a critical part in bringing this design to life.

Council thanks you for your input and helping achieve such a fantastic result!

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM9 held on 22 July 2024.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Harvey

That the minutes of the Council Meeting No. CM9 held on 22 July 2024 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

The Chief Executive Officer, Phil Cantillon, declared a conflict of Interest for Item C.1: CEO Performance and Remuneration Committee – CEO Performance review 2024/25 and will leave the Chamber at the time of debate and voting.

5. PUBLIC QUESTION TIME

Nil.

6. HEARING OF PUBLIC SUBMISSIONS

Gabrielle Sesta made a submission to Council regarding Item 11.1: Planning Application 39/2024/P - 13 McMahons Road Frankston 3199 - To use and develop the land for a rooming house in a Mixed Use Zone (MUZ) To construct buildings and works in a Design and Development Overlay Schedule 13 (DDO13) and Special Building Overlay (SBO) To create/alter access to a road in a Transport Zone 2 (TRZ2).



Chairperson's initials

7. ITEMS BROUGHT FORWARD

Nil

BLOCK MOTION**Block Motion****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That the items listed below be block resolved:

- 11.2: Corrections Amendment - Planning Scheme Amendment C165fran
- 11.4: City Futures Progress Report - Quarter 4 April - June 2024
- 12.3: Frankston City Council Economic Scorecard April - June 2024
- 12.4: Frankston Arts Advisory Committee - Minutes 2 July 2024
- 12.5: Peninsula Leisure P/L - Strategic Plan 2025-27 and Annual Facilities Plan 2024-25
- 12.6: Frankston Suburban Revitalisation Board
- 12.7: Adoption of revised 'Working with Members of Parliament and Political Candidates' Protocol
- 12.9: Adoption of Kindergarten Partnership Strategy 2024-2036
- 12.10: CCTV Operational Update
- 12.13: Mile Bridge Gateway Sculpture - Recommended Artist
- 12.14: Proposed Lease of Council managed land - Waves Restaurant - 2/1N Long Island Drive Frankston
- 12.15: Award of Contract - CN11280 Specialised Consulting Services Panel – Collaborative
- 12.17: Award of Contract CN11483 - SD-WAN Network Architecture

Carried Unanimously

8. PRESENTATIONS / AWARDS**8.1 Presentation of Certificate Under Seal for Cr David Asker**

The Mayor, Cr Nathan Conroy, presented a Certificate Under Seal to Cr David Asker to acknowledge his 10 Years of Service to Local Government as a Councillor.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil



Chairperson's initials

10. DELEGATES' REPORTS

Cr Brad Hill provided a verbal report on the community gathering for a morning vigil and moment of silence to remember the late Andres Pancha.

Cr Glenn Aitken provided a verbal report on his attendance to a seminar at Monash University.

Councillor Hughes left the chamber at 7:42 pm.

General Motion -

Council Decision

Moved: Councillor Baker

Seconded: Councillor Harvey

That the verbal reports, provided by Cr Brad Hill on the morning vigil for Andres Pancha and Cr Glenn Aitken on the seminar at Monash University on the regeneration of Melbourne, be accepted.

Carried Unanimously (8)

*The Deputy Mayor was not present
in the Chamber at the time of Voting*



Chairperson's initials

11. CONSIDERATION OF CITY PLANNING REPORTS

11.1 Planning Application 39/2024/P - 13 McMahons Road Frankston 3199 - To use and develop the land for a rooming house in a Mixed Use Zone (MUZ) To construct buildings and works in a Design and Development Overlay Schedule 13 (DDO13) and Special Building Overlay (SBO) To create/alter access to a road in a Transport Zone 2 (TRZ2)

(SC Communities)

Councillor Hughes returned to the chamber at 7:48 pm.

Council Decision

Moved: Councillor Hill

Seconded: Councillor Bolam

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 39/2024/P to use and develop the land for a rooming house in a Mixed Use Zone (MUZ) to construct buildings and works in a Design and Development Overlay Schedule 13 (DDO13) and Special Building Overlay (SBO) to create/alter access to a road in a Transport Zone 2 (TRZ2) at 13 McMahons Road Frankston 3199 subject to the following conditions:

Amended 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. The plans must be generally in accordance with the plans submitted with the application Job Number 23123 prepared by ArchSign 15 sheets dated March 2024 Revision B, but modified to show:
 - a. The notation of one of the proposed accommodation rooms as being an on-site Managers room.
 - b. All trees growing on the site and on the adjoining properties within 3m of the boundaries clearly illustrated on all relevant plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Tree Assessment Report prepared by Stem Arboriculture dated 13 August 2022 stating whether the tree is to be retained or removed.
 - c. The Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and the tree protection locations for all trees to be retained illustrated on all relevant plans.
 - d. Tree protection conditions noted on all relevant plans in accordance with Conditions 16 and 17.
 - e. Notation that all bins and the bin area is to be clearly marked with signage.
 - f. Proposed landscaping removed from development plans for clarity.
 - g. Development plans to reflect all sustainability features that are required as part of a submitted and approved SDA.
 - h. Amended Management Plan in accordance with Condition 9.
 - i. Landscape Plan in accordance with Condition 12.
 - j. Tree Protection Management Plan in accordance with Condition 15.
 - k. Amended Sustainable Design Assessment (SDA) in accordance with Condition



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26.

- I. Waste Management Plan in accordance with Condition 29.

No Alterations

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

Completion of Works

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

Use

4. No more than 16 residents may be accommodated within the building at any one time.
5. The communal area at first and second floor and terrace must only be accessible to persons who are residents or guests of the residents. It is the responsibility of the management to ensure access is restricted to persons registered to stay on the premises and their guests who hold a security pass or key to a room on the relevant date.
6. The communal areas must be furnished generally as shown on the endorsed plans. Any damaged or broken furniture must be repaired or replaced to the satisfaction of the Responsible Authority.
7. Cooking facilities must only be provided in communal areas to the satisfaction of the Responsible Authority.
8. The amenity of the area must not be adversely affected by the use or development because of:
 - a. Transport of materials, goods, or commodities to or from the land.
 - b. Appearance of any building, work, stored goods, or materials.
 - c. Emission of noise, artificial light, vibration, smell, fume, smoke, steam, soot, ash, dust, wastewater, waste products or oil; or
 - d. The presence of vermin.

To the satisfaction of the Responsible Authority.

Management Plan

9. Before the development starts a management plan must be submitted to and approved by the Responsible Authority. When approved, the management plan will be endorsed and form part of this permit. The Management Plan must include:
 - a. Provision for a permanent, on-site building manager who is also resident in the building.
 - b. Permanent display of the Management Plan in the common lounge area.
 - c. The nature of the management of the complex and the contact details of the building manager.
 - d. The role of the building manager.
 - e. Provision that management arrangements be enacted when the manager is not on the site.
 - f. Details of the terms of accommodation and the maximum number of persons accommodated onsite.



Chairperson's initials

- g. The contact details of a suitably responsible person who is available 24 hours per day, seven days per week that are displayed in a manner that is visible to any person entering the site to enable a prompt response to any operational complaint which may arise that require immediate attention.
 - h. Building management to ensure that appropriate waste disposal is taking place and correct education is provided to residents.
 - i. Provision of information on community and education services, including health, counselling, and cultural services.
 - j. Provision of information to residents regarding public transport and other non-car-based transport modes.
 - k. Provisions to ensure that the rooming house does not cause unreasonable impacts on the amenity of surrounding residential properties.
 - l. Incorporation of a Code of Conduct for residents which discourages anti-social behaviour such as excessive noise emissions, littering, property damage, and compliance with designated smoking areas. All residents are to agree to abide by the Code of Conduct.
 - m. House rules regarding occupancy and behaviour of students and visitors, and grievance procedures.
 - n. Hours of use of the communal outdoor terrace.
 - o. A procedure for dealing with complaints from residents and from persons not residing on the site.
 - p. The means by which car and bicycle spaces are allocated to residents and a register that documents the allocation of these spaces.
 - q. Critical Incident Management and Emergency & Evacuation Procedures.
 - r. Protocols relating to rubbish bin storage and collection.
 - s. Maintenance and cleaning schedule for all common areas, including all landscaped areas, which is the responsibility of the Building Manager.
 - t. The re-use of furniture and other domestic items, and provisions for the collection of hard waste when tenants change.
10. The use must operate in accordance with the endorsed Management Plan to the satisfaction of the Responsible Authority.
11. A copy of this permit and the Management Plan must always be displayed in a prominent location within the building to the satisfaction of the Responsible Authority.

Landscape

12. Before the development starts, a detailed landscape plan consistent with Frankston City Council's Landscape Plan Guidelines (2020) 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 prepared by a suitably qualified landscape designer, drawn to scale with dimensions. The plan must be consistent with the development plans and generally in accordance with the concept landscape plan, prepared by Etched dated 10 August 2022, but modified to show:
- a. a survey (including botanical names) of all existing vegetation on the site and those located within 3m of the site boundary 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. Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of all retained trees illustrated with notations regarding protection methods during construction.
 - c. Planting along the southern boundary replaced with screen planting (minimum mature height of 1.5m).
 - d. A planting theme of a minimum 40% indigenous and 40% native
 - e. All existing environmental weed species must be removed from the site and environmental and noxious weeds found in the 'Frankston City Council Invasive Species Guide (2019)' must not be planted.
 - f. Substitute the following proposed trees with indigenous/native species, with no reduction in minimum mature height.
 - i. Lagerstroemia indica 'Natchez'
 - ii. Olea europaea 'Tolley's upright'
 - g. the provision of notes on the landscape plan regarding site preparation, including removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
 - h. h. All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use.
13. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged trees are to be replaced.

Tree Protection Management Plan

15. Before works start (including any demolition, levelling of the site, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), a Tree Protection Management Plan (TPMP) prepared in accordance with Frankston City Council's 'Arboricultural Report Writing Guide' must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the permit. The TPMP must be prepared by a suitably qualified and experienced Arborist in relation to the management and maintenance of trees numbered 4, 8, 9, 10, 12, 13 and 14. The TPMP must make specific recommendations in accordance with AS4970: 2009 - Protection of Trees on Development Sites and detail the following where relevant but not limited to 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 and any tree protection fence relocations required where ground protection systems will be used.
 - b. A clear photograph of each tree.
 - c. Any specific damage/faults evident within each tree prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary dilapidation report.
 - d. Restricted activities in the TPZ.
 - e. Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages.
 - f. Details of any TPZ encroachments including if necessary.



Chairperson's initials

- g. details of any ground protection requirements for neighbouring property trees
- h. Methods for installation of services e.g., sewerage, storm water, telecommunications, electricity etc.
- i. Remedial pruning works as required including a detailed photographic diagram specifying what pruning will occur.
- j. Final Certification of Tree protection template.

Before the occupation of the development or at such later date as is approved by the Responsible Authority in writing, 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.

16. Tree protection must be carried out in accordance with AS 4970-2009 Protection of trees on development sites and the endorsed TPMP to the satisfaction of the Responsible Authority.

Tree Pruning

17. Any tree pruning must 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 AS 4373-2007 Pruning of Amenity Trees and to the satisfaction of the Responsible Authority. Any pruning works must be undertaken before works start. Any pruning of trees located on a neighbouring property should be undertaken in consultation with the property owner.

Engineering Services

18. Before the development starts, detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure to the satisfaction of the Responsible Authority must be submitted to and approved by Responsible Authority.
19. A stormwater detention system with a volume capable of retarding the 10% Annual Exceedance Probability (AEP) flow from the development site back to a 20% AEP pre-development value must be constructed to the satisfaction of the Responsible Authority.
20. Stormwater drainage must be connected to stormwater Legal Point of Discharge as nominated by and to the satisfaction of the Responsible Authority.
21. Water Sensitive Urban Design (WSUD) principles must be incorporated into the drainage design, which must include rainwater tanks plumbed in for re-use, and may include but not be limited to the following components or a combination thereof:
 - Permeable driveways and porous pavement
 - Rain gardens and bioretention basins
 - Gross pollutant traps.
 - On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
22. The stormwater treatment system must 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.



Parking Requirements

23. Before the occupation of the development or the use starts, areas set aside for parking vehicles and bicycles, access lane 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.
 - Drained and maintained to the satisfaction of the Responsible Authority.
 - Line-marked to indicate each car space, and if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
- Car spaces, bicycle spaces, access lane and driveway must be always kept available for these purposes.
24. Low intensity lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.
25. Before the occupation of the development, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority (in accordance with SD310 – Frankston City Council Vehicular Crossings Notes & Specifications) and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Development

26. Before the development starts, an amended Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the SDA prepared by Frater and dated 11/04/2024 but modified to include or show:
- Water: as there are no bathtubs in the development, remove reference to it from BESS and SDA.
27. All works must be undertaken in accordance with the endorsed Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority. No alterations to the SDA may occur without the written consent of the Responsible Authority.
28. Before the occupation of any dwelling approved under this permit, a report from the author of the SDA, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SDA have been implemented in accordance with the approved Plan.

Waste Management

29. Before the use starts, the Waste Management Plan (WMP) prepared by Salt3 dated 12 April 2024 must be submitted to and endorsed by the Responsible Authority. When endorsed, the plan will form part of this permit. All waste generated by the uses must be collected by a Private Waste Management Agency and in accordance with the EPA Victoria Publication 1254.2 Noise Control Guidelines and the endorsed WMP at all times to the satisfaction of the Responsible Authority.



Urban Design

30. 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.
31. Mailboxes shall be provided to the satisfaction of the Responsible Authority and Australia Post.
32. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new building shall be concealed from general view.
33. All building plant and equipment on the roof is to be concealed to the satisfaction of the Responsible Authority. Noise emitting plant equipment such as air conditioners, must be shielded with acoustic screening to prevent the transmission of noise having detrimental amenity impacts.
34. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

Melbourne Water

35. The building ground floor areas (including lift area), with the exception of the transitional areas, must be constructed with finished floor levels set no lower than 28.05 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 27.75m to AHD.
36. The building setbacks shown to site boundaries must not be further reduced without the written approval of Melbourne Water, to ensure adequate open space areas to allow for the passage of overland flow.
37. Open space areas must be maintained at existing surface level.
38. Any proposed internal fencing or gates must be at least 50 percent permeable.

Head, Transport for Victoria

39. Prior to the occupation of the development, the crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
40. If applicable, any security boom, barrier, gate or similar device controlling vehicular access to the premises must be setback a minimum of 6m inside the property boundary to allow vehicles to store clear of the McMahons Road pavement and footpath.
41. Vehicles must enter and exit the site in a forward direction at all times.

Cultural Heritage Management Plan

42. The construction of the development hereby approved must be carried out in the accordance with the approved Cultural Heritage Management Plan No. 18713 prepared by Heritage Insight and approved by the Bunurong Land Council on 24 August 2022.

Permit Expiry

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



Chairperson's initials

- c. The use is not started within two (2) years of the date of this permit; or
- d. The use is discontinued for a period of two (2) years or more.

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

Before the development starts the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Council's Engineering Services 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 extension of time request must be lodged with the relevant administration fee.

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. Building Work

An owner/occupier is required by law to ensure full compliance with the requirements of the Building Regulations 2018 and the Building Act 1993. Before any building work starts, the Building Act 1993 requires that a building permit is obtained and be available for inspection during all times of construction.

E. Head, Transport for Victoria

The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

Carried

For the Motion: Crs Aitken, Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler (8)

Against the Motion: Nil

Abstained: Cr Hughes (1)



Chairperson's initials

11.2 Corrections Amendment - Planning Scheme Amendment C165fran
(*TB Communities*)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Notes the corrections proposed for the Planning Scheme Amendment C165fran is administrative in nature, such as correcting clerical errors and amending irregularities with overlays, zones and mapping;
2. Requests authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C165fran pursuant to Section 8A of the *Planning and Environment Act 1987*;
3. Upon receipt of Authorisation from the Minister for Planning, gives notice and exhibits Planning Scheme Amendment C165fran for a period of one (1) month in accordance with Section 19 of the *Planning and Environment Act 1987*;
4. Authorises the Director Communities to make editorial and administrative changes to proposed Planning Scheme Amendment C165fran documentation to meet any conditions of authorisation from the Department of Transport and Planning; and
5. Notes that a report will be presented back to Council following the conclusion of the exhibition of Planning Scheme Amendment C165fran to recommend the next steps.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

11.3 Plan for Victoria - Frankston City Council's submission

(TB Communities)

Recommendation (Director Communities)

That Council:

1. Notes the Victorian Government is developing a new plan for Victoria and, as part of the consultation, the community is invited to provide submissions directly to the Victorian Government to help inform the development of the Plan,
2. Endorses the written submission to the Victorian Government's engagement in relation to the development of the proposed *Plan for Victoria*; and
3. Endorses the written submission to be lodged with the Department of Transport and Planning by 30 August 2024.

Motion

That Council:

1. Notes the Victorian Government is developing a new plan for Victoria and, as part of the consultation, the community is invited to provide submissions directly to the Victorian Government to help inform the development of the Plan,
2. Expresses disappointment that the State Government has not provided – and does not intend to provide - the people of Victoria with a draft of their new policy document, Plan for Victoria other than the information already made available for comment. This lack of information hinders anyone wishing to make a sensible, genuine, in-depth, educated and informed submission;
3. Notes that the practice of consulting the community on matters that affect them is very important, as it enables the local voice to be heard and taken into consideration;
4. Acknowledges that Council has a proud history of contributing to major pieces of work of planning work undertaken by the State Government, and provides this written submission with the knowledge that it has insufficient information to understand the implications of its submission. Council's written submission highlights areas that could be investigated further, and should be subject to a proper process with the community so as to ensure that they are informed and have the opportunity to make a specific submission should they wish;
5. Endorses the written submission to the Victorian Government's engagement in relation to the development of the proposed *Plan for Victoria*; and
6. Endorses the written submission to be lodged with the Department of Transport and Planning by 30 August 2024.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Bolam

That Council:

1. Notes the Victorian Government is developing a new plan for Victoria and, as part of the consultation, the community is invited to provide submissions directly to the Victorian Government to help inform the development of the Plan,
2. Expresses disappointment that the State Government has not provided – and



Chairperson's initials

does not intend to provide - the people of Victoria with a draft of their new policy document, Plan for Victoria other than the information already made available for comment. This lack of information hinders anyone wishing to make a sensible, genuine, in-depth, educated and informed submission;

3. Notes that the practice of consulting the community on matters that affect them is very important, as it enables the local voice to be heard and taken into consideration;
4. Acknowledges that Council has a proud history of contributing to major pieces of work of planning work undertaken by the State Government, and provides this written submission with the knowledge that it has insufficient information to understand the implications of its submission. Council's written submission highlights areas that could be investigated further, and should be subject to a proper process with the community so as to ensure that they are informed and have the opportunity to make a specific submission should they wish;
5. Endorses the written submission to the Victorian Government's engagement in relation to the development of the proposed *Plan for Victoria*; and
6. Endorses the written submission to be lodged with the Department of Transport and Planning by 30 August 2024.

Carried

For the Motion: Crs Aitken, Asker, Baker, Bolam, Conroy, Harvey, Hughes and Tayler (7)

Against the Motion: Nil

Abstained: Crs Baker, Hill (2)



Chairperson's initials

11.4 City Futures Progress Report - Quarter 4 April - June 2024*(TB Communities)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Receives the Quarter Four City Futures report from April – June 2024 (excluding Economic Scorecard); and
2. Notes the progress of several key projects this quarter, including:
 - the adoption of the Frankston City Economic Development and Skilled Community Strategy;
 - the work undertaken on the Draft Affordable Housing Policy;
 - the Autumn school holiday rangers' program;
 - the completion of the Youth Space Multi-Purpose Court and Skate Park at Sandfield Reserve; and
 - the progression of Planning Scheme Amendment C160fran (FMAC) to an Independent Planning Panel.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12. CONSIDERATION OF REPORTS OF OFFICERS

12.1 Governance Matters Report for 12 August 2024

(BA Corporate and Commercial Services)

Recommendation (Director Corporate and Commercial Services)

That Council:

Council Resolution Status Update

1. Receives the Council Resolution Status update, including:
 - i. Notice of Motion Cost Summary and Notice of Motion Report for 12 August 2024;
 - ii. Notes there are no Notice of Motion actions reported as complete by officers;
 - iii. Notes there are two (2) reports delayed in the presentation to Council:
 - Draft Affordable Housing Policy for Community Engagement, delayed to the 9 September 2024 Council Meeting
 - Statutory Planning Progress Report for June 2024, delayed to the 9 September 2024 Council Meeting
 - iv. Notes since the Council Meeting, held on 22 July 2024, eleven (11) resolution actions have been completed, as listed in the body of the report;

Councillor Briefings Record

2. Receives the record of Councillor Briefing meetings held since the date of last Council Meeting held on 22 July 2024 as listed in the body of the report;

Lobbyist and Developer Register

3. Notes its resolution on 2 October 2023 the Notice of Motion 2023/NOM6 – Accountability and Transparency Reform (ATR) III for:
 - b) the following components to be added to the Transparency Hub in the spirit of good governance, transparency and accountability:
 - i. Council's developer/lobbyist register, subject to first addressing any privacy or legislative requirements;
4. Notes that Council officers investigated the options for addressing privacy and legislative requirements and determined the internal register, if released publicly, would not comply with legislation;
5. Publishes a Developer register, that records Councillor interactions with developers, to be released on Council's Transparency Hub with the minutes of this meeting and updated quarterly;

Formal naming of lakes at Ballam Park and Beauty Park

6. Notes its resolution on 24 June 2024 to commence community engagement on the proposed names for the below locations on Council's Place Naming webpage for a period of four weeks:
 - a. The lake at Ballam Park to be named *Ballam Lake*;
 - b. The pond at Ballam Park to be named *Liardet Pond*; and
 - c. The lake at Beauty Park to be named *Beauty Lake*;
7. Notes a total of ten (10) submissions were received with three (3) submissions proposing another commemorative name and four (4) submissions seeking an indigenous name in place of Ballam Park;



8. Notes in-principle support was received from Department Energy, Environment and Climate Action (DEECA), as the landowner, to formally name the lake in Beauty Park;
9. Endorses the proposed names to be registered with Geographic Names Victoria, in-line with the Naming Rules for Places in Victoria 2022, and subject to receiving relevant approvals, as follows:
 - a. *Ballam Lake*;
 - b. *Liardet Pond*; and
 - c. *Beauty Lake*;
10. Supports for signage with the registered names, once the names have been Gazetted, to be installed at the locations;

Frankston Basketball and Gymnastics Stadium

11. Notes that at its meeting on 23 September 2023, Council resolved that the tender for the construction of Frankston Basketball and Gymnastics Stadium was not to be released until the successful completion of lease/licences and service agreements;
12. Notes that negotiations are progressing well with the Frankston District Basketball Association and Bayside Gymnastics Club on the development of appropriate occupancy and service agreements, and it is anticipated that these agreements will be presented to Council in early 2025 to commence statutory leasing procedures;
13. Approves the release of a Request for Tender for the design and construction of the Frankston Basketball and Gymnastics Stadium, noting that contract documents will not be executed until Frankston District Basketball Association has surrendered their current lease;
14. Notes that this matter is being reported via the Governance Matters report as it is an administrative process to allow the tender to be released in order to meet project timelines;

Frankston Cemetery Trust Meeting – 8 May 2024

15. Resolves to release the resolution from the Confidential minutes of the Cemetery Trust Meeting held on 8 May 2024 for the Item 1.1: Safety and Security, with the minutes of this meeting;

Best Practice Guide for Prosecutions and Enforcement

16. Notes that work is underway to develop a best practice guide in relation to the full spectrum of Council's investigation and enforcement activities.

Audit and Risk Committee Minutes

17. Receives the minutes of the Audit and Risk Committee meeting held on 12 July 2024; and
18. Resolves Attachment D to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h)).



Motion

That Council:

Council Resolution Status Update

1. Receives the Council Resolution Status update, including:
 - i. Notice of Motion Cost Summary and Notice of Motion Report for 12 August 2024;
 - ii. Notes there are no Notice of Motion actions reported as complete by officers;
 - iii. Notes there are two (2) reports delayed in the presentation to Council:
 - a. Draft Affordable Housing Policy for Community Engagement, delayed to the 9 September 2024 Council Meeting
 - b. Statutory Planning Progress Report for June 2024, delayed to the 9 September 2024 Council Meeting
 - iv. Notes since the Council Meeting, held on 22 July 2024, eleven (11) resolution actions have been completed, as listed in the body of the report;

Councillor Briefings Record

2. Receives the record of Councillor Briefing meetings held since the date of last Council Meeting held on 22 July 2024 as listed in the body of the report;

Lobbyist and Developer Register

3.
 - a) Notes its resolution on 2 October 2023 the Notice of Motion 2023/NOM6 – Accountability and Transparency Reform (ATR) III for:
 - b) the following components to be added to the Transparency Hub in the spirit of good governance, transparency and accountability:
 - ii. Council's developer/lobbyist register, subject to first addressing any privacy or legislative requirements;
4. Notes that Council officers investigated the options for addressing privacy and legislative requirements and determined the internal register, if released publicly, would not comply with legislation;
5. Publishes a Developer register, that records Councillor interactions with developers, to be released on Council's Transparency Hub with the minutes of this meeting and updated quarterly;
6.
 - a) Notes at least four different Victorian councils have policies which establish processes for publicly reporting Councillor interaction with developers;
 - b) Notes a draft policy regarding Councillor interactions with developers will be presented to Council to be endorsed for public consultation at its meeting in February 2025;
 - c) Notes full details of Councillor interactions with developers to discuss development proposals will be recorded on an internal register;
 - d). Notes a summary of details will be published on a public register, including: the date, time, Councillor name, type of contact and subject matter, and that some content may be redacted to protect personal information and commercial in confidence information;



Chairperson's initials

7. Recognises the potential need to have a public Lobbyist Register and acknowledges that the Victorian Government has work underway to implement the recommendations in relation to Operation Sandon, and receives an update in February 2025;

Formal naming of lakes at Ballam Park and Beauty Park

8. Notes its resolution on 24 June 2024 to commence community engagement on the proposed names for the below locations on Council's Place Naming webpage for a period of four weeks:
- a. The lake at Ballam Park to be named *Ballam Lake*;
 - b. The pond at Ballam Park to be named *Liardet Pond*; and
 - c. The lake at Beauty Park to be named *Beauty Lake*;
9. Notes a total of ten (10) submissions were received with three (3) submissions proposing another commemorative name and four (4) submissions seeking an indigenous name in place of Ballam Park;
10. Notes in-principle support was received from Department Energy, Environment and Climate Action (DEECA), as the landowner, to formally name the lake in Beauty Park;
11. Endorses the proposed names to be registered with Geographic Names Victoria, in-line with the Naming Rules for Places in Victoria 2022, and subject to receiving relevant approvals, as follows:
- d. *Ballam Lake*;
 - e. *Liardet Pond*; and
 - f. *Beauty Lake*;
12. Supports for signage with the registered names, once the names have been Gazetted, to be installed at the locations;

Frankston Basketball and Gymnastics Stadium

13. Notes that at its meeting on 23 September 2023, Council resolved that the tender for the construction of Frankston Basketball and Gymnastics Stadium was not to be released until the successful completion of lease/licences and service agreements;
14. Notes that negotiations are progressing well with the Frankston District Basketball Association and Bayside Gymnastics Club on the development of appropriate occupancy and service agreements, and it is anticipated that these agreements will be presented to Council in early 2025 to commence statutory leasing procedures;
15. Approves the release of a Request for Tender for the design and construction of the Frankston Basketball and Gymnastics Stadium, noting that contract documents will not be executed until Frankston District Basketball Association has surrendered their current lease;
16. Notes that this matter is being reported via the Governance Matters report as it is an administrative process to allow the tender to be released in order to meet project timelines;

Frankston Cemetery Trust Meeting – 8 May 2024

17. Resolves to release the resolution from the Confidential minutes of the Cemetery Trust Meeting held on 8 May 2024 for the Item 1.1: Safety and Security, with the



minutes of this meeting;

Best Practice Guide for Prosecutions and Enforcement

18. Notes that work is underway to develop a best practice guide in relation to the full spectrum of Council's investigation and enforcement activities.

Audit and Risk Committee Minutes

19. Receives the minutes of the Audit and Risk Committee meeting held on 12 July 2024;
20. a) Awards a Letter Under Seal to Jeff Rogut, former Chief Executive Officer for the Frankston Business Collective;
- b) Notes his outstanding achievements and contributions that have significantly impacted the Frankston business community. His vision, dedication, and leadership have helped shape the Frankston Business Chamber. Jeff has also curated an impressive line-up of events designed to support and celebrate our business community. His forward-thinking approach led to the launch of the first-ever annual ACE Business Excellence awards, a milestone event that recognises and celebrates local businesses;
- c) Notes the presentation of the Letter Under Seal will occur at the 9 September 2024 Council Meeting; and
21. Resolves Attachment D to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h)).

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Tayler

That Council:

Council Resolution Status Update

1. Receives the Council Resolution Status update, including:
- i. Notice of Motion Cost Summary and Notice of Motion Report for 12 August 2024;
 - ii. Notes there are no Notice of Motion actions reported as complete by officers;
 - iii. Notes there are two (2) reports delayed in the presentation to Council:
 - a. Draft Affordable Housing Policy for Community Engagement, delayed to the 9 September 2024 Council Meeting
 - b. Statutory Planning Progress Report for June 2024, delayed to the 9 September 2024 Council Meeting
 - iv. Notes since the Council Meeting, held on 22 July 2024, eleven (11) resolution actions have been completed, as listed in the body of the report;

Councillor Briefings Record

2. Receives the record of Councillor Briefing meetings held since the date of last Council Meeting held on 22 July 2024 as listed in the body of the report;

Lobbyist and Developer Register

3. a) Notes its resolution on 2 October 2023 the Notice of Motion 2023/NOM6 – Accountability and Transparency Reform (ATR) III for:



Chairperson's initials

- b) the following components to be added to the Transparency Hub in the spirit of good governance, transparency and accountability:
 - iii. Council's developer/lobbyist register, subject to first addressing any privacy or legislative requirements;
4. Notes that Council officers investigated the options for addressing privacy and legislative requirements and determined the internal register, if released publicly, would not comply with legislation;
5. Publishes a Developer register, that records Councillor interactions with developers, to be released on Council's Transparency Hub with the minutes of this meeting and updated quarterly;
6.
 - a) Notes at least four different Victorian councils have policies which establish processes for publicly reporting Councillor interaction with developers;
 - b) Notes a draft policy regarding Councillor interactions with developers will be presented to Council to be endorsed for public consultation at its meeting in February 2025;
 - c) Notes full details of Councillor interactions with developers to discuss development proposals will be recorded on an internal register;
 - d) Notes a summary of details will be published on a public register, including: the date, time, Councillor name, type of contact and subject matter, and that some content may be redacted to protect personal information and commercial in confidence information;
7. Recognises the potential need to have a public Lobbyist Register and acknowledges that the Victorian Government has work underway to implement the recommendations in relation to Operation Sandon, and receives an update in February 2025;

Formal naming of lakes at Ballam Park and Beauty Park

8. Notes its resolution on 24 June 2024 to commence community engagement on the proposed names for the below locations on Council's Place Naming webpage for a period of four weeks:
 - a. The lake at Ballam Park to be named *Ballam Lake*;
 - b. The pond at Ballam Park to be named *Liardet Pond*; and
 - c. The lake at Beauty Park to be named *Beauty Lake*;
9. Notes a total of ten (10) submissions were received with three (3) submissions proposing another commemorative name and four (4) submissions seeking an indigenous name in place of Ballam Park;
10. Notes in-principle support was received from Department Energy, Environment and Climate Action (DEECA), as the landowner, to formally name the lake in Beauty Park;
11. Endorses the proposed names to be registered with Geographic Names Victoria, in-line with the Naming Rules for Places in Victoria 2022, and subject to receiving relevant approvals, as follows:
 - a. *Ballam Lake*;
 - b. *Liardet Pond*; and
 - c. *Beauty Lake*;
12. Supports for signage with the registered names, once the names have been Gazetted, to be installed at the locations;



Frankston Basketball and Gymnastics Stadium

13. Notes that at its meeting on 23 September 2023, Council resolved that the tender for the construction of Frankston Basketball and Gymnastics Stadium was not to be released until the successful completion of lease/licences and service agreements;
14. Notes that negotiations are progressing well with the Frankston District Basketball Association and Bayside Gymnastics Club on the development of appropriate occupancy and service agreements, and it is anticipated that these agreements will be presented to Council in early 2025 to commence statutory leasing procedures;
15. Approves the release of a Request for Tender for the design and construction of the Frankston Basketball and Gymnastics Stadium, noting that contract documents will not be executed until Frankston District Basketball Association has surrendered their current lease;
16. Notes that this matter is being reported via the Governance Matters report as it is an administrative process to allow the tender to be released in order to meet project timelines;

Frankston Cemetery Trust Meeting – 8 May 2024

17. Resolves to release the resolution from the Confidential minutes of the Cemetery Trust Meeting held on 8 May 2024 for the Item 1.1: Safety and Security, with the minutes of this meeting;

Best Practice Guide for Prosecutions and Enforcement

18. Notes that work is underway to develop a best practice guide in relation to the full spectrum of Council's investigation and enforcement activities.

Audit and Risk Committee Minutes

19. Receives the minutes of the Audit and Risk Committee meeting held on 12 July 2024;
20.
 - a) Awards a Letter Under Seal to Jeff Rogut, former Chief Executive Officer for the Frankston Business Collective;
 - b) Notes his outstanding achievements and contributions that have significantly impacted the Frankston business community. His vision, dedication, and leadership have helped shape the Frankston Business Chamber. Jeff has also curated an impressive line-up of events designed to support and celebrate our business community. His forward-thinking approach led to the launch of the first-ever annual ACE Business Excellence awards, a milestone event that recognises and celebrates local businesses;
 - c) Notes the presentation of the Letter Under Seal will occur at the 9 September 2024 Council Meeting; and
21. Resolves Attachment D to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h)).

Carried Unanimously



Chairperson's initials

Release of Resolution of the Confidential Cemetery Trust Meeting held on 8 May 2024

Item 1.1 Safety and Security

That the Trust:

1. Notes the update provided on recent incidents at the Cemetery grounds;
2. Notes Council's Emergency Response Plan for the Cemetery will be reviewed and updated;
3. Identify if there is a need for (two) CCTV cameras with infrared to be installed on the cemetery grounds, and include the associated costs of this in a report to a Councillor Briefing before the end of September 2024; and
4. Releases this resolution with the Minutes of the meeting.

This Item was Carried



Chairperson's initials

12.2 Update on Councillor projects of interest and hot topics

(KJ Corporate and Commercial Services)

Recommendation (Director Corporate and Commercial Services)

That Council:

1. Notes this report to Council to provide confidence in the planning and delivery of emerging key hot topics including key councillor projects of interest, for greatest clarity in this final year of the Council's term;

Activation of upstairs restaurant - Frankston Yacht facility

2. Notes the update of the activation of the upstairs restaurant - Frankston Yacht facility in the body of this report and the confidential attachment;

Key Councillor Projects of Interest

3. Notes the progress being made on Councillor Capital Projects of Interest since the last Update on Councillor projects of interest and hot topics report on 24 June 2024;
4. Notes the status change of the projects as detailed in the body of the report, from the last report on 24 June 2024 Council meeting;
5. Agrees to reallocate \$25K of the remaining budget for project 14751 – Bridge Illumination Program - Lighting Frankston Plan Implementation to project 14898 – Fairy Bud Lighting Trial in Trees under delegation, to complete implementation of the decorative lighting in Ballam Park.

Urban Forest Action Plan

6. Notes the progress being made on the Urban Forest Action Plan delivery and the report presented to Council on the 22 July 2024;
7. Notes the eighty-five (85) percent completion of the 2024 planting season to date, which commenced in April 2024, comprising planting trees on nature strips, reserves and parks and open space locations throughout the municipality, is on target to achieve 20,000 trees planted in September 2024;

Landscape Compliance

8. Notes the initiatives underway to strengthen landscape outcomes in development proposals by:
 - a. Established a dedicated Landscape Compliance Officer which commenced 2 July 2024.
 - b. Updating landscape planning conditions – due for completion by 30 August 2024.
 - c. Landscape plan guidelines – due for completion by 30 August 2024.

Nepean Boulevard Project

9. Notes the Nepean Boulevard Project update which outlines achievements for June/July 2024, confirmed the early works have commenced and will continue through to mid-2025;
10. Notes the draft Nepean Boulevard Master Plan commenced development in February 2024 and is anticipated to be presented to Council in August 2024, prior to the commencement of community engagement.



City Beautification

11. Notes the progress made on city beautification as detailed in the body of the report;

Major Event and Public Art

12. Notes the progress made on six key public art projects that are underway;
13. Notes the post event reports for the Major Events Season and South Side Festival;
14. Notes the trial of moving the Waterfront Festival to Friday night and all day Saturday in 2025.

Transparency Hub

15. Notes the updates to Transparency Hub datasets on the corporate website.
16. Notes the outstanding datasets currently in progress or under review.

Sister Cities and Council's Accreditation

17. Notes the update on Sister Cities.
18. Notes that Frankston City is now accredited as a Welcoming City.
19. Notes that UNESCO Creative Cities accreditation applications open in 2025.
20. Resolves Attachment A, Other Councillor Projects of interest - Frankston Yacht Facility – May/June 2024, be retained confidential indefinitely, on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)* and would, if released, reduce Council's ability to properly perform its functions.

Motion

That Council:

1. Notes this report to Council to provide confidence in the planning and delivery of emerging key hot topics including key councillor projects of interest, for greatest clarity in this final year of the Council's term;

Activation of upstairs restaurant - Frankston Yacht facility

2. Notes the update of the activation of the upstairs restaurant - Frankston Yacht facility in the body of this report and the confidential attachment;

Key Councillor Projects of Interest

3. Notes the progress being made on Councillor Capital Projects of Interest since the last Update on Councillor projects of interest and hot topics report on 24 June 2024;
4. Notes the status change of the projects as detailed in the body of the report, from the last report on 24 June 2024 Council meeting;
5. Agrees to reallocate \$25K of the remaining budget for project 14751 – Bridge Illumination Program - Lighting Frankston Plan Implementation to project 14898 – Fairy Bud Lighting Trial in Trees under delegation, to complete implementation of the decorative lighting in Ballam Park.
6. Endorses \$50,000 to be allocated in 2024/25 to install a shelter with seating



Chairperson's initials

and/or a table at Havana Reserve, Frankston. The project is to be funded from \$50,000 allocated to Ferndale Drive Reserve shelter installation project in 2024/25;

7. Endorses \$17,000 to be allocated in 2024/25 to install two bins at Karingal Football Oval and two seats and a bin at Karingal Netball Court. This project is to be funded from Skye Road Beautification and Major Pruning project in 2024/25;
8. Endorses \$6,000 to be allocated in 2024/25 to install two bike hoops at Ballam Park Lake. This project is to be funded from Skye Road Beautification and Major Pruning project in 2024/25;
9. Notes that \$15,000 remains in funding to implement the funding priorities of the Skye Road Beautification and Major Pruning;

Urban Forest Action Plan

10. Notes the progress being made on the Urban Forest Action Plan delivery and the report presented to Council on the 22 July 2024;
11. Notes the eighty-five (85) percent completion of the 2024 planting season to date, which commenced in April 2024, comprising planting trees on nature strips, reserves and parks and open space locations throughout the municipality, is on target to achieve 20,000 trees planted in September 2024;

Landscape Compliance

12. Notes the initiatives underway to strengthen landscape outcomes in development proposals by:
 - a. Established a dedicated Landscape Compliance Officer which commenced 2 July 2024.
 - b. Updating landscape planning conditions – due for completion by 30 August 2024.
 - c. Landscape plan guidelines – due for completion by 30 August 2024.

Nepean Boulevard Project

13. Notes the Nepean Boulevard Project update which outlines achievements for June/July 2024, confirmed the early works have commenced and will continue through to mid-2025;
14. Notes the draft Nepean Boulevard Master Plan commenced development in February 2024 and is anticipated to be presented to Council in August 2024, prior to the commencement of community engagement.

City Beautification

15. Notes the progress made on city beautification as detailed in the body of the report;

Major Event and Public Art

16. Notes the progress made on six key public art projects that are underway;
17. Notes the post event reports for the Major Events Season and South Side Festival;
18. Notes the trial of moving the Waterfront Festival to Friday night and all day Saturday in 2025;

Transparency Hub

19. Notes the updates to Transparency Hub datasets on the corporate website.



20. Notes the outstanding datasets currently in progress or under review.

Sister Cities and Council's Accreditation

21. Notes the update on Sister Cities.

22. Notes that Frankston City is now accredited as a Welcoming City.

23. Notes that UNESCO Creative Cities accreditation applications open in 2025.

24. Resolves Attachment A, Other Councillor Projects of interest - Frankston Yacht Facility – May/June 2024, be retained confidential indefinitely, on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the Local Government Act 2020 s3(1)(g) and would, if released, reduce Council's ability to properly perform its functions.

Councillor Hughes left the chamber at 8:21 pm.

Councillor Asker left the chamber at 8:21 pm.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council:

1. Notes this report to Council to provide confidence in the planning and delivery of emerging key hot topics including key councillor projects of interest, for greatest clarity in this final year of the Council's term;

Activation of upstairs restaurant - Frankston Yacht facility

2. Notes the update of the activation of the upstairs restaurant - Frankston Yacht facility in the body of this report and the confidential attachment;

Key Councillor Projects of Interest

3. Notes the progress being made on Councillor Capital Projects of Interest since the last Update on Councillor projects of interest and hot topics report on 24 June 2024;

4. Notes the status change of the projects as detailed in the body of the report, from the last report on 24 June 2024 Council meeting;

5. Agrees to reallocate \$25K of the remaining budget for project 14751 – Bridge Illumination Program - Lighting Frankston Plan Implementation to project 14898 – Fairy Bud Lighting Trial in Trees under delegation, to complete implementation of the decorative lighting in Ballam Park.

6. Endorses \$50,000 to be allocated in 2024/25 to install a shelter with seating and/or a table at Havana Reserve, Frankston. The project is to be funded from \$50,000 allocated to Ferndale Drive Reserve shelter installation project in 2024/25;

7. Endorses \$17,000 to be allocated in 2024/25 to install two bins at Karingal Football Oval and two seats and a bin at Karingal Netball Court. This project is to be funded from Skye Road Beautification and Major Pruning project in 2024/25;

8. Endorses \$6,000 to be allocated in 2024/25 to install two bike hoops at Ballam



Chairperson's initials

Park Lake. This project is to be funded from Skye Road Beautification and Major Pruning project in 2024/25;

9. Notes that \$15,000 remains in funding to implement the funding priorities of the Skye Road Beautification and Major Pruning;

Urban Forest Action Plan

10. Notes the progress being made on the Urban Forest Action Plan delivery and the report presented to Council on the 22 July 2024;
11. Notes the eighty-five (85) percent completion of the 2024 planting season to date, which commenced in April 2024, comprising planting trees on nature strips, reserves and parks and open space locations throughout the municipality, is on target to achieve 20,000 trees planted in September 2024;

Landscape Compliance

12. Notes the initiatives underway to strengthen landscape outcomes in development proposals by:
 - a. Established a dedicated Landscape Compliance Officer which commenced 2 July 2024.
 - b. Updating landscape planning conditions – due for completion by 30 August 2024.
 - c. Landscape plan guidelines – due for completion by 30 August 2024.

Nepean Boulevard Project

13. Notes the Nepean Boulevard Project update which outlines achievements for June/July 2024, confirmed the early works have commenced and will continue through to mid-2025;
14. Notes the draft Nepean Boulevard Master Plan commenced development in February 2024 and is anticipated to be presented to Council in August 2024, prior to the commencement of community engagement.

City Beautification

15. Notes the progress made on city beautification as detailed in the body of the report;

Major Event and Public Art

16. Notes the progress made on six key public art projects that are underway;
17. Notes the post event reports for the Major Events Season and South Side Festival;
18. Notes the trial of moving the Waterfront Festival to Friday night and all day Saturday in 2025;

Transparency Hub

19. Notes the updates to Transparency Hub datasets on the corporate website.
20. Notes the outstanding datasets currently in progress or under review.

Sister Cities and Council's Accreditation

21. Notes the update on Sister Cities.
22. Notes that Frankston City is now accredited as a Welcoming City.
23. Notes that UNESCO Creative Cities accreditation applications open in 2025.



24. Resolves Attachment A, Other Councillor Projects of interest - Frankston Yacht Facility – May/June 2024, be retained confidential indefinitely, on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the Local Government Act 2020 s3(1)(g) and would, if released, reduce Council’s ability to properly perform its functions.

Carried Unanimously (7)

The Deputy Mayor and Cr Asker were not present in the Chamber at the time of Voting



Chairperson’s initials

12.3 Frankston City Council Economic Scorecard April - June 2024*(TB Communities)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Receives the Frankston City Council Economic Scorecard April – June 2024; and
2. Acknowledges and celebrates key highlights this quarter including:
 - Adoption of the *Economic Development and Skilled Community Strategy 2023-26* at the 13 May 2024 Council Meeting;
 - the Economic Development Team exhibited at the Commbank Small Business Expo over two days in May 2024 and spoke to over 150 businesses;
 - Officers collaborated with the Frankston Mornington Peninsula Local Learning and Employment Network to deliver a ‘School to Work Forum’ in June 2024;
 - Officers actioned 116 Business Concierge requests and other requests from 31 business operators; and
3. Notes that the next Economic Scorecard quarterly report and thereafter, will be combined with a quarterly progress report on the Frankston Business Collective. This is expected to be reported to Council Meeting in the new term of Council. In the meantime, a separate report providing an update on the Frankston Business Collective will be reported to the 9 September 2024 Council Meeting.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12.4 Frankston Arts Advisory Committee - Minutes 2 July 2024

(TR Customer Innovation and Arts)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Tayler

That Council:

1. Receives the Minutes of the Frankston Arts Advisory Committee meeting held on 2 July 2024; and
2. Notes there will be no Frankston Arts Advisory Committee meetings held during September and October due to the Caretaker Period.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.



Chairperson's initials

12.5 Peninsula Leisure P/L - Strategic Plan 2025-27 and Annual Facilities Plan 2024-25
(KJ Corporate and Commercial Services)**Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Supports and endorses the Peninsula Leisure Strategy 2025-27 proposed by the Board of Peninsula Leisure P/L;
2. Supports the Mayor writing to the Chair of Peninsula Leisure P/L advising of Council's support and endorsement of the Peninsula Leisure Strategy 2025-27;
3. Notes the Peninsula Leisure Annual Facilities Plan 2024-25; and
4. Resolves that Attachment A – Peninsula Leisure Strategy 2025-27 and Attachment B – Peninsula Leisure Annual Facilities Plan 2024-25 - remains confidential indefinitely as it contains private commercial information (Local Government Act 2020, s(3)(g)). These grounds apply because the information is provided by a business, commercial or financial undertaking and, if released, would impact the relationship between Council and Peninsula Leisure Pty Ltd.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12.6 Frankston Suburban Revitalisation Board*(FM Customer Innovation and Arts)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Recognises that the Frankston Suburban Revitalisation Board (FSRB) was established in 2015 by the Victorian Government to support the delivery of local projects in the Frankston Metropolitan Activity Centre following the major redevelopment of the Frankston Railway Station and revitalisation of Young Street;
2. Supports the FSRB transition to a locally managed Board from late 2023, with Council as the Secretariat with funding from Victorian Government committed \$150,000 (2023-2024) alongside an equal Council contribution of \$150,000 (2024-2025);
3. Notes the FSRB is Co-Chaired by the Frankston City Mayor and State Member for Frankston and currently includes representatives from Peninsula Health, Monash University (Peninsula Campus), Chisholm Institute, South East Water, Vicinity Centres (Bayside), Frankston Business Collective, First People's Health and Wellbeing Organisation and Peninsula Community Legal Centre;
4. Notes the Frankston Suburban Revitalisation Board Annual Report 2023-2024 (Attachment A) has been submitted to the Minister for the Suburbs;
5. Notes that the Victorian Government is concluding all Suburban Revitalisation Boards (SRBs) across the state, including revitalisation funding (grant) programs. As the FSRB has already transitioned to the new model the FCC arrangement there is no impact on the new Board;
6. Notes that due to delays in the State Government the first meeting of the locally managed FSRB was not held until January 2024 and as such the Victorian Government financial commitment was underspent by \$118,220 and will be carried over to the 2024-2025 financial year;
7. Supports the FSRB's efforts in revising its vision and the developing a collaborative work plan. This initiative aims to align the strategic plans of key member organisations, ensuring unified and truly collaborative advancement of the Frankston City community; and
8. Notes the FSRB meets quarterly to discuss and take action on both immediate and long-term opportunities and concerns, with future updates to be provided quarterly to Council following these meetings in a standalone report.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12.7 Adoption of revised 'Working with Members of Parliament and Political Candidates' Protocol

(FM Customer Innovation and Arts)

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

That Council:

1. Notes that at the 1 June 2020 Council Meeting a Protocol titled *Council function protocols for Members of Parliament and government representatives* was endorsed as a guide for Council Officers when involving Members of Parliament in Council functions;
2. Notes that a number of revisions to the initial Protocol were adopted at the 9 August 2021 and 3 October 2022 Council Meetings in order to meet the needs and expectations of all key stakeholders and community;
3. Notes that following the 2022 State and Federal elections and the 2024 Federal by-election there was an opportunity to make further additions to the Protocol;
4. Notes engagement undertaken with internal and external stakeholders, including local Members of Parliament, with feedback incorporated into the latest revision of the Protocol;
5. Adopts the revised newly titled *Working with Members of Parliament and Political Candidates Protocol* (Attachment A), which includes the following key changes:
 - a. Inclusion of political candidates, particularly relevant during election campaign periods. Covering matters such as meetings with Council, attendance or non-attendance at Council events, events on public land, signage and communications;
 - b. Greater clarity of plaque signage requirements and communications materials such as media releases and social media posts;
 - c. Inclusion of administrative processes for holding meetings with Members of Parliament and political candidates, such as distribution of invitations, preparation of agendas and formalised meeting minutes;
 - d. Greater clarity around speeches and acknowledgements at Council events, including former Members of Parliament participation in Council events for co-funded projects;
 - e. Inclusion of election campaign period signage, providing clarity for MPs and political candidates;
6. Notes that a separate policy addressing processes and guidelines during by-elections will be developed and brought back to Council at a future meeting; and
7. Continues to monitor and review the Protocol and any areas for improvement in alongside key stakeholders in order to respond proactively to situations and opportunities.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12.8 Adoption of Young Street Action Plan

(FM Customer Innovation and Arts)

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Bolam

That Council:

1. Notes community feedback, received over a number of years through various forms of community engagement, consistently highlights the need to improve the look, feel and function of the Young Street precinct in Frankston's city centre;
2. Notes key concerns and opportunities raised through community consultation, particularly through the 2024 Community Vision Update, includes:
 - i. Avoiding the area due to perceived lack of safety, seeking more security/police presence to prevent and move along unwanted behaviours;
 - ii. Car parking or vehicle access to and through the city centre;
 - iii. General presentation of the area, particularly cleanliness and vacant shopfronts;
 - iv. The desire to decentralise, but retain, important community and social support services from the city centre to be alongside other allied health services;
 - v. Need for increased public spaces particularly for place making and activation of the area;
 - vi. The need for more greenery, wider footpaths and improved connections and movement through and into other areas of the city centre;
 - vii. Opportunity for development to improve building quality, activate vacant shopfronts and higher density use of land;
 - viii. Improvements needed to the public transit interchange between trains, buses and taxis;
3. Notes the recent 2024 Community Satisfaction Survey highlighted a number of concerns relating to Young Street and Frankston's city centre, importantly:
 - i. Safety, policing and crime issues were significantly more commonly nominated as a top three issue in the City of Frankston than the metropolitan average (11% compared to 2%), which along drug and alcohol related issues (4%), homelessness (3%), and Frankston CBD related issues (2%) highlight a greater level of community concern around safety, crime, and some associated social issues than the metropolitan Melbourne average;
 - ii. The most important thing Council could do is improvements to community safety and policing (4% up from 1%);
4. Adopts the Young Street Action Plan (Attachment A), and recognises the importance of Council leading this direct response to ongoing community feedback. The plan focusses on six key pillars:
 - i. Working with businesses;
 - ii. Safety in the community;
 - iii. Street presentation;
 - iv. Development and activation;
 - v. City connectivity and space; and
 - vi. Community health and wellbeing;
5. Notes the draft Action Plan brings together key initiatives to improve Young Street and is an extension of a number of other strategic Council initiatives, including the Frankston Metropolitan Activity Centre (FMAC) Structure Plan, city positioning



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- work under the new Imagine Frankston brand and other endorsed strategies such as the Integrated Transport Strategy and the Economic Development and Skilled Community Strategy;
6. Notes there is interest from a number of stakeholders to consider joint initiatives where possible; this includes Monash University, Victoria Police, Frankston Suburban Revitalisation Board and State Government. There are specific discussions with Metro Trains and South East Community Links in regards to a community connection program providing social support at Frankston Railway Station;
 7. Notes the Action Plan includes the launch of the Development Activation Program (Attachment B) which is planned to activate and incentivise high quality development within the FMAC and provide an opportunity for Council to pro-actively respond to housing targets set by the State Government;
 8. Notes the Action Plan recognises a number of key measures already underway. The cost of the Action Plan is substantially funded from existing budget, except for the below costs:
 - \$385,000 in Capital, resolved by Council to be funded from:
 - Bridge Illumination Program (\$60k);
 - Safe City Surveillance System (\$80k);
 - Nepean Blvd Signature Project (\$45k);
 - Boulevard Planting (\$200k); and
 - \$200,000 allocated for Council's contribution to the Community Connectors program, in partnership with Metro Trains and South East Community Links. An overview of the program is attached to this report (Attachment C). While the specifics of the program are still being finalised, Council resolves that the funding for this initiative will be committed now and included in the 24/25 mid-year budget review;
 - Council resolves that funding needs identified for FY 25/26 will be considered as part of the development of the 2025/26 annual budget;
 9. Supports Council-led advocacy to the State Government and other key stakeholders to ensure the delivery of initiatives identified within the Young Street Action Plan; and
 10. Receives quarterly report updates on the progress and outcomes of the Young Street Action Plan, with revisions considered as opportunities and needs arise.

*Councillor Asker returned to the chamber at 8:22 pm.
Councillor Hughes returned to the chamber at 8:28 pm.*

**The motion was
Carried Unanimously**



Chairperson's initials

12.9 Adoption of Kindergarten Partnership Strategy 2024-2036*(CB Communities)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Notes that the draft Kindergarten Partnership Strategy was endorsed at the 24 June Council meeting for the purpose of Public Exhibition and information sharing for a period of three weeks;
2. Notes that the draft Strategy was shared across a number of early years organisations, stakeholders, staff and community and all feedback received has been considered and amendments have been made to the draft Strategy where appropriate;
3. Adopts the Kindergarten Partnership Strategy 2024 - 2036;
4. Notes that officers will seek to confirm the kindergartens listed in the Strategy for expansion in Council's Long Term Infrastructure Plan, noting the Strategy will be reviewed annually to ensure that future projects remain aligned with the reform requirements; and
5. Notes that officers have and will continue to develop new partnerships with not for profit and private sector organisations to ensure children and families are provided with choice and all children have access to funded kindergarten programs.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

Chairperson's initials

12.10 CCTV Operational Update*(RA Communities)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Acknowledges its substantial investment in CCTV infrastructure and its maintenance, including upgrade since 2009, as part of its role in strengthening the community's safety and wellbeing, and in support of Victoria Police. Council is one of few Councils proactively investing in CCTV infrastructure;
2. Acknowledges that there are in excess of 240 CCTV cameras in Council's network across the municipality and that it is one of the largest networks in Australia;
3. Notes the CCTV vision is accessible only by Victoria Police, who use it in the detection of crime and other activities, as and when their resources permit. Council does not have access to the vision from its CCTV cameras;
4. Reduces the number of new CCTV cameras to be installed in 2024/25 from 19 to 6, thereby reducing its spend on the installation of new CCTV cameras by \$200k;
5. In reducing the number of new cameras to be installed in 2024/25, as per Item 4 of this recommendation, notes the following locations where CCTV cameras will be installed in 2024/25:
 - The Pines Flora and Fauna Reserve (x 3 cameras)
 - Ashleigh Avenue, Karingal (x 3 cameras)
6.
 - a) Redirects \$120k of the saved money referred to in Item 4 of this resolution to the procurement and installation of new hardware and software technology which will enable Victoria Police to access the CCTV vision from their mobile devices, on the proviso that Victoria Police will increase their physical presence and patrol of the Frankston CBD and particularly Young Street, in recognition and support of Council's continued substantial investment in CCTV infrastructure, which directly benefits Victoria Police;
 - b) In the event that agreement with Victoria Police around the additional resourcing required by 6(a) of this resolution cannot be achieved, redirects the \$120k referred to in Item 6(a) for the installation of CCTV infrastructure as follows:
 - i. Shannon Street Mall – 2 cameras – at estimated cost of \$25,836.80
 - ii. Davey Street and Young Street – 4 cameras – at estimated cost of \$31,770.30
 - iii. Davey Street Taxi Rank Area – 3 cameras – at estimated cost of \$21,197.00

The remaining \$40k from this \$120k allocation be referred to the Young Street Action Plan to offset the cost of this plan in 2024/25.
7. Redirects the remaining balance of \$80k referred to in Item 4 to the Young Street Action Plan to offset the cost of this plan in 2024/25. Noting that this Action Plan has many objectives, including to improve safety and perceptions of safety in Young Street Frankston;
8. From 2025/26, allocates an ongoing \$15,000 to the CCTV operational budget to maintain and manage the software required to enable Victoria Police to access CCTV on their mobile devices; and



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9. Directs that no CCTV cameras be installed in 2025/26 and the \$250k allocated to it in the Long Term Infrastructure Plan be redirected to Young Street Action Plan in 2025/26.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.



Chairperson's initials

12.11 Native Vegetation Offset update

(TB Communities)

Recommendation (Director Communities)

That Council:

1. Acknowledges the progress made by officers in exploring native vegetation offset options;
2. Notes that establishing the Downs Estate as an offset site is not feasible under the current Department of Energy, Environment, and Climate Action (DEECA) requirements. The costs and resources needed to meet these requirements exceed the potential revenue from selling credits generated at the site;
3. Notes that no further investigations will be carried out and that Council does not pursue creating an offset site at Downs Estate; and
4. Notes that Council Officers will continue to collaborate with Melbourne Water and the City of Casey to pre-purchase offset credits, to provide regional benefits.

Motion

That Council:

1. Acknowledges the progress made by officers in exploring native vegetation offset options;
2. Notes that establishing the Downs Estate as an offset site is not feasible under the current Department of Energy, Environment, and Climate Action (DEECA) requirements. The costs and resources needed to meet these requirements exceed the potential revenue from selling credits generated at the site;
3. Notes that Council will not pursue creating an offset site at Downs Estate and that it will cease its investigations and work in trying to establish a Native Vegetation Offset site within the Frankston Municipality; and
4. Notes that Council Officers will continue to collaborate with Melbourne Water and the City of Casey to pre-purchase offset credits, to provide regional benefits.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Harvey

That Council:

1. Acknowledges the progress made by officers in exploring native vegetation offset options;
2. Notes that establishing the Downs Estate as an offset site is not feasible under the current Department of Energy, Environment, and Climate Action (DEECA) requirements. The costs and resources needed to meet these requirements exceed the potential revenue from selling credits generated at the site;
3. Notes that Council will not pursue creating an offset site at Downs Estate and that it will cease its investigations and work in trying to establish a Native Vegetation Offset site within the Frankston Municipality; and
4. Notes that Council Officers will continue to collaborate with Melbourne Water and the City of Casey to pre-purchase offset credits, to provide regional benefits.

Carried Unanimously



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12.12 Frankston City Motorcycle Park*(TB Communities)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Hill**

That Council:

1. Notes that the Frankston City Motorcycle Park has been closed since December 2017 at Council's direction following the death of a 16 year-old rider, noting previous fatalities also occurring at the track in 2015 and 2000;
2. Notes the Coroner's Finding into Death with Inquest was released on 24 April 2024, and that the Coroner did not make any adverse findings or recommendations;
3. Notes that death of a rider at the site in 2015 (prior to the 2017 fatality), Council had engaged the services of Motorcycling Victoria to provide advice and safety audits at the Frankston Motorcycle Park given the very significant inherent risks that are associated with the sport and in response to the death and recent injuries that had occurred;
4. Notes that officers have met with the Frankston City Motorcycle Club along with other key stakeholders and have attended the site and clubhouse in order to explore potential future management options and understand the capital investment requirements that would enable the Frankston Motorcycle Park to be safely re-opened to the community;
5. Notes that the Frankston City Motorcycle Park is currently in disrepair after 6.5 years of closure, with overgrown tracks and a vandalised and unkempt building. The costs to repair the building facilities is estimated to be in range of \$150,000 to \$200,000 and the costs to restore the track to a safe condition that complies with competition standards would be between \$300,000 to \$500,000 (an estimate from Motorcycling Victoria);
6. Notes that there has been interest from other potential facility managers who would like to operate the Frankston City Motorcycle Park and who have also expressed an interest in potentially investing their own capital into improving the site as part of lease negotiations if given an opportunity;
7. Recognises the longstanding dedication of the Frankston City Motorcycle Club, their significant contributions to the motorcycling community and their important activities that go well beyond facilitating the physical use of motorcycles to also building relationships and strengthening the community. Council also recognises the significant difficulties the Club has endured due to the elongated period the site has been closed;
8. Affirms its intention to reopen the Frankston City Motorcycle Park for public use as soon as it is safe and practical to do so subject to having completed the required processes to establish the site management arrangements and undertake the restoration of the site ensuring all safety and compliance requirements have been met;
9. Affirms its intention for the Frankston City Motorcycle Club to remain an important part of the future of the Frankston Motorcycle Park;
10. Authorises officers to seek Expressions of Interest (EOI) from potential operators of Frankston City Motorcycle Park who would also be required to demonstrate



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their commitment to a 'hybrid model' whereby in their submission they must outline how their proposed operational model would also incorporate the ongoing involvement and activities of the Frankston City Motorcycle Club;

- 11. Notes that an open Expression of Interest process would not preclude the Frankston City Motorcycle Club from making a submission to operate the Motorcycle Park themselves, which would be considered against the same criteria as all other submissions;
- 12. Notes that when the EOI submission and evaluation process is complete, officers will brief the new Council on the recommended applicant/s and seek approval for the proposed future management/operational model;
- 13. Authorises officers to develop a joint public letter between Council and the Frankston City Motorcycle Club that affirms Council's intention to reopen the site for public use as soon as it is safe and practical to do so, as well as Council's intention for the Frankston City Motorcycle Club to remain an important part of the future of the Frankton City Motorcycle Park as per the recommendations outlined;
- 14. Takes this moment to remember the tragic death of 16 year-old rider Sebastian D'Imperio on 16 December 2017 and conveys Council's heartfelt condolences to his family recognising that Council's commitment to keep the site closed until the findings of the coroner's investigation had been delivered has now been fulfilled, 6.5 years on.

Extension of Time

Moved: Councillor Baker

Seconded: Councillor Harvey

That Cr Aitken be granted an extension of time.

Carried Unanimously

**The motion was
Carried Unanimously**



Chairperson's initials

12.13 Mile Bridge Gateway Sculpture - Recommended Artist

(TR Customer Innovation and Arts)

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

That Council:

1. Approves to award the Mile Bridge Sculpture contract to the recommended artist;
2. Resolves that Attachment A and B are to remain confidential indefinitely on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets and if released would unreasonably expose the business, commercial or financial undertaking to disadvantage (Local Government Act 2020, s.3(1)(g)). These grounds apply because the information includes contains private intellectual property; and
3. Authorises to release the name only of the successful artist once the contract has been finalised.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

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12.14 Proposed Lease of Council managed land - Waves Restaurant - 2/1N Long Island Drive Frankston

(DW Corporate and Commercial Services)

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

That Council:

1. Notes the requirements of section 115(4) of the Local Government Act 2020 and Council's Community Engagement Policy;
2. Authorises and directs the Chief Executive Officer (CEO) to give public notice of Council's intention to enter into a lease with Waves (Frankston) Pty Ltd of part of the Council managed land at 2/1N Long Island Drive Frankston, being part of the Frankston Foreshore Crown Reserve, Permanently Reserved for Public Purposes by Order in Council dated 26th May 1873, for:
 - a) the purposes of a restaurant and kiosk
 - b) a term of 16 years with one (1) further option of five (5) years
 - c) a commencing rent of \$112,000 plus GST
3. Directs that any submissions received in response to the public notice that are opposed to, or which suggest changes to the proposal, be presented to Council for its consideration at a future meeting; and
4. If no submissions are received or if the only submissions received in response to the public notice support the proposal without qualification, authorises the CEO to finalise the lease arrangements and execute the lease for and on behalf of Council.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved.

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12.15 Award of Contract - CN11280 Specialised Consulting Services Panel - Collaborative*(DW Corporate and Commercial Services)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Tayler**

That Council:

1. Notes Council's participation in a collaborative procurement to establish a Specialised Consultancy Services Panel led by Manningham City Council along with the municipalities of Bayside, Knox, Monash, and Whitehorse;
2. Appoints the below listed consultants to Contract CN11280 – Specialised Consulting Services Panel for an initial five (5) year term with the provision for a further two (2) X two (2) year extension options at Councils sole discretion:

Category 1 – Civil & Structural Engineering

- Mott Macdonald (ABN 13 134 120 353)
- Creo Consultants (ABN 62 859 084 937)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- JCA Land Consultants (ABN 75 083 816 915)
- JJ Ryan Consulting Pty Ltd (ABN 75 083 816 915)
- BG&E Pty Limited (ABN 67 150 804 603)
- CRE Consulting Engineers Pty Ltd (ABN 11 078 132 804)
- Beveridge Williams & Co Pty Ltd (ABN 38 006 197 235)
- Argot Consultants Pty Ltd (ABN 39 084 902 974)
- Engeny (ABN 62 371 247 457)
- HDS Australia Vic (ABN 72 008 214 266)
- FMG Engineering (ABN 58 083 071 185)
- Jenny Norrish & Associates Pty Ltd atf Norrish Business Trust (ABN 82 099 776 468)
- Civil Design Pty Ltd (ABN 92 633 472 456)
- Pitt&Sherry (ABN 67 140 184 309)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Paroissien Grant & Associates (ABN 53 123 888 326)

Category 2 – Geotechnical Services

- Mott Macdonald (ABN 13 134 120 353)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Tonkin & Taylor Pty Ltd (ABN 20 143 026 340)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- Pitt&Sherry (ABN 67 140 184 309)
- The Trustee for Geotesta Trust (ABN 91 851 620 815)
- Wallbridge Gilbert Aztec (ABN 97 617 437 724)
- Ade Consulting Group Pty Ltd (ABN 14 617 358 808)
- FMG Engineering (ABN 58 083 071 185)
- Engeny (ABN 62 371 247 457)
- Beveridge Williams & Co Pty Ltd (ABN 38 006 197 235)
- Balpara Pty Ltd (ABN 82 065 169 931)
- L R Pardo & Associates Pty Ltd (ABN 29 133 787 612)
- Prensa Pty Ltd (ABN 12 142 106 581)

Category 3 – Surveying Services

- Frank Thexton & Associates (ABN 88 405 674 987)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Surfcoast Survey & Drafting Services Pty Ltd



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- Beveridge Williams & Co Pty Ltd (ABN 38 006 197 235)
- Taylors Development Strategists (ABN 80 128 948 523)
- Survey Management Solutions (ABN 11 116 624 867)
- The Trustee for Reeds Consulting Unit Trust (ABN 17 251 075 871)
- Moonland Group Trust atf Moonland Group (ABN 97 994 395 762)
- JCA Land Consultants (ABN 75 083 816 915)
- MNG (ABN 90 009 363 311)
- Webster Survey Group (ABN 35 456 993 855)
- Paroissien Grant & Associates (ABN 53 123 888 326)
- Lawlor & Loy Victoria Pty Ltd (ABN 93 231 662 953)
- Jerrem, Timothy Andrew (ABN 23 869 258 201)
- Terrain Unit Trust (ABN 71 966 017 646)
- The Trustee for Landair Surveys Trust (ABN 31 313 157 757)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- Aperow Engineers and Surveyors Pty Ltd (ABN 94 622 927 075)
- Nobelius Land Surveyors Pty Ltd (ABN 25 006 181 344)
- Land Dimensions Pty Ltd (ABN 25 129 548 054)
- Mott Macdonald (ABN 13 134 120 353)
- North Projects (ABN 36 082 851 161)
- Melbourne Quantity Surveyors Pty Ltd (ABN 96 635 662 725)

Category 4 – Environmental & Heritage

- Biosis (ABN 65 006 175 097)
- Ecology Australia (ABN 83 006 757 142)
- Alluvium (ABN 76 151 119 792)
- Heritage Insight Pty Ltd (ABN 73 116 621 884)
- Ecology & Heritage Partners Pty Ltd (ABN 65 685 233 760)
- Trethowan Architecture Pty Ltd (ABN 44 168 657 823)
- Extent Heritage Pty Limited (ABN 24 608 666 306)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Lovell Chen Pty Ltd (ABN 20 005 803 494)
- Michael Smith & Associates (ABN 89 446 731 597)

Category 5 – Recreation & Open Space

- Michael Smith & Associates (ABN 89 446 731 597)
- Taylors Development Strategists (ABN 80 128 948 523)
- Taylor Cullity Lethlean (ABN 73 006 128 963)
- Sports Design Group Pty Ltd (ABN 95 661 029 474)
- Ziebell, Marlon Rennie (ABN 52 422 424 578)
- Idwala Pty Ltd (ABN 90 464 264 144)
- Simon Leisure Consulting (ABN 38 314 852 941)
- Arcadia Landscape Architecture Pty Ltd (ABN 83 148 994 870)
- Acla Consultants (ABN 54 731 832 184)
- @Leisure Planners (ABN 87 137 749 636)
- Alluvium (ABN 76 151 119 792)
- Fraser Design Collaborative , (ABN 21 734 911 235)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- Beveridge Williams & Co Pty Ltd (ABN 38 006 197 235)

Category 6 – Public & Sportsfield Lighting / Electrical Engineering Audits & Design

- Mott Macdonald (ABN 13 134 120 353)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- Webb Australia Group Vic Pty Ltd (ABN 70 002 999 126)
- Pitt&Sherry (ABN 67 140 184 309)
- Erbas & Associates Pty Ltd (ABN 57 077 132 266)



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- JJ Ryan Consulting Pty Ltd (ABN 75 083 816 915)

Category 7 – Traffic & Transport Engineering

- HDS Australia Vic (ABN 72 008 214 266)
- O'Brien Traffic (ABN 55 007 006 037)
- Mott Macdonald (ABN 13 134 120 353)
- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Traffix Group Pty Ltd (ABN 32 100 481 570)
- Trafficworks (ABN 59 125 488 977)
- JCA Land Consultants (ABN 75 083 816 915)
- Wallbridge Gilbert Aztec (ABN 97 617 437 724)
- Ratio Consultants (ABN 93 983 380 225)

Category 8 – Underground Service Proving

- CSA Group Pty Ltd (ABN 53 664 218 277)
- Access Utility Engineering Pty Ltd (ABN 35 603 853 756)
- Taylors Development Strategists (ABN 80 128 948 523)
- The Trustee for Seeker Utility Engineering Trust (35 244 968 589)
- Asset Survey Solutions Pty Ltd (ABN 55 620 660 077)
- Survey Management Solutions (ABN 11 116 624 867)
- Utility Mapping (ABN 60 605 720 401)
- Heavy Construction Solutions Pty Ltd (ABN 36 603 705 013)

Category 9 – Flood Modelling, Drainage Investigation and Water Sensitive Urban Design (WSUD) Investigation and Design

- SMEC Australia Pty Limited (ABN 47 065 475 149)
- Engeny (ABN 62 371 247 457)
- Water Technology Pty Ltd (ABN 60 093 377 283)
- Stantec Australia Pty Ltd (ABN 17 007 820 322)
- Mott Macdonald (ABN 13 134 120 353)
- Pitt&Sherry (ABN 67 140 184 309)
- Wallbridge Gilbert Aztec (ABN 97 617 437 724)
- Morphum Environmental Limited (ABN 80 159 252 669)
- Water Studio Pty Ltd (ABN 69 662 775 377)
- Optimal Stormwater Pty Ltd (ABN 53 139 725 894)
- McGregor Coxall (ABN 55 639 279 655)

3. Notes that this is a Schedule of Rates contract, and quotations will be sought prior to engaging consultants from this panel where appropriate;
4. Authorises the Chief Executive Officer to sign the contract(s);
5. Authorises Director Infrastructure and Operations to approve variations and extensions of the contract(s) subject to the satisfactory performance of the consultant(s); and
6. Resolves Attachment A to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the Local Government Act 2020 s3(1)(g).

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.



Chairperson's initials

12.16 Award of Contract CN11334 - Hard Waste Collection

(BH Corporate and Commercial Services)

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

That Council:

1. Awards Contract **CN11334: Hard Waste Collection** WM to Waste Management Services Pty Ltd ACN 093 866 758 for an initial two (2) year term with the provision for a one further 1-year Option to extend at Councils sole discretion, for the potential value of up to \$3,000,000.00 - noting that this is a Schedule of Rates contract;
2. Authorises the Chief Executive Officer to sign the Contract;
3. Authorises the Director of Corporate and Commercial Services to approve variations and extensions of the contract subject to the satisfactory performance of the contractor; and
4. Resolves Attachment A to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

Councillor Hughes left the chamber at 9:10 pm.

Councillor Hughes returned to the chamber at 9:15 pm.

**The motion was
Carried Unanimously**



Chairperson's initials

12.17 Award of Contract CN11483 - SD-WAN Network Architecture

(EC Customer Innovation and Arts)

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

That Council:

1. Awards contract CN11483 – SD-Wan Network Architecture to Logicalis Pty Ltd ABN 30 120 725 902 for an initial period of five (5) years, commencing 1 August 2024, with the provision for two (2) further two (2) year extension options, with a potential contract value of an estimated \$3,921,263 (exclusive of GST);
2. Authorises the Chief Executive Officer to sign the contract;
3. Delegates authority to the Director Customer Innovation and Arts to approve variations and extensions of the contract subject to the satisfactory performance of the contractor; and
4. Resolves Attachment A to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved.



Chairperson's initials

13. RESPONSE TO NOTICES OF MOTION

13.1 Response to 2024/NOM11 - Strengthening the voice of young people within Council

(TB Communities)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council:

1. Notes that the newly appointed Frankston Youth Council have commenced their term and are eager to contribute to Council's vision for Frankston City.
2. Notes the advocacy, varied programs and extensive work undertaken by Frankston Youth Services to ensure young people are well engaged and that their voices are heard and valued.
3. Approves the additional actions to be undertaken to expand opportunities to strengthen the voice of young people including:
 - a) Recommendations from the Youth Committee will be included for Council consideration in the quarterly Governance Matters reports that include highlights from Council Committees.
 - b) Youth Council representatives are to be invited to assist the Mayor at relevant and appropriate events throughout the year as determined by Youth Services and Governance in consultation with the Mayor.
 - c) A schedule is to be developed for Youth Council representatives to meet periodically with the Mayor to discuss youth-based issues and advise on the work and accomplishments of the Youth Council.
 - d) Frankston Youth Council will further formalise its engagement with Student Representative Councils within Frankston schools by undertaking a survey to seek their input on issues they wish to see Frankston Council involved in. This data will inform the work of the Youth Council and, where appropriate, also their recommendations to Council.
 - e) Youth Council to provide a report to Council as an attachment to the annual Youth Services Action Plan update report, with details on their activities as well as final recommendations to Council.
4. Acknowledges the extensive outreach work being undertaken by the Youth Services Team in schools, general programs and through their street-based activities such as Grade 6 to Year 7 transition programs, WHAT bus activations, street art initiatives, the Critical Friends Network, Project Y engagements and others.
5. Notes the planning being progressed with School Focussed Youth Services and the Frankston Mornington Peninsula Local Learning Education Network to continually find new ways to expand the reach and maintain the profile of Frankston Youth Services within the local schools network.

Carried Unanimously



Chairperson's initials

14. NOTICES OF MOTION**14.1 2024/NOM16 - Frankston Metropolitan Activity Centre (FMAC) Inclusivity***(AH Communities)***Council Decision****Moved: Councillor Hill****Seconded: Councillor Baker**

That Council:

1. Notes it has adopted the Frankston Metropolitan Activity Centre (FMAC) Structure Plan in June 2023;
2. Notes Frankston City is an organisation that supports and values inclusiveness and equity for all residents and ratepayers;
3. Notes that Frankston is a Welcoming City; and
4. Resolves that Frankston City Council is supportive of an inclusive FMAC for people of all demographics and backgrounds and supports and encourages all housing types, including affordable and social housing.

Carried Unanimously

Chairperson's initials

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

17. CONFIDENTIAL ITEMS

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Hill

That the 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 3(1)(f) of the Local Government Act 2020 (the Act) on the following grounds:

C.1 CEO Performance and Remuneration Committee – CEO Performance review 2024/25

Agenda Item C.1 CEO Performance and Remuneration Committee – CEO Performance review 2024/25 is designated confidential as it relates to personal information (s3(1)(f))

Carried Unanimously



Chairperson's initials

QUESTION TIME

Questions received without Notice

The following questions without notice were received for the Council Meeting 2024/CM09 – 22 July 2024. In accordance with the *Public Submissions and Question Time Policy*, the questions and responses are published below:

Louise Rawlings

Question 1

Re item 11.2 Planning Application 492/2017/P/D - 424-426 Nepean Highway,
Why are you considering accepting an amendment to this proposal to increase the building height to 14 or 15 storeys when your own preferred height for this precinct is 12 storeys in the Frankston Planning Scheme?

Why don't you wait until the Planning panel reports back on its findings on the Frankston C160fran?

Response

Unfortunately Council cannot wait until the Frankston Metropolitan Activity Centre Structure Plan, Planning Scheme Amendment process is complete before forming a decision on this formal application, to amend an existing Planning Permit. It is not unusual for Councils to receive planning permit applications while Planning Scheme Amendment processes are underway. The Planning and Environment Act 1987 (as amended) requires Council to determine planning applications that it receives without providing a mechanism to stop or hold in abeyance, applications potentially affected by a Planning Scheme Amendment.

When assessing this application, Council officers considered the Frankston Metropolitan Activity Centre Structure Plan (2023) which forms part of Amendment C160fran, in addition to the provisions of the Frankston Planning Scheme which apply today. It is worthwhile noting the interim controls of DD014 largely reflect the requirements of the Frankston Metropolitan Activity Centre Structure Plan (2023).

The amended proposal results in the overall building height to be more in line with the preferred height of 41 metres in the FMAC Structure Plan (2023) and DDO14. The detailed assessment of why the overall building height was considered to be appropriate can be found in the papers for the published Council Meeting agenda on 22 July 2024.



The meeting was closed to the public at 9.29 pm

CONFIRMED THIS

DAY OF

2024

.....
CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Nathan Conroy, 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, 12 August 2024, confirmed on Monday, 19 August 2024.

.....
(Cr. Nathan Conroy, Chairperson – Council Meeting)

Dated this day of 2024



Chairperson's initials