



FRANKSTON CITY  
COUNCIL

# Ordinary Meeting

# A G E N D A

3 April 2018





# COUNCIL CHAMBERS

<b>Dennis Hovenden</b> Chief Executive Officer	<b>Cr Colin Hampton</b> Mayor	<b>Tim Frederico</b> Director Corporate Development
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<b>Executive Assistant to the Mayor</b>	<b>Council Core Business Support Coordinator</b>	<b>Prue Digby</b> Municipal Monitor
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Cr. O'Connor

Cr. McCormack

Cr. Cunial

Cr. O'Reilly

Cr Bolam

Cr. Mayer

Cr. Aitken

Cr. Toms

EMT

EMT

Guest Speaker

MEDIA

MEDIA

**Gallery**





# THE COUNCIL MEETING

## Welcome to this Meeting of the Frankston City Council

The Council appreciates residents, ratepayers and other visitors taking their places in the Public Gallery, as attendance demonstrates an interest in your Council and community affairs. Community spirit is encouraged.

This information sheet is designed to help you to understand the procedures of Council and help you to gain maximum value from your attendance.

The law regarding the conduct of Council meetings enables the public to observe the session. However, to ensure the manageability of Council meetings, opportunities for public participation are limited to Question Time and registered submissions in accordance with Council's guidelines, which are available from Council's Councillors Office (call 9768 1632) and on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au). It is not possible for any visitor to participate in any Council debate unless specifically requested by the Chairperson to do so.

If you would like to have contact with Councillors or Officers, arrangements can be made for you to do so separately to the meeting. Call Frankston City Council on 9768 1632 and ask for the person you would like to meet with, to arrange a time of mutual convenience.

## When are they held?

Generally speaking, the Council meets formally every three (3) weeks on a Monday and meetings start at 7.00 pm, unless advertised otherwise.

Council meeting dates are posted in the Davey Street and Young Street entrances to the Civic Centre (upper level) and also on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

## **Governance Local Law No. 1 – Meeting Procedure**

### **34. Chair's Duty**

*Any motion which is determined by the Chair to be:*

- (1) *defamatory of or embarrassing to any Councillor, member of Council staff or other person;*
- (2) *abusive or objectionable in language or nature;*
- (3) *a direct negative of the question before the Chair;*
- (4) *vague or unclear in intention;*
- (5) *outside the powers of Council; or*
- (6) *irrelevant to the item of business on the agenda and has not been admitted as Urgent Business, or purports to be an amendment but is not,*

*must not be accepted by the Chair.*

**88. Chair May Remove**

- (1) *The Chair may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction, or cause the removal of any object or material that is deemed by the Chair as being objectionable or disrespectful.*
- (2) *Any person removed from the meeting under sub-clause 0 must not return to the meeting without the approval of the Chair or Council.*

*It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.*

The Penalty for an offence under this clause is 2 penalty units which is \$200

## **Live Streaming of Council Meetings**

Frankston City Council will be Live Streaming Council Meetings from Monday 29 January 2018.

Live Streaming allows you to watch and listen to the meeting in real time, giving you greater access to Council decision making and debate and improving openness and transparency.

There are three (3) fixed cameras in the Council Chambers and it is intended that the cameras will only provide vision of the Councillors who are present at the meeting.

Every care will be taken to maintain privacy and as far as practically possible, it is not intended that there be either live or recorded footage of the public or Media personnel, however, there might be incidental capture; for example footage of a person exiting the building depending on which camera is being used at the time, or audio recording of a person who interjects the meeting. Council officers who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

Archives of meetings will be published on Council's website generally within three (3) business days after the meeting date for the public's future reference. Council will make every reasonable effort to ensure that a live stream and recording is available. However technical difficulties may arise in relation to live streaming or access to Council's website.

Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded.

It is not intended that public speakers will be visible in a live stream of a meeting. Cameras are to be positioned so that these members of the public are not visible. If you do not wish to be recorded you will need to contact the Councillors Office on telephone (03) 9768 1632 or via email [councillors.office@frankston.vic.gov.au](mailto:councillors.office@frankston.vic.gov.au) to discuss alternative options prior to the meeting.

## **The Formal (Ordinary) Meeting Agenda**

The Council meeting agenda is available for public inspection immediately after it is prepared, which is normally on the Thursday afternoon four (4) clear days before the meeting. It is available from the Reception desk at the Civic Centre (upper level), on our website [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au) or a copy is also available for you in the chamber before the meeting.

The following information is a summary of the agenda and what each section means:-

- **Items Brought Forward**

These are items for discussion that have been requested to be brought forward by a person, or a group of people, who have a particular item on the Agenda and who are present in the Public Gallery.

- **Presentation of Written Questions from the Gallery**

Question Time forms are available from the Civic Centre and our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au). Questions may also be submitted online using the Question Time web form. "Questions on notice" are to be submitted and received by Council before 12 noon on the Friday before the relevant Ordinary Meeting.

"Questions without notice" may be submitted in the designated Question Time box in the public gallery on the evening of the meeting, just prior to its commencement. Forms are available in the Council Chamber.

A maximum of 3 questions may be submitted by any one person at one meeting. There is no opportunity to enter into debate from the Gallery.

More detailed information about the procedures for Question Time is available from Council's Councillors Office (call 9768 1632) and on our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

- **Presentation of Petitions and Joint Letters**

These are formal requests to the Council, signed by a number of people and drawing attention to matters of concern to the petitioners and seeking remedial action from the Council. Petitions received by Councillors and presented to a Council meeting are usually noted at the meeting, then a report is prepared for consideration at the next available meeting.

- **Presentation of Reports**

Matters requiring a Council decision are dealt with through officer reports brought before the Council for consideration. When dealing with each item, as with all formal meeting procedures, one Councillor will propose a motion and another Councillor will second the motion before a vote is taken.

- **Presentation of Delegate Reports**

A Councillor or member of Council staff who is a delegate may present to Council on the deliberations of the external body, association, group or working party in respect of which he or she is a delegate or an attendee at a Council approved conference / seminar.

- **Urgent Business**

These are matters that Councillors believe require attention and action by Council. Before an item can be discussed, there must be a decision, supported by the majority of Councillors present, for the matter to be admitted as "Urgent Business".

- **Closed Meetings**

Because of the sensitive nature of some matters, such as personnel issues, contractual matters or possible legal action, these matters are dealt with confidentially at the end of the meeting.

- **Opportunity to address Council**

Any person who wishes to address Council must pre-register their intention to speak before 4.00pm on the day of the meeting, by telephoning Council's Councillors Office (call 9768 1632) or by submitting the online web form or by using the application form both available on the website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

The submissions process is conducted in accordance with guidelines which are available from Council's Councillors Office and on our website. All submissions will be limited to 3 minutes in duration, except for Section 223 submitters, who have a maximum of 5 minutes. No more than ten (10) members of the public are to be permitted to address the Council. Further speakers will be permitted to address the meeting at the discretion of the Chair. All speakers need to advise if they are speaking on behalf of an organisation and it is deemed that they have been appropriately authorised by that said organisation.

Public submissions and any subsequent discussion will be recorded as part of the meeting, and audio recordings of Council meetings will be made available to members of the public. If a submitter does not wish to be recorded, they must advise the Chair at the commencement of their public submission.

### **Disclosure of Conflict of Interest**

If a Councillor considers that they have, or might reasonably be perceived to have, a direct or indirect interest in a matter before the Council or a special committee of Council, they will declare their interest and clearly state its nature before the matter is considered. This will be done on every occasion that the matter is considered by the Council or special committee.

If a Councillor has an interest in a matter they will comply with the requirements of the Local Government Act, which may require that they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter.

If a Councillor does not intend to be at the meeting, he or she will disclose the nature of the interest to the Chief Executive Officer, Mayor or Chairperson prior to the meeting commencing.

### **Agenda Themes**

The Council Agenda is divided into four (4) themes which depict the Council Plan's Strategic Objectives, as follows:

1. A Planned City
2. A Liveable City
3. A Well Governed City
4. A Well Managed City

### **MAYOR**





## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that an Ordinary Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 3 April 2018 at 7.00pm.

### COUNCILLOR 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 in the debate or vote on the issue.*

### OPENING WITH PRAYER

*Almighty God, we ask for your blessing upon this Council. Direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of Frankston City. Amen.*

### ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

*We respectfully acknowledge that we are situated on the traditional land of the Boon Wurrung and Bunurong in this special place now known by its European name, Frankston. We recognise the contribution of all Aboriginal and Torres Strait Islander people to our community in the past, present and into the future.*



## BUSINESS

### 1. PRESENTATION TO COMMUNITY GROUPS

Nil

### 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM3 held on 13 March 2018.

### 3. APOLOGIES

Nil

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

### 5. PUBLIC QUESTION TIME

Nil

### 6. HEARING OF SUBMISSIONS

Nil

### 7. ITEMS BROUGHT FORWARD

### 8. PRESENTATIONS / AWARDS

Nil

### 9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

### 10. DELEGATES' REPORTS

Nil

### 11. CONSIDERATION OF TOWN PLANNING REPORTS

- |      |  |     |
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Nil

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Dennis Hovenden

**CHIEF EXECUTIVE OFFICER**

28/03/2018





**Executive Summary****11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City for Future Growth
Strategy:	1.3 Review the Municipal Strategic Statements, also known as the Local Planning Scheme to accommodate future population growth
Priority Action	1.3.3 Work with State Government and local communities to accommodate more adaptable, affordable and accessible housing that meets individual needs over time (and ageing in place)

**Purpose**

The purpose of this report is to:

- Inform Council on the findings and recommendations of the Panel Report for Frankston Planning Scheme Amendment C123; and
  - Further progress Frankston Planning Scheme Amendment C123.
- AND
- Outline the key objectives and policy rationale for the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*; (intended to support the provisions of Am C123)
  - Describe the public consultation process undertaken to inform interested parties of the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*;

**Recommendation (Director Community Development)**

That Council:

1. Notes the summary of responses from the community consultation process for the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*.
2. Adopts the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)* to allow for the documents to be referenced within the Frankston Planning Scheme as part of current Planning Scheme Amendment C123.
3. Notes the Amendment C123 Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:
  - a) Amends the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
  - b) Amends the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone to include the following:
 

*To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.*

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- c) Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
- d) Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone to include the following:

*To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.*

- e) Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:

*VicTrack land – potential contamination*

*An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.*

- f) Inserts a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.

- g) Makes other policy neutral drafting changes to improve the operation of Schedule 1 to the Activity Centre Zone.

- h) Amends the Precinct Guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:

*In locations identified as ‘Sensitive Interface Areas’ on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and foreshore.*

*New development should be consistent with the design, form, layout, proportion and scale of the development outlined in the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

*New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*

*Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*



**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary**

- i) Amends the Decision Guidelines in Clause 8 of Schedule 1 to the Activity Centre Zone to include the following:

*Whether new development within Precincts 1A and 1B is consistent with the design, form, layout, proportion and scale of the development is compatible with the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

**Key Points / Issues**

- Councillors were provided with a briefing on the evolution of the FMAC Structure Plan and the background to Am C123 on 5 February 2018.
- Frankston Planning Scheme Amendment C123 is Stage 1 of the implementation of the Frankston Metropolitan Activity Centre Structure Plan (FMAC Structure Plan). The Amendment seeks to apply Schedule 1 to the Activity Centre Zone (ACZ1) to the city centre area generally bounded by Ebdale and Beach Streets to the north, Kananook Creek to the west, Fletcher Road and Baxter Street to the east and Davey Street and Plowman Place to the south. The Amendment also seeks to remove the superseded Comprehensive Development Zone Schedule 2 (CDZ2) from the Frankston foreshore, and replace it with the Public Park and Recreation Zone (PPRZ).
- At its Ordinary Meeting of 29 August 2016, Council authorised officers to formally request an independent Planning Panel be convened to consider the submissions to Frankston Planning Scheme Amendment C123.
- The Amendment C123 Planning Panel was held at the Frankston Civic Centre on 10 November 2016 and considered the six objecting submissions to the Amendment.
- The Panel has considered all submissions and material presented to it during and after the Hearing, and concludes that the Amendment be adopted subject to minor changes outlined in the Panel Report recommendations.
- At its Ordinary Meeting of 30 January 2017, Council officers recommended that the Panel Report recommendations be adopted and to request the Minister for Planning to adopt Amendment C123 into the Frankston Planning Scheme. This decision was deferred by Council to allow Councillors more time to consider the background to the proposed new controls. Officers presented a background information report on the FMAC Structure Plan and Amendment C123 at the April 18 2017 Councillor Briefing.
- At its Ordinary Meeting of 1 May 2017, Council officers recommended that Council note the C123 Panel report and authorise officers to request the Minister for Planning adopt the Frankston Planning Scheme Amendment as exhibited, subject to the changes that were recommended by the Panel including recognising the western and southern boundaries of Precinct 1B as a 'sensitive interface' area, include guidelines within the Activity Centre Zone (ACZ) that help guide development in sensitive interface areas of Precinct 1B and other policy neutral drafting changes.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary**

- Council deferred the decision on the basis that Council officers explore additional measures to guide development within Precincts 1A and 1B and requested officers to prepare a draft reference document that provided illustrative guidelines to address neighbourhood character and urban design outcomes for Precincts 1A and 1B (Attachment E).
- An Alternate Recommendation was considered by Councillors as follows (Attachment F):
  1. *Officers have been requested to prepare an alternate recommendation to provide for a reduced building height control for Precinct 1B that adjoins Kananook Creek.*
  2. *Officers have also been asked to include additional provisions for neighbourhood character in the mixed use residential areas of the FMAC and to address the need for additional specific guidelines for new development in the interface area to Kananook Creek and Gould St.*
  3. *As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.*
- SJB Urban were engaged to prepare the illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and on 21 September 2017, Council facilitated the Frankston City Centre – Urban Design and Development Workshop where participants provided input into the preparation of an illustrative guideline document to be used to appraise and inform new development affected by the ACZ within Precincts 1A and 1B.
- SJB Urban has prepared the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017) (Illustrative Guidelines)* which are proposed to be implemented into the Frankston Planning Scheme as part of Amendment C123. The document provides graphic-focussed guidelines for Precincts 1A and 1B of the ACZ addressing the future neighbourhood character and best practice urban design.
- The *Illustrative Guidelines* were placed on public exhibition from 30 November 2017 to 22 December 2017 and a total of five (5) submissions were received.
- The most appropriate way to ensure the *Illustrative Guidelines* will serve their purpose in guiding future built form is by adopting the documents and then referencing them within the Frankston Planning Scheme.
- It is now proposed to progress Amendment C123 and for the *Illustrative Guidelines* to be included within this Amendment as a reference document to be submitted for approval into the Planning Scheme.
- It is recommended that Council authorises officers request the Minister for Planning to adopt Amendment C123 subject to the changes outlined in this report.

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- Note that Amendments automatically lapse if they have not been adopted by the planning authority within two years from the date the notice of exhibition was published in the Government Gazette. As Am C123 was first exhibited on 30 June 2016, the amendment will lapse if Council does not make a resolution to proceed prior to 30 June 2018.

**Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

Council will be required to fund the cost of adopting the Amendment, which is provided for in the 2016/17 Strategic Planning budget.

The costs associated with Amendment C123 include considerable officer time and contractor expenses over more than 2 years (in the order of \$60,000 from 2015-2018), as well as Planning Panel and exhibition fees (\$10,000 in 2016) and urban design consultant fees for the preparation of the Illustrative Guidelines (\$19,800 in 2017) and the associated community consultation activities.

**Consultation**

Frankston Planning Scheme Amendment C123 was subject to an exhibition period of five weeks, which resulted in six objecting submissions and a further three submissions which offered no objection and no detailed comments (nine submissions in total).

The key issues raised in submissions to Amendment C123 are summarised as follows:

- Building heights within Precinct 1B of the ACZ1 (which interfaces with the foreshore, Kananook Creek and established residential areas in Long Island).
- The appropriate zoning for the land in and around Frankston Station that is owned by VicTrack and used for railway purposes.
- Proposed preferred height limits (Kananook Boulevard and Plowman Place) and street setbacks (Wells and Beach Streets).
- Whether the FMAC Structure Plan gives sufficient priority to the beach and foreshore.
- Impacts of development in the Activity Centre on surrounding areas.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary**

- The extent of Precinct 2 (Station Precinct), potential land contamination in Precinct 2 and railway interface issues.
- Lack of economic analysis justifying proposed built form controls.
- Completing the activation of Kananook Creek and pedestrian links between the city centre and creek.
- Effective implementation of the Structure Plan and restoring respect for proper planning process and community consultation and public debate.

The Frankston Planning Scheme Amendment C123 Panel Hearing was held at the Frankston Civic Centre on 10 November 2016. All submitters to the Amendment were advised of the Panel Hearing.

The FMAC *Illustrative Guidelines* were exhibited from 30 November 2017 to 22 December 2017. A total of five (5) submissions were received which included:

- Four (4) submissions that were partly supportive as well as providing particular comments; and
- One (1) submission is in support.

A summary of the key issues raised is as follows:

- General support for the initiatives in the Illustrative Guidelines that relate to laneways, considered skylines and separation of buildings above the podium height;
- A desire for materials and colours to complement the coastal location;
- A desire for building heights adjacent to the Kananook Creek in Precinct 1B to have a preferred height of 20 metres;
- One submission was not supportive of a 20 metre preferred height adjacent to Kananook Creek; and
- A desire for a specific dimension be provided for the separation of buildings above the podium height.

**Analysis (Environmental / Economic / Social Implications)***Environmental*

Frankston Planning Scheme Amendment C123 will allow a greater number of people access to sustainable transport, with more dwellings and employment within walking distance of Frankston Station.

*Economic*

The Amendment will assist in promoting economic growth by stimulating private and public investment in Frankston and therefore providing a range of direct and indirect employment opportunities.

*Social*

The Amendment will facilitate greater access to housing and employment within close proximity to each other and create a vibrant and diverse centre with employment, recreation, living and community services.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

When undertaking a Planning Scheme Amendment Council is required to follow the *Planning and Environment Act 1987* and *Ministerial Direction No. 15* which outlines the timeframes and steps in the Planning Scheme Amendment process.

Policy Impacts

Subject to the adoption of Frankston Planning Scheme Amendment C123, various drafting changes and map amendments will be added to the Frankston Planning Scheme.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

The application of the ACZ1 over the Frankston City Centre will result in the streamlining of planning applications within the city centre. The ACZ1 is a tailored planning control that seeks to minimise the requirement for use permits, and sends a signal to both developers and the community that Frankston City Council has developed the planning assessment tools to facilitate the vision of the FMAC Structure Plan. The ACZ1 will also ensure that Council officers can make informed and best practice environmental, social and economic planning decisions.

**Conclusion**

The six objecting submissions received to the exhibition of Frankston Planning Scheme Amendment C123 were considered by an independent Planning Panel at the Frankston Civic Centre on 10 November 2016. The issues raised and considered related mainly to built form controls adjacent to Kananook Creek and the foreshore and the appropriate zoning for the land in and around Frankston Station that is owned by VicTrack. The Panel was satisfied that the changes to the Frankston Planning Scheme proposed by Amendment C123 are justified subject to six minor changes including recognising the western and southern boundaries of Precinct 1B as a 'sensitive interface' area, include guidelines within the Activity Centre Zone (ACZ) that help guide development in sensitive interface areas of Precinct 1B and other policy neutral drafting changes.

At the 1 May 2017 Ordinary Meeting, the recommendation that Council authorises officers request the Minister for Planning to adopt Amendment C123 subject to changes was deferred. An Alternate Recommendation was resolved as follows (Attachment F):

- *Officers have been requested to prepare an alternate recommendation to provide for a reduced building height control for Precinct 1B that adjoins Kananook Creek.*

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary**

- *Officers have also been asked to include additional provisions for neighbourhood character in the mixed use residential areas of the FMAC and to address the need for additional specific guidelines for new development in the interface area to Kananook Creek and Gould St.*
- *As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.*

In response to the Alternative Recommendation, The FMAC *Illustrative Guidelines* have been prepared and have now completed community consultation

It is now recommended that Council:

1. Notes the summary of responses from the community consultation process for the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*.
2. Adopts the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)* to allow for the documents to be referenced within the Frankston Planning Scheme as part of current Planning Scheme Amendment C123.
3. Notes the Amendment C123 Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:
  - a. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
  - b. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone to include the following:

*To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.*
  - c. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
  - d. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone to include the following:

*To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.*
  - e. Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:

*VicTrack land – potential contamination*

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary**

*An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.*

- f. Insert a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.
- g. Makes other policy neutral drafting changes to improve the operation of Schedule 1 to the Activity Centre Zone.
- h. Amend the Precinct Guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:

*In locations identified as 'Sensitive Interface Areas' on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and foreshore.*

*New development should be consistent with the design, form, layout, proportion and scale of the development outlined in the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

*New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*

*Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*

- i. Amend the Decision Guidelines in Clause 8 of Schedule 1 to the Activity Centre Zone to include the following:

*Whether new development within Precincts 1A and 1B is consistent with the design, form, layout, proportion and scale of the development is compatible with the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Executive Summary****ATTACHMENTS**

- Attachment A: [↓](#) Frankston Planning Scheme Amendment C123 - Panel Report
- Attachment B: [↓](#) Amended Schedule 1 to the Activity Centre Zone
- Attachment C: [↓](#) FMAC Illustrative Guidelines
- Attachment D: [↓](#) Submissions to Illustrative Guidelines
- Attachment E: [↓](#) C123 OM300 Minutes 1 May 2017
- Attachment F: [↓](#) C123 1 May 2017 Council Item 11-4 Alternative Recommendation
- Attachment G: [↓](#) Response to Illustrative Guidelines Submissions



**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment****Background**

The six objecting submissions received during the exhibition of Planning Scheme Amendment C123 were considered by an independent Planning Panel at the Frankston Civic Centre on 10 November 2016.

The Panel has considered all submissions and material presented to it during and after the Hearing, and concludes that the Amendment be adopted subject to six minor changes including recognising the western and southern boundaries of Precinct 1B as a 'sensitive interface' area, include guidelines within the Activity Centre Zone (ACZ) that help guide development in sensitive interface areas of Precinct 1B and other policy neutral drafting changes. Responses to all recommendations are detailed below.

At its Ordinary Meeting of 30 January 2017, Council officers recommended that the Panel Report recommendations be adopted and to request the Minister for Planning to adopt Amendment C123 into the Frankston Planning Scheme. This decision was deferred to allow Councillors more time to consider the background to the proposed new controls. Officers presented a background information report on the FMAC Structure Plan and Amendment C123 at the 18 April 2017 Councillor Briefing.

At its Ordinary Meeting of 1 May 2017, a report was presented to Council recommending that the Panel Report recommendations be adopted and to request the Minister for Planning to adopt Amendment C123 into the Frankston Planning Scheme as exhibited, subject to the changes that were recommended by the Panel.

Council deferred the decision on the basis that Council officers explore additional measures to guide development within Precincts 1A and 1B and requested officers to prepare a draft reference document that provided illustrative guidelines to address neighbourhood character and urban design outcomes for Precincts 1A and 1B (Attachment E).

An Alternate Recommendation was resolved as follows (Attachment F):

- 1. Officers have been requested to prepare an alternate recommendation to provide for a reduced building height control for Precinct 1B that adjoins Kananook Creek.*
- 2. Officers have also been asked to include additional provisions for neighbourhood character in the mixed use residential areas of the FMAC and to address the need for additional specific guidelines for new development in the interface area to Kananook Creek and Gould St.*
- 3. As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.*

SJB Urban were engaged to prepare the FMAC Illustrative Guidelines and on 21 September 2017, Council facilitated the Frankston City Centre – Urban Design and Development Workshop where participants provided input into the preparation of an illustrative guideline document to be used to appraise and inform new development affected by the ACZ within Precincts 1A and 1B.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

SJB Urban has prepared the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017) (Illustrative Guidelines)* which are proposed to be implemented into the Frankston Planning Scheme as part of Amendment C123. The document provides graphically presented guidelines for Precincts 1A and 1B of the ACZ addressing the future neighbourhood character and best practice urban design.

The *FMAC Illustrative Guidelines* were placed on public exhibition from 30 November 2017 to 22 December 2017 and a total of five (5) submissions were received.

The most appropriate way to ensure the *Illustrative Guidelines* will serve their purpose in guiding future built form is by adopting the documents and then referencing them within the Planning Scheme.

It is now sought to move forward with Amendment C123 as recommended in the Ordinary Meeting held on 1 May 2017, and the *FMAC Illustrative Guidelines* be included within the Amendment as a reference document to be submitted for approval into the Planning Scheme.

It is recommended that Council authorises officers request the Minister for Planning to adopt Amendment C123 subject to changes outlined.

**Amendment C123 Consultation**

Frankston Planning Scheme Amendment C123 was subject to an exhibition period of five weeks, which resulted in six objecting submissions and three submissions which offered no objection and no comment (nine submissions in total).

The key issues raised in submissions to Amendment C123 are summarised as follows:

- Building heights within Precinct 1B of the ACZ1 (which interfaces with the foreshore, Kananook Creek and established residential areas in Long Island).
- The appropriate zoning for the land in and around Frankston Station that is owned by VicTrack and used for railway purposes.
- Proposed preferred height limits (Kananook Boulevard and Plowman Place) and street setbacks (Wells and Beach Streets).
- Whether the FMAC Structure Plan gives sufficient priority to the beach and foreshore.
- Impacts of development in the Activity Centre on surrounding areas.
- The extent of Precinct 2 (Station Precinct), potential land contamination in Precinct 2 and railway interface issues.
- Lack of economic analysis justifying proposed built form controls.
- Completing the activation of Kananook Creek and pedestrian links between the city centre and creek.
- Effective implementation of the Structure Plan and restoring respect for proper planning process and community consultation and public debate.

The Frankston Planning Scheme Amendment C123 Panel Hearing was held at the Frankston Civic Centre on 10 November 2016. All submitters to the Amendment were advised of the Panel Hearing.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment****FMAC Illustrative Guidelines Consultation and response to submission**

The FMAC Illustrative Guidelines were exhibited from 30 November 2017 to 22 December 2017. A total of five (5) submissions were received which included:

- Four (4) submissions that were partly supportive as well as provided particular comments; and
- One (1) submission that is in support.

A summary of the key issues raised is as follows:

- General support for the initiatives in the Illustrative Guidelines that relate to laneways, consideration of skyline impacts, and the need for separation of buildings above the podium height;
- A desire for materials and colours to complement the coastal location;
- A desire for building heights adjacent to the Kananook Creek in Precinct 1B to have a preferred height of 20 metres;
- One submission was not supportive of the reduced 20 metre preferred height adjacent to Kananook Creek; and
- A desire for a specific dimension be provided for the separation of buildings above the podium height.

A response to the submissions is provided in Attachment G. A key theme in the submissions was a desire for a maximum 20 metre preferred height limit for development that abuts the Kananook Creek. It is highlighted that the following amendment has been made to the proposed Schedule 1 to the Activity Centre Zone in response to community concerns and is consistent with the Alternate Recommendation from the 1<sup>st</sup> May 2017 Ordinary Meeting (Attachment F):

*Insert a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.*

**Planning Panel Findings Discussion****Recommendation 1**

*Amend the Precinct Map in Clause 5.1.1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.*

**Officer response:** This recommendation is a response to submissions in relation to built form controls (preferred building heights) as proposed for Precinct 1B in Schedule 1 to the Activity Centre Zone (ACZ1). The submissions considered that the preferred building heights were too high. The Panel was not persuaded that the preferred height limits for Precinct 1B are too high. The Panel Report states *'the preferred heights will not result in unacceptable overshadowing or blocking of views...height limits will not operate in isolation...development proposals will need to respond to the whole of the ACZ1 including requirements that...built form be responsive to site context...built form responds appropriately to sensitive residential, open space and creek interfaces'*.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

The recommendation is supported. Map changes that seek to clarify and more clearly illustrate the sensitive interface between the city centre, Kananook Creek, the foreshore and adjacent residential areas, do not result in any alteration to the intent of the clause, and further endorse the objectives of the FMAC Structure Plan.

**Recommendation 2**

*Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:*

*To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.*

**Officer response:** This recommendation is a minor drafting addition to the proposed ACZ1 and further endorses the objectives of the FMAC Structure Plan. The recommendation is supported and does not alter the intent of the Clause.

**Recommendation 3**

*Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.*

**Officer response:** This recommendation seeks to address the concern that the Precinct 1 guidelines of the proposed ACZ1 do not provide sufficient safeguard to the sensitive interface that occurs between the west bank of Kananook Creek (city centre) and the adjacent residential properties and foreshore located on the east bank.

The *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017) (Illustrative Guidelines)* have been prepared to provide additional guidance on built form expectation and urban design outcomes for Precincts 1A and 1B.

To ensure this sensitive interface is addressed by new development proposals on the west bank of Kananook Creek, it is proposed to add the following guideline to the Precinct 1 guidelines:

*In locations identified as 'Sensitive Interface Areas' on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of new development including overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and the foreshore.*

*New development should be consistent with the design, form, layout, proportion and scale of the development outlined in the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

*New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

*Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*

This recommendation is a minor drafting addition to the proposed ACZ1, is supported, and does not alter the intent of the Clause.

**Recommendation 4**

*Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:*

*To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport purposes of the railway land.*

**Officer response:** Recommendation 4 seeks the addition of a precinct objective that specifically recognises the primacy of the transport purpose of the railway land, and the need for use and development in the Station Precinct to be responsive to railway operations. Whilst the ACZ1 already contains guidelines and requirements relating to the railway land and operations, Council agrees with the Panel recommendation as the guidelines are largely limited to built form responses, and do not necessarily address the broader issues of recognising and protecting the primacy of the transport purposes of the railway land, and current and future railway purposes.

This drafting change will not result in any change to the intent of the clause.

**Recommendation 5**

*Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:*

*VicTrack land – potential contamination*

*An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formally owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land, to the satisfaction of the responsible authority.*

**Officer response:** At the Panel Hearing VicTrack raised for the first time during the Amendment C123 process the potential for possible land contamination on the VicTrack owned land in and around Frankston Station. VicTrack also made reference to the 'Phase 1 Environmental Site Assessment, Frankston Station Precinct Frankston, Victoria, January 2012' (PESA) document. Potential land contamination and the PESA had not been raised in the VicTrack submission to the exhibition or preliminary discussions Council undertook with VicTrack prior to exhibition. This did not give Council an opportunity to give this issue proper discussion at the Panel. The Panel subsequently reviewed the PESA. The PESA indicates that past uses on the site have included potentially contaminating uses including dry cleaning and a briquette depot. It also identified an above ground diesel fuel tank and bunded diesel refuelling area. The PESA concluded that there is potential for contamination to exist in soil and groundwater.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

In light of the findings and recommendations of the PESA, the Panel has considered it would be appropriate for any future application to redevelop the VicTrack land for a sensitive use to demonstrate to the responsible authority's satisfaction that the land is suitable for that use. Hence the recommendation that an application for a sensitive use be required to provide an Environmental Site Assessment (which may be guided by the findings of the PESA).

This drafting change will not result in any alteration to the intent of the clause.

**Recommendation 6**

*Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.*

**Officer response:** This recommendation is a minor 'tidy-up' to the exhibited ACZ1. The changes include the re-wording of sentences and table reformatting for greater clarity and further referencing of the Frankston Metropolitan Activity Centre Structure Plan.

These drafting changes will not result in any alteration to the intent of the schedule.

**Conclusion**

The six objecting submissions received to the exhibition of Frankston Planning Scheme Amendment C123 were considered by an independent Planning Panel at the Frankston Civic Centre on 10 November 2016. The issues raised and considered related mainly to built form controls adjacent to Kananook Creek and the foreshore and the appropriate zoning for the land in and around Frankston Station that is owned by VicTrack. The Panel was satisfied that the changes to the Frankston Planning Scheme proposed by Amendment C123 are justified subject to six minor changes including recognising the western and southern boundaries of Precinct 1B as a 'sensitive interface' area, include guidelines within the Activity Centre Zone (ACZ) that help guide development in sensitive interface areas of Precinct 1B and other policy neutral drafting changes.

A further change to the proposed Schedule 1 to the Activity Centre Zone has been made in response to community concerns which stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.

**Recommendation**

It is therefore recommended that Council:

- 1 Notes the summary of responses from the community consultation process for the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*.
- 2 Adopts the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)* to allow for the documents to be referenced within the Frankston Planning Scheme as part of current Planning Scheme Amendment C123.
- 3 Notes the Amendment C123 Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:
  - a. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

- b. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone to include the following:

*To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.*

- c. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.

- d. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone to include the following:

*To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.*

- e. Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:

*VicTrack land – potential contamination*

*An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.*

- f. Insert a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.

- g. Makes other policy neutral drafting changes to improve the operation of Schedule 1 to the Activity Centre Zone.

- h. Amend the Precinct Guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:

*In locations identified as 'Sensitive Interface Areas' on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and foreshore.*

*New development should be consistent with the design, form, layout, proportion and scale of the development outlined in the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).*

**11.1 Frankston Planning Scheme Amendment C123 - Report on the findings and recommendations of the Panel Report and the submissions to FMAC Illustrative Guidelines****Officers' Assessment**

*New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*

*Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*

- i. Amend the Decision Guidelines in Clause 8 of Schedule 1 to the Activity Centre Zone to include the following:

Whether new development within Precinct 1A and 1B is consistent with the design, form, layout, proportion and scale of the development is compatible with the FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017).



*Planning and Environment Act 1987*

Panel Report

Frankston Planning Scheme Amendment C123  
Frankston Metropolitan Activity Centre

front page

7 December 2016

Planning and Environment Act 1987  
Panel Report pursuant to section 25 of the Act  
Frankston Planning Scheme Amendment C123  
Frankston Metropolitan Activity Centre  
7 December 2016



Sarah Carlisle, Chair

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- Appendix A**      **Corrected mapping - 510N Nepean Highway Frankston**
- Appendix B**      **Panel preferred version of Schedule 1 to the Activity Centre Zone**
- Appendix C**      **Document list**

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## List of Abbreviations

ACZ	Activity Centre Zone
C1Z	Commercial 1 Zone
CDZ	Comprehensive Development Zone
DEDJTR	Department of Economic Development, Jobs, Transport and Resources
DELWP	Department of Environment, Land, Water and Planning
DTPLI	Department of Transport, Planning and Local Infrastructure (former)
EAO	Environmental Audit Overlay
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
PESA	Phase 1 environmental site assessment
PPN02	Planning Practice Note 2: Public Land Zones
PPN56	Planning Practice Note 56: Activity Centre Zone
PPN60	Planning Practice Note 60: Height and Setback Controls for Activity Centres
PPRZ	Public Park and Recreation Zone
PTV	Public Transport Victoria (now Transport for Victoria)
SPPF	State Planning Policy Framework

## Overview

Amendment Summary	
<b>The Amendment</b>	Frankston Planning Scheme Amendment C123
<b>Common name</b>	Frankston Metropolitan Activity Centre
<b>Brief description</b>	To implement the <i>Frankston Metropolitan Activity Centre Structure Plan 2015</i> (the Structure Plan) by: <ul style="list-style-type: none"><li>rezoning the Frankston City Centre (Area 1) to the Activity Centre Zone Schedule 1 (ACZ1)</li><li>rezoning the Frankston Foreshore Area (Area 2) to the Public Park and Recreation Zone (PPRZ).</li></ul>
<b>Subject site</b>	Precincts 1 (City Centre Precinct), 2 (Frankston Station Precinct), 3 (Arts, Entertainment & Government Services Precinct) and 11 (Beachfront) within the Structure Plan.
<b>The Proponent and Planning Authority</b>	Frankston City Council
<b>Authorisation</b>	19 June 2015
<b>Exhibition</b>	30 June – 5 August 2016
<b>Submissions</b>	Number of Submissions: nine    Opposed: six <ul style="list-style-type: none"><li>VicTrack</li><li>Public Transport Victoria</li><li>Department of Environment, Land, Water and Planning</li><li>South East Water</li><li>Country Fire Authority</li><li>Frankston Beach Association Inc</li><li>Long Island Residents Group Inc</li><li>No 1 Plowman Place, Frankston</li><li>144 Gould Street, Frankston</li></ul>
Panel Process	
<b>The Panel</b>	Sarah Carlisle, Chair
<b>Directions Hearing</b>	Frankston, 14 October 2016
<b>Panel Hearing</b>	Frankston, 10 November 2016
<b>Site Inspections</b>	Unaccompanied, 10 November 2016

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**Appearances**

- Frankston City Council, represented by James Smith, Senior Strategic Planner, and Kate Jewell, Strategic Planning Coordinator
- Public Transport Victoria, represented by Rosaria Pacheco and Michael Burton, both of the Department of Economic Development, Jobs, Transport and Resources' Transport Division
- VicTrack, represented by Sotirios Katakouzinis
- Frankston Beach Association Inc, represented by Joan Cavanagh
- Eve Welch, represented by Jenny Alexander
- Long Island Residents Group, represented by Robert Thurley

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**Date of this Report**      7 December 2016

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## Executive Summary

### (i) Summary

Frankston Planning Scheme Amendment C123 (the Amendment) seeks to:

- implement the *Frankston Metropolitan Activity Centre Structure Plan 2015* (the Structure Plan) insofar as it relates to the City Centre area (Precincts 1, 2 and 3 in the Structure Plan) by rezoning the City Centre area to the Activity Centre Zone Schedule 1
- rezone the foreshore area (Precinct 11 in the Structure Plan) to Public Park and Recreation Zone, now that development of that area in accordance with the *Kananook Creek Comprehensive Development Plan May 1999* and *Kananook Foreshore Development Structure Plan June 1998* is complete.

The two key issues raised in submissions concerned:

- building heights in Precinct 1B (which interfaces with the foreshore, Kananook Creek and established residential areas in Long Island)
- the appropriate zoning for the land in and around Frankston Station that is owned by VicTrack and used for railway purposes.

Other issues raised in submissions related to:

- the preferred height limit along Plowman Place
- street setbacks along Wells and Beach Streets
- whether the Structure Plan gives sufficient priority to the beach and foreshore
- impacts of development in the Activity Centre on surrounding areas
- the lack of economic analysis justifying the proposed built form controls
- potential contamination of the VicTrack land
- railway interface issues
- requirements for activated street frontages and landscaping within setbacks in the Station Precinct
- the extent of the Station Precinct
- completing the activation of the Kananook Creek Precinct
- creating a more vibrant and safer community heart as a desired destination
- the lack of an up to date parking strategy informing the Structure Plan
- pedestrian links between the City Centre area and Kananook Boulevard
- effective implementation of the Structure Plan and restoring respect for proper planning process and community consultation and public debate.

The Panel has considered all submissions and material presented to it during and after the Hearing, and concludes that the Amendment is supported and implements, the relevant sections of the State and Local Planning Policy Framework, and is largely consistent with relevant Ministerial Directions and Practice Notes. The Amendment is strategically justified and should proceed with some changes to address:

- railway interface issues
- the potential contamination of the VicTrack land



- the sensitive interface between Precinct 1B and the foreshore, Kananook Creek and established residential areas in Long Island
- stronger linkages between the Activity Centre Zone Schedule and the Structure Plan.

The Panel's preferred version of the Schedule to the Activity Centre Zone is set out in Appendix B, and includes other policy neutral drafting changes to improve the clarity and readability of the Schedule.

**(ii) Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Frankston Planning Scheme Amendment C123 be adopted as exhibited subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport purpose of the railway land.

5. Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:

**VicTrack land – potential contamination**

An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land, to the satisfaction of the responsible authority.

6. Make the other policy neutral drafting changes shown in Appendix B to this Report to improve the operation of Schedule 1 to the Activity Centre Zone.

# 1 Introduction

## 1.1 The Amendment

### (i) The purpose of the Amendment

The Amendment proposes to implement the *Frankston Metropolitan Activity Centre Structure Plan 2015* (the Structure Plan) insofar as it relates to the Frankston City Centre area (Area 1, and Precincts 1, 2 and 3 in the Structure Plan). It also proposes to rezone Area 2 (the Frankston foreshore area, and Precinct 11 in the Structure Plan) for public use now that development of that area in accordance with the *Kananook Creek Comprehensive Development Plan May 1999* and *Kananook Foreshore Development Structure Plan June 1998* is complete. Areas 1 and 2 are shown on Figures 1 and 2.

The Amendment proposes to:

- rezone Area 1 to Activity Centre Zone Schedule 1 (ACZ1)
- rezone Area 2 to the Public Park and Recreation Zone (PPRZ).

Specifically, the Amendment:

- rezones land in Precinct 1 from the current Commercial 1 Zone (C1Z) and Comprehensive Development Zone Schedule 2 (CDZ2) to the ACZ1
- rezones land in Precinct 2 from the current C1Z and Public Use Zone Schedule 4 (PUZ4) to the ACZ1
- rezones land in Precinct 3 (North) from the C1Z to the ACZ1
- rezones land in Precinct 3 (South) from the C1Z and Public Use Zone Schedule 5 (PUZ5) to the ACZ1
- rezones Area 2 from CDZ2 to PPRZ
- amends the Schedule to Clause 36.02 (the PPRZ) to include Area 2 as a Category 3 Advertising Sign area
- amends the Schedule to Clause 81.01 (incorporated documents) to delete the *Kananook Creek Comprehensive Development Plan, May 1999* from the schedule
- deletes Schedule 2 to the CDZ from the planning scheme.

At the Directions Hearing, Frankston City Council (Council) advised there was an error in the exhibited map relating to the property at 510N Nepean Highway Frankston at the western end of Plowman Street, which is crown land. The proposed zone should be PPRZ, rather than the exhibited ACZ1. A copy of the revised map, with the land in question identified by a red arrow, is included in Appendix A.

The Structure Plan includes 10 other precincts, which will be the subject of a future amendment.

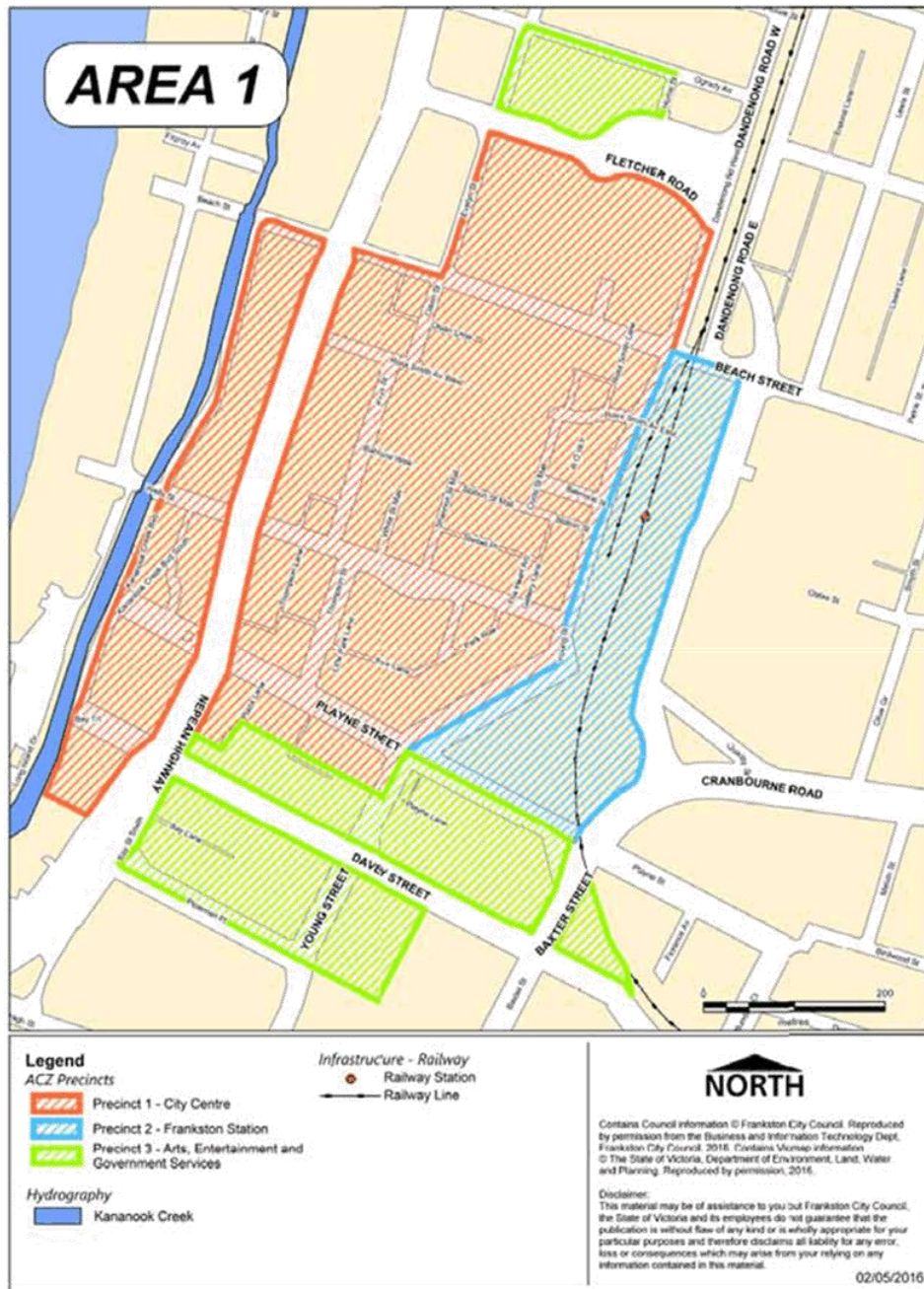


Figure 1 Area 1 affected by the Amendment  
 Source: Council's Part B submission



**(ii) Description of the Amendment**

**Area 1 (the City Centre)**

The ACZ1 provides direction on built form outcomes and the preferred location of different land uses in the City Centre area. It includes:

- a Framework Plan
- land use and development objectives and built form guidelines
- a use table that:
  - specifies section 1 uses (which do not require a permit), section 2 uses (which require a permit) and section 3 uses (which are prohibited)
  - directs preferred land uses to the relevant precincts in accordance with the Structure Plan
- a permit trigger for buildings and works, with certain minor exemptions
- application requirements and decision guidelines
- carve-outs from the general exemption from notice and review rights contained in the ACZ head clause.

For each Precinct within the City Centre area, the ACZ1 specifies:

- a precinct map, which provides more fine grained detail on use and development within the Precinct
- specific precinct objectives, requirements (including built form requirements) and guidelines.

The ACZ1 includes the Structure Plan as a reference document.

**Area 2 (the foreshore area)**

Council explained that Area 2 is being rezoned from CDZ2 to PPRZ because development in accordance with the CDZ2 and accompanying *Kananook Creek Comprehensive Development Plan May 1999* and *Kananook Foreshore Development Structure Plan June 1998* is now complete. This development includes the Frankston Yacht Club, Frankston Lifesaving Club, Sofia's Restaurant, Visitors Centre, car parking areas, boardwalks, footpaths and landscaping redevelopments. Council considers that the PPRZ is the most appropriate zone for the foreshore, and would accord with the zoning of foreshore areas around Port Phillip Bay that provide similar facilities, such as Mornington, Mordialloc, Half Moon Bay, Sandringham and St Kilda.

**1.2 Panel process**

Council received authorisation to prepare the Amendment on 19 June 2015, subject to the condition that prior to exhibiting the Amendment, Council contacts Public Transport Victoria (PTV) and VicTrack to confirm in writing that they support rezoning land in and around the Frankston Station precinct from PUZ4 to ACZ1. PTV and VicTrack provided written responses on 24 March 2016 and 14 June 2016 respectively, indicating that while they were not entirely comfortable with the Station Precinct being rezoned from PUZ4 to ACZ1, they were happy for the Amendment to go on exhibition, and raise their concerns through the submission process.

The Amendment was exhibited from 27 June to 5 August 2016. 9 submissions were received, 6 of which opposed the Amendment<sup>1</sup>. Council resolved to refer the submissions to a Panel on 29 August 2016.

The Panel considered all written submissions made in response to the exhibition of the Amendment, as well as further submissions, evidence and other material presented to it during the Hearing, and observations from its site visit.

This report deals with the issues under the following headings:

- Planning context
- The Station Precinct
- Built form
- Other issues
- Drafting matters.

### 1.3 Summary of issues raised in submissions

The key issues raised in the submissions of the various parties are briefly summarised below. Council made no post-exhibition changes to the Amendment, and all of the issues raised in submissions remain outstanding.

#### (i) Planning Authority

The key issues for Council were:

- providing for, and appropriately managing, the significant growth and change in the Activity Centre, reflecting its status as a Metropolitan Activity Centre in Plan Melbourne
- providing for an appropriate zoning for the foreshore area now that development of the area in accordance with the *Kananook Creek Comprehensive Development Plan May 1999* and *Kananook Foreshore Development Structure Plan June 1998* is complete.

#### (ii) Relevant agencies

The key issues for PTV and VicTrack were:

- the application of the ACZ1 over VicTrack owned land
- the Amendment does not address potential contamination of the VicTrack land
- railway interface issues
- requirements for activated street frontages and landscaping within setbacks
- the extent of the Station Precinct.

#### (iii) Individual submitters or groups of submitters

The key issues for submitters were:

- the preferred height limit (32 metres) in Precinct 1B
- the preferred height limit (26 metres) along Plowman Place

<sup>1</sup> DELWP, South East Water and the Country Fire Authority made submissions indicating that they did not object to the Amendment.

- there should be minimum 3 metre street setbacks for Wells and Beach Streets
- the Structure Plan does not give sufficient priority to the beach and foreshore
- the lack of economic analysis justifying the proposed built form controls
- completing the activation of the Kananook Creek Precinct should remain a priority
- impacts of development in the Activity Centre on surrounding areas
- creating a more vibrant and safer community heart as a desired destination
- the lack of an up to date parking strategy informing the Structure Plan
- pedestrian links between the City Centre area and Kananook Boulevard
- effective implementation of the Structure Plan and restoring respect for proper planning process and community consultation and public debate.

#### **1.4 Limitations**

Submissions raised some matters which are beyond the scope of the Amendment:

- the Structure Plan is not consistent with the shared community vision
- community concerns expressed during the consultation phases on the Structure Plan have not been taken into account
- concerns in relation to Council's decision-making processes
- concerns in relation to specific development applications (450 Nepean Highway)
- concerns in relation to the process that led to the approval of the South East Water building on Kananook Creek Boulevard
- parking restrictions should be imposed in certain parts of the City Centre area.

The Panel does not comment on these matters, as they are beyond the scope of the Amendment.

## 2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report. That response is not repeated here.

The Panel has reviewed the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

### 2.1 The Structure Plan

The Structure Plan sets out a 20 year vision and plan for the renewal and revitalisation of the Frankston City Centre. It provides land use and built form guidance that, in Council's submission, ensures high quality development outcomes and demonstrates how growth can be accommodated.

According to Council's Part A submission, the key steps in the development of the Structure Plan were:

Table 1 Key steps in the development of the Structure Plan

Date	Step
2011	Initial public engagement program commenced.
November 2011	The <i>Frankston Activities Area Community and Stakeholder Engagement Feedback Report</i> was finalised, which identified attributes and themes which form the starting point for the development of the Structure Plan.
May 2013	The Draft Frankston Activities Area Structure Plan was finalised, based on the November 2011 Feedback report and the <i>Frankston Building Heights and Setbacks Study 2013</i> .
June 2013	The draft Structure Plan was presented to Council and released for further public consultation.
July to October 2013	A consultation program developed by the then Department of Transport, Planning and Local Infrastructure (DTPLI) and Council took place, resulting in: <ul style="list-style-type: none"><li>• nineteen written submissions</li><li>• nine feedback forms</li><li>• 130 online surveys.</li></ul>
December 2013	The draft Structure Plan was presented to Council but was not adopted (the reasons for not adopting the Structure Plan were not explained).
January 2015	The then Metropolitan Planning Authority (now the Victorian Planning Authority) assisted Council to finalise the Structure Plan.
25 May 2015	Council adopted the Structure Plan and authorised officers to lodge a request with the Minister for Planning to prepare a planning scheme amendment to implement the Structure Plan.



The Structure Plan was informed by the following background studies (which are listed in the Appendix to the Structure Plan):

- *Renewing Frankston's City Centre - Community and Stakeholder Engagement Feedback Report, 2011* (Capire Consulting)
- *Frankston Building Heights and Setbacks Study, 2013*
- *Frankston Activities Area Economic and Market Feasibility Study, 2011* (Charter Keck Cramer)
- *Frankston TAFE to Bay Structure Plan, 2005*
- *Frankston Neighbourhood Character Study, 2002*
- *Frankston Draft Streetscape Strategy, 2012*
- *Ebdale Precinct - Context and Guidelines, 2010*
- *Frankston Central Activities District Car Parking Study, 2010*
- Frankston Planning Scheme
- Plan Melbourne
- Melbourne @ 5 Million
- *Victorian Transport Plan, 2008*
- *Frankston Bicycle Strategy, 2010*
- *Nepean Highway Boulevard Framework Plan, 2013* (DTPLI).

## 2.2 Policy framework

### (i) Plan Melbourne

Plan Melbourne identifies Frankston as an existing Metropolitan Activity Centre. Metropolitan Activity Centres are “*places of investment and employment*” that are to be the focus of new housing redevelopment opportunities, and public and private investment that facilitates new commercial development and jobs growth. The strategic direction for Metropolitan Activity Centres is:

*To maximise access to goods and services in a limited number of major centres with good public transport networks. These centres will play a major service delivery role, including government, health, justice and education services, retail and commercial, and provide a diverse range of jobs, activities and housing for a subregional catchment.*

Plan Melbourne advocates transit-oriented development as a key way to achieve employment and population growth and economic, social and environmental benefits from co-locating employment, population and public transport. Initiative 1.6.1 states:

*Land around railway stations and train corridors can provide valuable development opportunities, due to the access to public transport. Over the coming decades, we will be building a number of new railway stations as we develop the network and we will ensure these are integrated with land development. Existing stations and corridors will also be assessed for their development potential.*

Plan Melbourne identifies Frankston Station as an urban renewal opportunity for the Southern Subregion, and Initiative 1.6.1 states:

*Individual proposals would be subject to business case approval. The aim is to incorporate new commercial and housing activities at locations that include:*

- *Frankston station as part of the development of the Frankston Metropolitan Activity Centre.*

**(ii) State Planning Policy Framework**

Council submitted that the Amendment is supported by the following clauses in the SPPF:

- **Clause 11 (Settlement):** The proposed Amendment meets the objective of encouraging the concentration of major developments into activity centres which provide a variety of land uses which are highly accessible and making more efficient use of existing infrastructure, especially public transport provision. It also provides for greater housing and employment opportunities in a centre with excellent access to services and public transport.
- **Clause 12 (Environment and Landscape Values):** By facilitating development that will house increased population growth within a designated Metropolitan Activity Centre, capitalises on opportunities for a larger residential population to live within a relatively small footprint.
- **Clause 15 (Built Environment and Heritage):** The amendment will encourage a safe and functional urban environment that is supported by well-designed buildings and appropriate land uses that contribute to a sense of place and cultural identity.
- **Clause 16 (Housing):** By encouraging an increase in housing density and diversity, which will develop supply and choice within the Frankston Metropolitan Activity Centre.
- **Clause 17 (Economic Development):** The proposed amendment will encourage investment in a range of land uses, including residential, retail, entertainment, office and other commercial services that respond to need within the local area and region and contribute to a thriving economy.
- **Clause 18 (Transport):** By promoting land use and development that is integrated with existing public transport, and coordinated with improvements to public transport. Clause 18 also encourages higher densities and mixed use developments near railway stations and transport interchanges, which is directly supported by the amendment through the inclusion of the Frankston Station Precinct within the proposed Activity Centre Zone.
- **Clause 19 (Infrastructure):** The proposed amendment supports the development of arts, recreation and cultural facilities within the Frankston Metropolitan Activity Centre in locations accessible by public transport.

**(iii) Local Planning Policy Framework**

Council submitted that the Amendment supports the following local planning objectives:

- **Clause 21.02 (Key Issues):** This clause identifies the need to actively plan for growth and the need to provide a diversity of housing choice, including higher density housing in established areas. The proposed amendment plans for growth within the Frankston Metropolitan Activity Centre and seeks a diversity of housing through the application of the Activity Centre Zone in the city centre.

- **Clause 21.03-3 (Strategic Framework Plan):** This clause seeks to reinforce the dominance of the Frankston Metropolitan Activity Centre and provide for increased housing densities around the centre. The clause also seeks to support opportunities to increase public and non-motorised transport usage. The amendment proposes the rezoning of the city centre to the ACZ which encourages increased residential densities and to improve public and non-motorised transport modes within and to the city centre.
- **Clause 21.04 (Settlement):** This clause seeks to accommodate population growth and housing demand in areas best suited to provide a quality living environment, while ensuring that the city centre develops as a vibrant area with a positive image, thriving economy and large resident population.
- **Clause 21.07 (Housing):** This clause identifies issues including accommodating the future projected population of the municipality while protecting and enhancing the amenity of residential areas. The clause seeks to realise the potential of the city centre to provide for significant additional higher density residential development.
- **Clause 21.08 (Economic Development):** The proposed application of the ACZ within the city centre accords with the objectives of this clause which includes facilitating a wide range of compatible activities within the city centre and to encourage consistent, high quality urban design and streetscapes.
- **Clause 21.10 (Built Environment and Heritage):** This clause seeks a high level of architectural, urban and sustainable design in new development that projects a positive image of the City. Through the application of the ACZ, the amendment seeks the creation of a well-designed urban environment.

**(iv) Other planning strategies or policies used in formulating the Amendment**

Council submitted that the Amendment complies with the relevant requirements of the *Transport Integration Act 2010*, as the Amendment seeks to maximise access to the transport system by encouraging a range of land uses and increased densities within walking distance of the Station Precinct.

VicTrack submitted that the proposed rezoning of the VicTrack land from PUZ4 to ACZ1 is inconsistent with the principles and objectives in the *Transport Integration Act 2010*, in that it signals land available for development that is (and remains) required for transport purposes.

**2.3 Planning scheme provisions**

The ACZ includes the key purposes:

- To encourage a mixture of uses and the intensive development of the activity centre:
  - As a focus for business, shopping, working, housing, leisure, transport and community facilities.
  - To support sustainable urban outcomes that maximise the use of infrastructure and public transport.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
- To facilitate use and development of land in accordance with the Development Framework for the activity centre.

The PPRZ includes the key purposes:

- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

The PUZ includes the key purposes:

- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

## 2.4 Ministerial Directions and Practice Notes

### (i) Ministerial Directions

#### Ministerial Direction No 1 (Potentially Contaminated Land)

Ministerial Direction No 1 requires a planning authority to satisfy itself that the environmental conditions of potentially contaminated land are (or will be) suitable for any sensitive uses proposed to be allowed by a planning scheme amendment. The Direction defines potentially contaminated land as land known to have been used for (among other things) industry or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).

#### Other Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

- Ministerial Direction No 9 (Metropolitan Strategy), by facilitating investment and supporting opportunities for growth and development within a designated Metropolitan Activity Centre
- the strategic considerations set out in Ministerial Direction No 11 (Strategic Assessment of Amendments)
- the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the *Planning and Environment Act 1987*.

### (ii) Planning Practice Notes

#### Planning Practice Note 56: Activity Centre Zone

PPN56 provides guidance on the function and application of the ACZ. It states that the ACZ has been developed specifically for application at Metropolitan Activity Centres (among other locations). It requires Councils to have an adopted structure plan (or other significant strategic work) for the centre where the ACZ will be applied, and encourages the application of precincts across an activity centre based on predominant preferred land use for the precinct.

The practice note addresses whether it is appropriate to apply the ACZ on public land in activity centres:

*There will be instances where the boundary for an activity centre will include land which is not appropriate to be rezoned to the ACZ. This may include public use zones or recreation zones. ... in most instances, the public use or recreation zones should be retained.*

The practice note states that the default position is that third party notice and review rights do not apply in the ACZ, because the structure plan on which the ACZ is based will have gone through a consultation process.

The practice note states that the schedule to the ACZ should not be used to amend the car parking requirements that are specified in Clause 52.06 of the planning scheme, and that the proper way to amend the standard parking requirements is through the application of a Parking Overlay.

#### **Planning Practice Note 60: Height and setback controls for activity centres (June 2015)**

PPN60 provides guidance on height and setback controls for activity centres. Height and setback controls must be soundly based on strategic research that includes a comprehensive built form analysis that evaluates built form objectives, land use outcomes and economic growth consistent with State policy.

PPN60 makes it clear that height and setback controls should be discretionary, combined with clear design objectives that guide the discretion. Mandatory controls should only be applied in exceptional circumstances, and even then only when absolutely necessary to achieve objectives or outcomes identified in the comprehensive built form analysis, and where discretionary controls could demonstrably result in an unacceptable built form outcome. PPN60 states that exceptional circumstances might include:

- sensitive coastal environments where exceeding an identified height limit will unreasonably detract from the significance of the coastal environment
- significant landscape precincts such as natural waterways, regional parks and areas where dense tree canopies are the dominant feature.

#### **Planning Practice Note 2: Public Land Zones**

PPN02 states that a public use zone will be appropriate where the surrounding zoning is inappropriate, or where there is a special reason to separately identify the public land for planning purposes – for example, if a public land manager needs greater flexibility, protection or exemption than that provided by the surrounding zone provisions because of the special nature of the public land or asset and its control (in a land use or management sense) under another Act. PPN02 notes that public land zones are not intended to identify the legal status of the land, or indicate the existing land use, and that land should not be automatically included in a public land zone simply because it is public land.

## **2.5 Conclusion**

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Frameworks. The Amendment facilitates growth consistent with the Activity Centre's role as a Metropolitan Activity Centre, and

encourages transit-oriented development, in line with the objectives and initiatives outlined in Plan Melbourne.

The Panel considers that the Amendment is consistent with the objectives and principles in the *Transport Integration Act 2010*, as the ACZ1 recognises the importance of the transport functions within the Activity Centre (including railway and bus transport services), and does not compromise current or future transport operations.

The Amendment is consistent with the relevant Practice Notes. In particular, the Panel considers that the Amendment is consistent with the requirements of:

- PPN58 and PPN02 relating to the zoning that should apply to public land, for the reasons set out in Chapter 3.4
- PPN60 relating to mandatory versus discretionary height controls, for the reasons set out in Chapter 4.7.

The Amendment is consistent with the relevant Ministerial Directions, although the Panel recommends that an additional application requirement be added to the ACZ1 addressing the issues raised in Ministerial Direction No 1 Potentially Contaminated Land.

The Amendment should proceed, subject to the Panel's recommendations and drafting changes.

## 3 The Station Precinct

### 3.1 The issues

The issues are:

- the application of the ACZ1 over VicTrack owned land
- the Amendment does not address potential contamination of the VicTrack land
- railway interface issues
- requirements for activated street frontages and landscaping within setbacks
- the extent of the Station Precinct.

### 3.2 Background

The Station Precinct includes land owned by VicTrack, some Council owned land and some privately owned land. The land occupied by tracks and the station is zoned Public Use Zone Schedule 4 (PUZ4), and the balance of the Precinct is zoned Commercial 1 Zone (C1Z). This includes the carpark on the western side of the station, which is located on VicTrack land. The Precinct Map for Precinct 2 (the Station Precinct) is extracted in Figure 3.

According to PTV/DEDJTR, the Station Precinct includes:

- a bus interchange on Young Street
- a rail station with electric passenger rail services operating from Melbourne to Frankston
- diesel passenger rail service from Frankston to Stony Point
- diesel freight rail lines
- train stabling
- refuelling of diesel trains
- engine maintenance of diesel services
- commuter car parking.

Council contested the assertion that maintenance, refuelling and stabling activities take place in the Station Precinct. It submitted that maintenance is undertaken at Newport, overnight stabling occurs in the city and refuelling activities are undertaken further up the line towards Stony Point.

There are long term plans to electrify the line from Frankston to Baxter<sup>2</sup>, and PTV/DEDJTR submitted that the maintenance facility in the Station Precinct will be re-located to Baxter at that time. At present, these plans are unfunded, and there is no commitment regarding when the electrification project will proceed.

The Victorian Government is investing \$63 million in the Frankston Station Precinct Redevelopment Project, which is being delivered by a government appointed taskforce. The taskforce has delivered the Frankston Station Master Plan (a copy of which is contained in Document 1B), and a report containing recommendations which include a recommendation to facilitate development of Council and State Government owned land to potentially accommodate higher intensity uses to support the objectives of the Structure Plan.

<sup>2</sup> These plans are outlined in PTV's *Network Development Plan - Metropolitan Rail December 2012*.

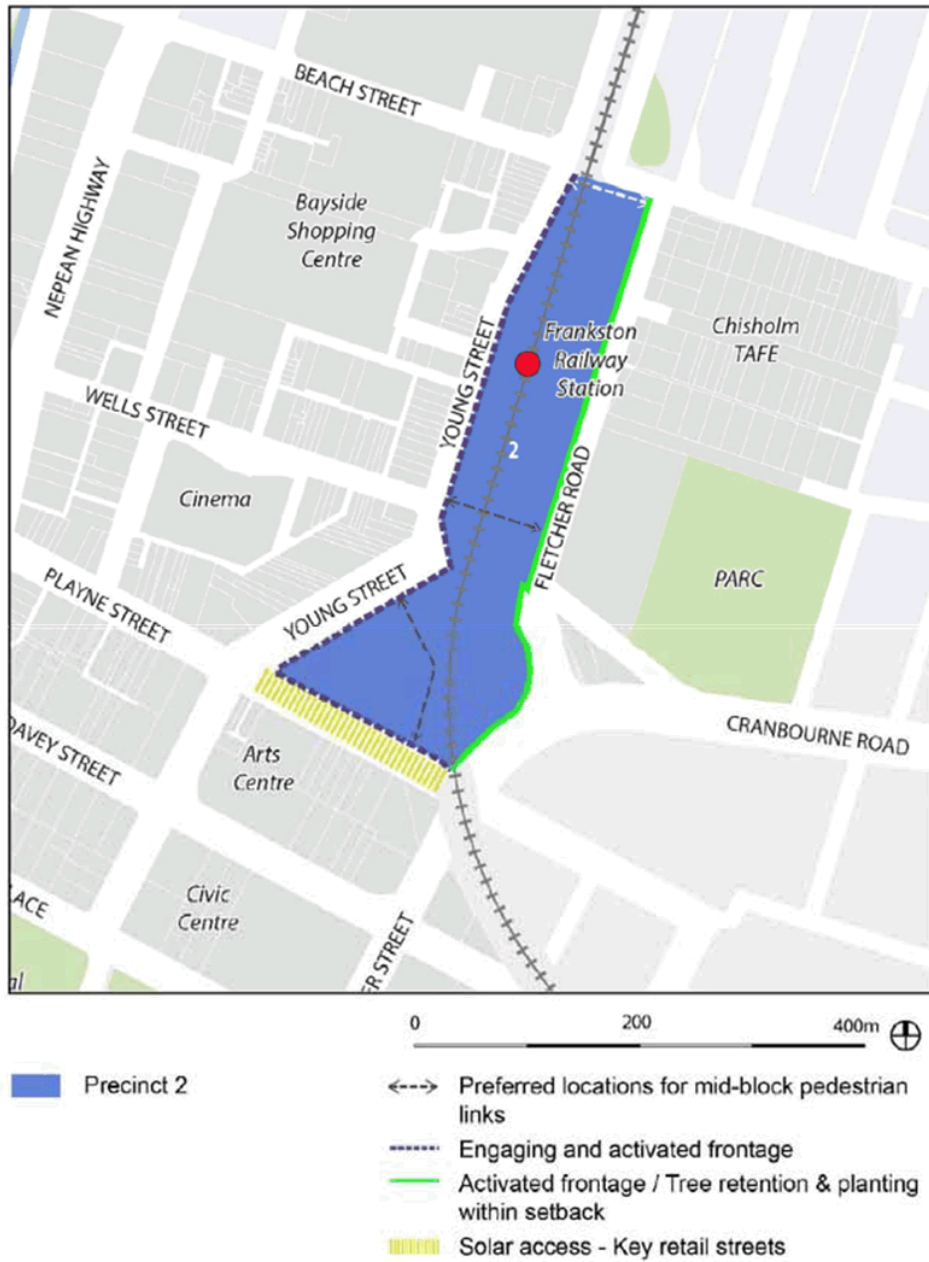


Figure 3 Precinct Map for Precinct 2  
(Source: ACZ1)



### 3.3 Submissions

#### (i) Retention (and extension) of the Public Use Zone

PTV/DEDJTR and VicTrack do not support the Amendment as exhibited. They submitted that rezoning any part of the VicTrack land is premature while the primary purpose and function of the land remains for transport purposes. They submitted that rezoning should not occur until the design (or at least the footprint) of the future Frankston Station redevelopment has been resolved and electrification to Baxter occurs, at which point surplus land can be identified for redevelopment and/or disposal.

VicTrack went further, submitting that the ACZ1 constitutes “mixed messaging”, and that Council was not at liberty to apply a zone which would “deprive the land of its intended purpose”. It submitted:

*Rail corridor planning is not adequately integrated into many planning schemes, and removal of the PUZ4 either inadvertently or intentionally can result in significant consequences for transport provision. VicTrack therefore requires that any departure from the PUZ4 should demonstrate that the primacy of the transport purpose is retained without the need for planning approvals, and ancillary railway station uses such as convenience, food and drink and service shops do not require a planning permit.*

PTV/DEDJTR and VicTrack acknowledged that the ACZ has been applied in other railway station precincts, such as Footscray and Geelong, but submitted that a different approach should be taken in Frankston because Frankston (unlike Footscray) accommodates maintenance, refuelling and stabling facilities. PTV cited Epping Central as an example of where the PUZ4 had been retained over stabling and track land, while the station and surrounding area was rezoned ACZ.

PTV/DEDJTR and VicTrack submitted that the current application of the C1Z to substantial portions of the VicTrack land was an anomaly or a mapping error, and that the PUZ4 should be extended to cover all of the VicTrack land.

Council submitted that the ACZ1 should be applied over the VicTrack land so as to provide consistent, streamlined and simplified planning controls over the City Centre area. It submitted that this was consistent with the directions and initiatives of Plan Melbourne (summarised in Chapter 2.2), and that a best practice approach to integrated transport and development opportunities in and around Frankston Station requires a uniform zoning. It submitted that the ACZ1 would better facilitate the Frankston Station redevelopment project.

Council submitted that the ACZ1 would not interfere with current railway operations or the planned Baxter electrification project, as the ACZ1 has been drafted to ensure that no planning permits are required for any public transport use (including railway and bus uses), or buildings and works for transport purposes (providing the use is carried out by, or on behalf of, the public land manager). Council submitted that the preferred building heights and setbacks under the ACZ1 controls should be applied to the Station Precinct now, before any redevelopment footprints for the Frankston Station redevelopment project are resolved,

to ensure that future redevelopment is consistent with the preferred building envelopes identified in the Structure Plan.

**(ii) Environment Audit Overlay**

VicTrack submitted that the Amendment does not adequately consider the potentially contaminated status of the VicTrack land, as it does not propose to apply an Environmental Audit Overlay (EAO) to the land. It submitted that a Phase 1 environmental site assessment (PESA) carried out on the land in 2012 (a copy of which was provided to the Panel after the Hearing) identified a number of potential sources of contamination on the VicTrack land.

This was a new issue raised by VicTrack at the Hearing. Council therefore had limited opportunity to respond to this issue. It submitted in verbal closing submissions that in the absence of solid evidence of contamination, it was *"a long bow to draw"* to suggest that an EAO should be applied.

**(iii) Impacts of railway operations on surrounding land**

VicTrack submitted that surrounding development that will be facilitated by the ACZ1 would be impacted by, and would have impacts on, railway operations, and that this had not been considered. It raised issues such as noise and vibration attenuation, interference with train drivers' sight lines and visibility (for example through sun glare), allowance for sag or sway movement of overhead railway powerlines and balconies abutting railway land. It submitted that *"privately owned land in Precinct 2 should be required to respond to the rail environment and context. There should at least be objectives which address these issues"*.

Council responded that the ACZ1 adequately dealt with railway interface issues, and pointed to the several references to the railway land contained in the ACZ1 controls.

**(iv) Activated frontage and tree retention/planting requirements**

PTV/DEDJTR objected to the Precinct Map for Precinct 2 in the ACZ1, which indicates requirements for 'engaging and activated frontages' along Young Street, and 'activated frontage/tree retention and planting within setback' along Fletcher Road.

Council submitted that the requirements do not affect any buildings and works for transport purposes. It is only relevant to future buildings and works for non-transport purposes.

**(v) The extent of Precinct 2**

VicTrack submitted that it would be preferable if Precinct 2 (the Station Precinct) were limited to the VicTrack land, as the balance land in Precinct 2 *"has a limited relationship with the transport purpose of the VicTrack land"*.

**(vi) Drafting issues**

PTV/DEDJTR indicated at the Hearing that it was satisfied that the controls as exhibited adequately provided for existing and future railway operations.

The Panel invited VicTrack to provide drafting comments on the ACZ1 following the Hearing. Comments were provided on 2 December 2016. The main changes requested by VicTrack were:

- an additional land use and development objective in Clause 2.0 to ensure that residential development does not adversely impact on current and future railway operations
- an additional precinct objective in Clause 5.2-2 to encourage development to be responsive to current and future railway operations
- additional application requirements in Clause 6.0 that:
  - any applications on VicTrack land or airspace by any person other than the public land manager be made with the public land manager's consent
  - any applications on rail land be accompanied by a report which verifies that the proposed use is appropriate to the level of environmental assessment
- additional decision guidelines in Clause 8.0 that require the responsible authority to consider:
  - noise and vibration measures to provide a high level of residential amenity and protect current and future rail operations
  - whether the development is appropriately located and designed having regard to rail interface issues and impacts on the railway land
  - the views of VicTrack and PTV.

### 3.4 Discussion

The Panel agrees with Council that the future redevelopment of the Station Precinct (including any redevelopment of any parts of the VicTrack land) is more likely to be better integrated, functionally and physically, with the broader redevelopment of the Activity Centre as a whole if the ACZ1 is applied now to the entire Station Precinct.

The Panel disagrees with PTV/DEDJTR and VicTrack's submissions that the application of the ACZ1 would signal that transport is no longer the primary purpose of the VicTrack land, or that the land is available for disposal and/or redevelopment. The ACZ1 clearly recognises that the railway land will continue to be used for railway purposes for the foreseeable future.

The Panel was not persuaded that the presence of stabling, maintenance or refuelling facilities justifies the retention of the PUZ4. All of these uses can proceed without a permit under the ACZ1, as can any future land use or buildings and works for transport purposes (including the Baxter electrification project).

The Panel considers that the application of the ACZ1 is consistent with the general principles outlined in PPN02, including that a public use zone should only be applied if the surrounding zone is inappropriate. The application of the ACZ1 represents orderly planning in that it will not compromise current or future transport operations, and will ensure that any future redevelopment of the station area for non-transport purposes will be consistent with the land use and built form outcomes sought by the Structure Plan.

The Panel concludes that the PUZ4 should not be retained over the VicTrack land. It goes without saying that the Panel also concludes that the PUZ4 should not be extended to cover all of the land currently owned by VicTrack.

It would have been helpful if VicTrack had raised the contamination issue in its initial discussions with Council regarding the Amendment (or even in its submission to Council

about the Amendment), rather than it being raised for the first time at the Hearing. Council did not have an opportunity to give the issue proper consideration. The Panel encourages VicTrack to address these issues more proactively should they arise in future amendments.

The Panel has reviewed the PESA for the VicTrack land carried out in 2012<sup>3</sup>. The PESA was conducted to investigate potential contamination on the site that might impact on the Frankston Station Redevelopment Project. The PESA indicates that past uses on the site have included industry and other potentially contaminating uses (including a dry cleaning store and factory, and a briquette depot). It also identified an above ground diesel fuel tank and bunded diesel refuelling area.

The PESA concluded that there is the potential for contamination to exist in soil and groundwater. It went on:

*Frankston City Council may also require a statutory environmental audit as part of any planning application in accordance with the State Environmental Protection Policy and/or Ministerial Direction No. 1 Potentially Contaminated Land. If the future development is subject to a condition that does require a statutory audit, significant costs and extended time frames may be realised ...*

*The contamination status of the soil and groundwater could only be verified through the completion of an intrusive site assessment. To further characterise the conditions of the site and further assess the feasibility of the proposed redevelopment, it is recommended that the following works are initially undertaken to evaluate the site:*

- *A targeted soil assessment in the vicinity of the potential contamination sources identified; and*
- *A groundwater assessment to investigate the contaminant concentrations on site from both on-site and off-site potential contamination sources.*

In light of the findings and recommendations of the PESA, the Panel considers it would be appropriate for any future application to redevelop the VicTrack land for a sensitive use to demonstrate to the responsible authority's satisfaction that the land is suitable for that use.

The Panel does not consider that the findings and recommendations of the PESA warrant the application of an EAO. An EAO would require either a certificate or statement of environmental audit to be obtained, which involves a relatively high level of environmental investigation and (as noted by the PESA) could have significant time and cost implications. The Panel considers that the preferable approach is to require an Environmental Site Assessment to the satisfaction of the responsible authority (which may be guided by the findings of the PESA).

The Panel is satisfied that subject to the specific drafting changes discussed below, the ACZ1 adequately deals with the impacts of railway operations on surrounding land, and the potential impacts of future development proposals on railway operations. The ACZ1

<sup>3</sup> *Phase 1 Environmental Site Assessment Frankston Station Precinct Frankston, Victoria* (January 2012) prepared by Prensa.

contains a number of requirements relating to the interface between the railway and surrounding land, including:

- a precinct guideline for the Station Precinct that new development respond to the rail environment and its context as a transport corridor
- a requirement that built form consider the impacts of new development on railway land, and have regard to the primacy of this land for transport purposes
- an application requirement for all buildings and works applications to be accompanied by information on how the development addresses any interface issues with railway land (including but not limited to railway infrastructure, drainage, vibration, overlooking, sun glare, noise and sight lines).

The requirements relating to activated street frontages and tree planting within setbacks only apply to new development. They will not impact on current railway operations.

The Panel was not persuaded that Precinct 2 should be limited to the VicTrack land. The purpose of identifying precincts in the Structure Plan and the ACZ1 is to ensure integrated planning and development of these areas on a precinct basis. Precincts are not intended to identify the use of the land.

The Panel agrees with VicTrack that an additional precinct objective should be included in Clause 5.2-2 which specifically recognises the primacy of the transport purpose of the railway land, and the need for use and development in the Station Precinct to be responsive to railway operations. While the ACZ1 already contains guidelines and requirements relating to the railway land and operations, they are largely limited to built form responses, and do not necessarily address the broader issues of recognising and protecting the primacy of the transport purposes of the railway land, and current and future railway operations. The Panel has included an additional precinct objective in its preferred version of the ACZ1 in Appendix B, which is worded slightly differently to VicTrack's version.

The Panel does not consider that the additional land use and development objective requested by VicTrack in Clause 2.0 of the ACZ1 is required. The issues are adequately addressed by the additional precinct objective in Clause 5.2-2.

The Panel does not consider that the ACZ1 should require applications on VicTrack land or airspace to be accompanied by the public land manager's consent. The Panel considers that section 48 of the Act adequately deals with this issue.

VicTrack requested a change to the ACZ1 that would require the responsible authority to consider the views of VicTrack and PTV in relation to permit applications. Railway interface issues are important, and the Panel considers that input from VicTrack and/or PTV could be valuable in relation to applications that could impact on the railway land (and vice versa). However the Panel does not favour the approach suggested by VicTrack. In the absence of a notice requirement, there is no statutory process by which VicTrack/PTV are able to provide their views. The Panel considers that before adopting the Amendment, Council should explore this issue further with VicTrack.

The Panel does not consider that VicTrack's request for additional decision guidelines in Clause 8.0 are justified. The Panel considers that railway interface issues (including noise and vibration issues specifically, and building design more generally) are adequately dealt

with by the existing guidelines and requirements in the ACZ1, and the new precinct objective recommended by the Panel.

### 3.5 Conclusions

The Panel concludes:

- It is appropriate to apply the ACZ1 to the Station Precinct notwithstanding that some of the land within this precinct is currently used for transport purposes (and will continue to be used for transport purposes for the foreseeable future).
- There should be no adjustments to the precinct boundaries for the Station Precinct.
- Activated street frontage and tree planting requirements only apply to new development, and will not impact on current rail operations.
- Prior to the Amendment being adopted:
  - A precinct objective should be added to Clause 5.2-2 of the ACZ1 which specifically recognises the primacy of the transport purpose of the railway land, and the need for use and development in the Station Precinct to be responsive to railway operations.
  - An application requirement should be added to Clause 6.0 of the ACZ1 that applications to redevelop the VicTrack land for a sensitive use be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land.
  - Council should further explore with VicTrack how best to ensure that the views of VicTrack and/or PTV are sought and taken into account in relation to applications that could impact on the railway land (and vice versa).

### 3.6 Recommendations

The Panel makes the following recommendations:

**Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:**

*To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport purpose of the railway land.*

**Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:**

***VicTrack land – potential contamination***

***An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land, to the satisfaction of the responsible authority.***

## 4 Built form

### 4.1 The issues

The issues are:

- the preferred height limits in Precinct 1B are too high
- the preferred height limits in Plowman Place are too low
- there should be minimum 3 metre setbacks along Wells and Beach Streets
- impacts of development in the Activity Centre on surrounding areas
- the lack of economic analysis justifying the proposed built form controls
- height limits should be mandatory, not discretionary.

### 4.2 Background

The proposed height limits for each Precinct in the Activity Centre are shown in Figure 4 from the Structure Plan, which is extracted as Figure 4. The height limits of concern raised in submissions are:

- Precinct 1B – 32 metres with a 12 metre podium on some frontages (setback of 5 metres above the podium).
- Plowman Place – 26 metres with a 12 metre podium (setback of 5 metres above the podium).

The concerns about heights in Precinct 1B relate predominantly to the section of Precinct 1B between the Nepean Highway and the foreshore. Plowman Place is located in Precinct 3C, in the southern portion of Precinct 3. The Precinct Maps for Precinct 1B and Plowman Place are extracted as Figures 5 and 6.

Council advised that the preferred heights and setbacks in the Structure Plan are derived from the *Frankston Central Activities Area Building Heights and Setbacks Study 2013* (the 2013 Study). Council advised that both the Structure Plan and the 2013 Study were the subject of community consultation.





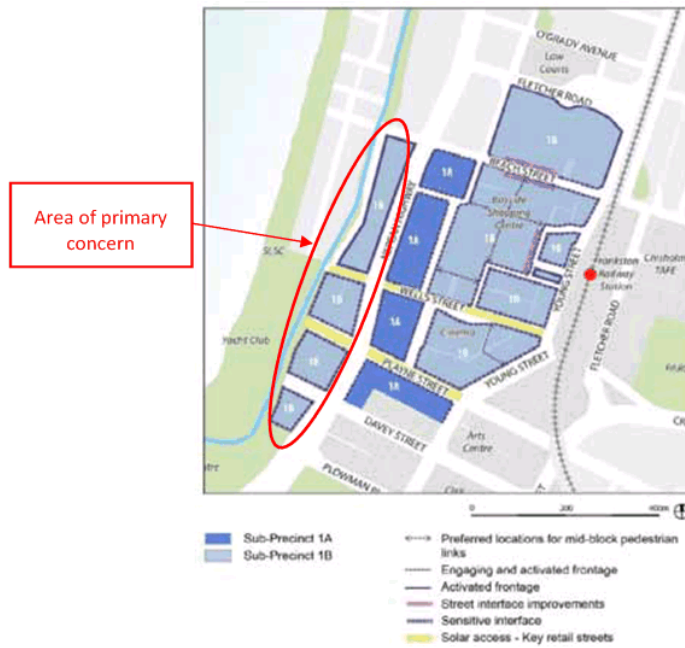


Figure 5 Precinct map for Precinct 1

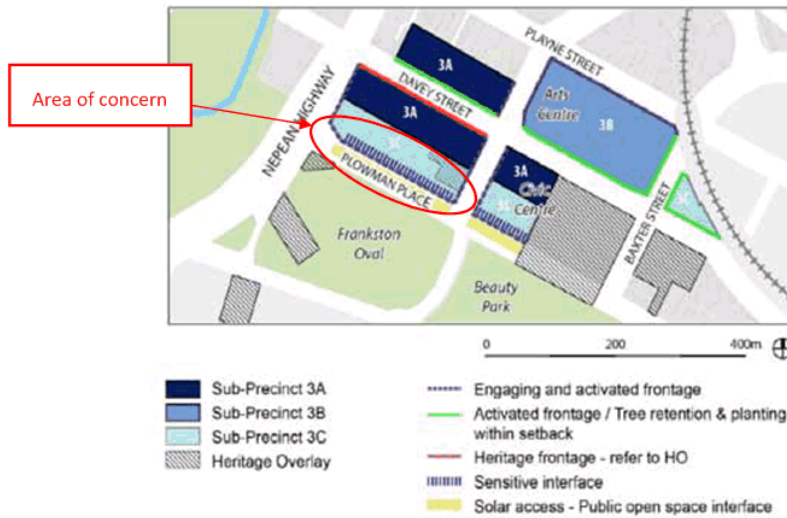


Figure 6 Precinct map for southern portion of Precinct 3  
 Sources: Activity Centre Zone Schedule 1

### 4.3 Building heights in Precinct 1B

#### (i) Submissions

Long Island Residents Group submitted that 32 metres is too high for Precinct 1B. It submitted that height should be directed to other land (for example, areas behind the Station) that could accommodate growth without compromising the sensitive coastal environment and Kananook Creek. Long Island Residents Group was particularly concerned about the possibility of a “*high rise wall*” of tall buildings along the foreshore, submitting that for many years the community had expressed deep concern about high rise development along the foreshore. It submitted that the height controls reflected in the Structure Plan are not consistent with earlier strategic planning work, such as the *Frankston Tafe to Bay Structure Plan 2005*, which better reflect community expectations.

Frankston Beach Association Inc raised similar issues to the Long Island Residents Group. It submitted that “*medium sized developments*” would cater for the required growth, while better preserving the seaside ambience and sunshine in the streets. It submitted that the interim height controls introduced by Amendment C49 to the Frankston Planning Scheme<sup>4</sup> would be more appropriate (C49 applied a limit of 20 metres at the foreshore, stepping up to 32 metres around the Station area).

Ms Welch (represented by Ms Alexander) objected to the proposed row of “*high rise*” development along the foreshore in Precinct 1B, and submitted that a 3 storey limit should apply to the parts of the Activity Centre fronting the foreshore, to maintain the “*village atmosphere*”.

Several community submitters expressed concerns that the Amendment would allow more buildings like the South East Waster building on Kananook Boulevard to be developed along the foreshore, which they felt would be a bad planning outcome.

Council submitted that Frankston is no longer a seaside village. As a Metropolitan Activity Centre, it is required to “*pull its weight*” in terms of growth. It submitted that the building heights encouraged throughout the Activity Centre will provide for new development to support population growth and future needs for a range of uses, consistent with State planning policy including Plan Melbourne. Council submitted that the preferred height limits are consistent with the 2013 Study, and implement the strategies and objectives of the Structure Plan (including promoting architectural excellence and high quality built environments that do not dominate the landscape or adversely impact on surrounding land uses).

#### (ii) Discussion and conclusions

The heights proposed for Precinct 1B north of Wells Street are consistent with the 2013 Study. South of Wells Street, lower heights have been adopted (the Structure Plan and the ACZ1 adopt a limit of 32 metres, whereas the 2013 Study recommended 38 metres). Council did not explain the reason why lower height limits were adopted in the southern section of Precinct 1B.

<sup>4</sup> The interim height controls introduced by Amendment C49 expired in December 2012.

From the Panel's reading of the 2013 Study, it appears to be a well reasoned document which provides a comprehensive built form analysis as required by PPN60. The Study considered existing conditions, the height limits in place at the time (which were the interim controls applied by Amendment C49), and a range of key drivers for built form. These included:

- community feedback, including that taller buildings should be set back from the beach and be graduated to maintain views closer to the bay
- the potential impacts of development in Precinct 1B on the residences of Long Island
- the potential impacts of development on views looking back from the bay
- the potential impacts of development on parkland due to bulk and overshadowing
- some (albeit basic) analysis of the market and development potential, including that:
  - 3-4 storey 'shoptop' development was currently not feasible
  - larger developments are less feasible because of the lack of maturity in the apartment market
  - feasibility and construction costs for various building heights
- a consideration of the principles in PPN60 regarding whether height controls should be mandatory or discretionary.

The 2013 Study included 3 dimensional shadow analysis and viewshed diagrams which illustrate how the recommended heights and setbacks could impact on views and solar access to streets. It also provided a strategic justification/rationale for the recommended height and setback controls for each Precinct.

The Panel is not persuaded that the preferred height limits for Precinct 1B are too high. The strategic justification/rationale for the height limits in Precinct 1B provided in section 3.4 of the 2013 Study appears plausible, and the shadow diagrams and viewshed analysis in the 2013 Study demonstrates that the preferred heights will not result in unacceptable overshadowing or blocking of views. The height limits will not operate in isolation. Any development proposal will need to respond to the whole of the ACZ1, including requirements that:

- built form be responsive to site context
- developments maintain sunlight to footpaths on the opposite side of the street and adjacent public spaces
- dominant building forms adjacent to city centre streets and public spaces are avoided
- built form responds appropriately to sensitive residential, open space and creek interfaces
- permit applications are accompanied by a site analysis, urban context report and shadow assessment, and 3D massing models (for applications over 3 storeys)
- the responsible authority consider extent to which the development contributes positively to the amenity of the precinct, and is of an appropriate scale to accommodate the mix and intensity of uses envisaged for that precinct.

The Panel considers that generally speaking, these various requirements will operate in conjunction with the preferred height limits to ensure that development in Precinct 1B responds appropriately to its surrounds and any relevant site constraints.

Having said that, the Panel considers that there should be greater emphasis on the need for development along the western and southern boundaries of Precinct 1B to respond to the surrounding creek, foreshore and established residential areas. This issue is addressed in Chapter 4.6.

The Panel concludes:

- The height limits set out in the ACZ1 for Precinct 1B are appropriate.

#### **4.4 Building heights in Plowman Place**

##### **(i) Submissions**

Submitters at 1 Plowman Place raised concerns about the height limit proposed for Plowman Place. They submitted that the Davey Street height limit (38 metres) should also apply in Plowman Place (26 metres). They submitted that concerns about overshadowing Frankston Oval (located on the other side of Plowman Place) were not sufficient reason to limit heights to 26 metres, as the oval is only used for training at nights, and used every third weekend for games. Council submitted that the preferred height limits for Plowman Place have been selected to provide a stepping down of the built form from Davey Street, and to minimise overshadowing of Frankston Oval.

##### **(ii) Discussion and conclusions**

The Panel notes that the heights proposed for Plowman Place are consistent with the 2013 Study, and that the strategic rationale for the height limits in section 7.4 of the 2013 Study appears plausible. The Panel accepts Council's submission that the height limits are designed provide for an appropriate stepping down of built form from Davey Street, and to minimise overshadowing of the Frankston Oval.

The Panel concludes:

- The height limits set out in the ACZ1 for Plowman Place are appropriate.

#### **4.5 Setbacks in Wells Street and Beach Street**

##### **(i) Submissions**

The Frankston Beach Association submitted that Wells Street and Beach Street should have a 3 metre street setback, as is proposed for Davey Street. Council submitted that a 3 metre street setback for Wells and Beach Streets is inappropriate as they are retail strips where the built form is to the property boundary.

##### **(ii) Discussion and conclusions**

The Panel accepts Council's submission that a setback on Beach and Wells Streets would be inappropriate as these are key retail streets. The Panel also notes that the zero setbacks proposed for these streets are consistent with the 2013 Study.

The Panel concludes:

- The requirement for zero street setbacks for buildings in Wells and Beach Streets is appropriate.

#### **4.6 Impacts of development on surrounding areas**

##### **(i) Submissions**

Ms Welch submitted that development in the Activity Centre will compromise residents' privacy and create unacceptable impacts from night light, day shade and summer glare from west facing windows. She submitted that the Structure Plan represents a short sighted economic plan that will favour developers with short term investment goals, to the detriment of the beach, waterways and foreshore. Council did not directly respond to these submissions.

##### **(ii) Discussion and conclusions**

The Activity Centre is identified in Plan Melbourne as a Metropolitan Activity Centre. More intensive development in the Activity Centre is consistent with State policy. While this will undoubtedly result in substantial change in Frankston, and will have impacts on areas surrounding the Activity Centre, the Panel considers that generally speaking, the Structure Plan and the ACZ1 controls strike an appropriate balance between the need to facilitate and encourage growth in the Activity Centre, and the need to protect the amenity of surrounding areas.

Having said that, the Panel considers that the ACZ1 should give more emphasis to the need to treat the western and southern interfaces of Precinct 1B sensitively. These interfaces are with Kananook Creek, the foreshore area and established residential areas. These are relatively sensitive environments, and there is the potential for development in Precinct 1B to impact these areas more significantly than the areas to the north and east. The Panel considers that the Precinct Map for Precinct 1 (refer to Figure 5 above) should identify these interfaces as sensitive interfaces, and that the precinct objectives and guidelines should give greater emphasis to these sensitive interfaces.

The Panel concludes:

- the Precinct Map for Precinct 1 (refer to Figure 5 above) should identify the western and southern boundaries of Precinct 1B as 'sensitive interfaces'
- precinct objectives and guidelines should be added requiring development along these boundaries to respond appropriately to these sensitive interfaces.

#### **4.7 Economic analysis**

##### **(i) Submissions**

Ms Welch submitted that there is no credible economic analysis supporting the building heights recommended in the 2013 Study. Council did not respond to this submission.

**(ii) Discussion and conclusions**

Council did not present any economic analysis supporting the Structure Plan or the proposed built form controls. However the Panel notes that the 2013 Study does contain some (albeit basic) analysis of the market and development potential, as noted in Chapter 4.3 above. The Panel also notes that the Structure Plan is supported by a background report entitled *Frankston Activities Area Economic and Market Feasibility Study 2011* undertaken by Charter Keck Cramer.

Nothing was put to the Panel which demonstrates that the height limits in the Structure Plan or the ACZ1 will have the effect of restricting growth, or preventing the Activity Centre from fulfilling its role as a designated Metropolitan Activity Centre. Nor was anything put to the Panel demonstrating that the level of growth facilitated by the building heights would have adverse economic impacts on any other part of the municipality. The Panel acknowledges that the market may not be sufficiently mature to take up the full amount of growth and development provided for by the proposed building heights and setbacks. However the Panel does not consider that this is a reason not to support the Amendment.

The Panel concludes:

- There is no reason not to support the Amendment on the basis of a lack of economic analysis.

**4.8 Mandatory versus discretionary height controls**

**(i) Submissions**

Submissions from Long Island Residents Group and Ms Welch raised concerns in relation to discretionary height limits, submitting that discretionary limits provide Council and the community with no control over building heights, and that the Precinct 1B's location adjacent to the foreshore and Kananook Creek constitutes exceptional circumstances justifying mandatory limits.

**(ii) Discussion and conclusions**

PPN60 makes it clear that strong strategic justification is required for mandatory controls, and that they should only be applied where absolutely necessary. As noted in Chapter 4.3, the preferred height limits in the ACZ1 operate in conjunction with many other requirements, including that built form be responsive to site context, and responds appropriately to sensitive residential, open space and creek interfaces. Any permit application that exceeds the preferred height limits is subject to third party notice and review rights, providing an additional level of scrutiny. The Panel is satisfied that preferred height limits, combined with the other requirements of the ACZ1, are adequate to ensure that built form in Precinct 1B responds appropriately to the foreshore and Kananook Creek without needing mandatory height limits.

The Panel concludes:

- The various controls in the ACZ1 are adequate to ensure that development in Precinct 1B responds to the foreshore and Kananook Creek, and that mandatory height limits are not required.

## 4.9 Recommendations

The Panel makes the following recommendations:

**Prior to adopting the Amendment, Council make the following changes:**

- a) Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
- b) Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.
- c) Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.

## 5 Other issues

### 5.1 The issues

The issues are:

- completing the activation of the Kananook Creek Precinct should remain a priority
- pedestrian links between the City Centre area and Kananook Boulevard
- creating a vibrant and safe community heart as a desired destination
- the lack of an up to date parking strategy informing the Structure Plan
- effective implementation of the Structure Plan and restoring respect for proper planning process and community consultation and public debate.

### 5.2 Activation of the Kananook Creek Precinct

#### (i) Submissions

Long Island Residents Group submitted that the Kananook Creek Precinct was a “top priority” identified in the *Frankston TAFE to Bay Structure Plan 2005* that has “quietly slipped out of sight into the ‘too hard basket’”. The Group submitted that a vibrant and active public space along the creek “was to be a dividend for the huge public investment on the *Frankston Foreshore and at Kananook Creek*”, and asked what happened to the funds that had been committed to this project.

Council submitted that while this issue is considered beyond the scope of the Amendment, activation of the Kananook Creek Precinct will be facilitated by the Structure Plan objectives that will seek to instruct built form outcomes of the highest standard and activated frontage along Kananook Boulevard, and ensure linkages from the foreshore through Kananook Creek and into the city centre.

#### (ii) Discussion and conclusions

The Panel accepts Council’s submission, and finds that the objectives outlined by Council relating to the creek precinct are reflected in the ACZ1 controls. The Panel also recommends stronger links between the Structure Plan and the ACZ1 controls (refer to Chapter 6), which will require Council to consider the various objectives of the Structure Plan relating to the Creek when assessing permit applications. Other issues raised in relation to previous commitments to revitalise the creek and surrounds are beyond the scope of the Amendment, and the Panel makes no further comment.

The Panel concludes:

- No changes are required to the Amendment to address the activation of the Kananook Creek precinct.

### 5.3 Pedestrian links

#### (i) Submissions

Frankston Beach Association submitted that all development on the western side of Nepean highway should have pedestrian links to Kananook Boulevard. Council responded that the



Structure Plan includes objectives that require that new development provides pedestrian linkages between the city centre, Kananook Creek and Frankston Beach.

**(ii) Discussion and conclusions**

The Panel considers that the ACZ1 controls adequately deal with pedestrian linkages, in particular the requirements that built form within the Activity Centre:

- integrate with and contribute positively to the streetscape through the provision of active frontages that promote movement between the private and public realms
- provide access to pedestrians, regardless of their level of mobility
- respond appropriately to sensitive residential, open space and creek interfaces.

The Panel's recommendation for stronger links between the Structure Plan and the ACZ1 controls (refer to Chapter 6) will also require Council to consider the objectives in Section 4.9 of the Structure Plan relating to pedestrian linkages when assessing permit applications.

The Panel concludes:

- No specific changes are required to the Amendment to address pedestrian linkages.

## **5.4 Creating a vibrant and safe community heart**

**(i) Submissions**

Long Island Residents Group submitted that more town parks and squares are required to attract residents to the City Centre area, thereby ensuring a safer and more vibrant community heart. Council responded that the creation of town parks and squares is being included within other strategic work currently being undertaken, including the Frankston Station Redevelopment Project.

**(ii) Discussion and conclusions**

The Panel considers that the ACZ1 controls adequately deal with public safety and amenity, in particular the requirements that:

- the responsible authority consider the extent to which development provides for the surveillance of public spaces and creates a safe environment, and encourages activity within public streets and spaces
- built form within the activity centre separate pedestrian entries from vehicle entries.

The Panel's recommendation for stronger links between the Structure Plan and the ACZ1 controls (refer to Chapter 6) will also require Council to consider the objectives in Section 4.10 of the Structure Plan relating to public safety when assessing permit applications.

The Panel concludes:

- No specific changes are required to the Amendment to address the issue of creating a safe and vibrant community heart.

## **5.5 Parking strategy**

### **(i) Submissions**

The Long Island Residents Group submitted that a car parking strategy should be a critical element of the Structure Plan, and that the parking data relied on in the preparation of the Structure Plan (the 2010 Frankston CAD Parking Study) is out of date.

Council responded that the ACZ1 does not seek to regulate car parking, although the Structure Plan includes objectives relating to managing vehicle movement, seeking a shift to more sustainable forms of transport, providing better access to car parking facilities and providing safe and convenient pedestrian access to car parks. It submitted that car parking requirements are assessed pursuant to Clause 52.06 of the Frankston Planning Scheme, and that Council will seek to apply the Parking Overlay to the Structure Plan area by a future amendment. The proposed Overlay and associated Frankston Metropolitan Activity Centre Parking Precinct Plan will provide the planning blueprint to implement future improvements in parking supply, together with actions to improve management of existing car parking, improvements for active transport and improvements to access to public transport.

### **(ii) Discussion and conclusions**

The Panel accepts Council's submission that parking issues are appropriately dealt with via an integrated master plan approach to car parking that will be the subject of a future amendment that is already in the preparation stages. The Panel considers that this approach constitutes sound planning, and is consistent with the principles in PPN56 outlined in Chapter 2.4.

The Panel concludes:

- There is no reason not to support the Amendment on the basis of parking issues.

## **5.6 Community consultation and public debate**

### **(i) Submissions**

The Long Island Residents Group submitted that effective implementation of the Structure Plan, and restoring respect for proper planning process and community consultation and public debate, are critical. It also raised concerns about Council electoral cycles and community consultation in relation to previous developments. Council did not respond to these issues, submitting that are beyond the scope of this Amendment.

### **(ii) Discussion and conclusions**

The general principle is that permit applications in the ACZ are exempt from third party notice and review rights, unless the schedule to the zone states otherwise. This is because the Structure Plan on which the ACZ controls are based will generally have already been through a process of community consultation.

The Long Island Residents Group and other community submitters are clearly not happy with the outcome of the Structure Plan, and are concerned that their views were not taken into

account in the Structure Plan consultation process. However that process is not before the Panel.

For the reasons set out elsewhere in this report, the Panel considers that the built form controls for the Central City area are appropriate. Any application that proposes to exceed the preferred height and setback limits is subject to third party notice and review rights, as are other applications that could have a particular impact on the community (such as applications that could impact on surrounding residential areas, or applications for certain uses). The Panel considers that this approach is appropriate, and consistent with PPN56. Broader issues relating to community consultation and public debate are beyond the scope of the Amendment.

The Panel concludes:

- No changes are required to the Amendment to address issues relating to community consultation and public debate.

## 6 Drafting matters

### 6.1 Discussion and conclusions

The Panel's preferred version of the ACZ1 is attached as Appendix B. This includes the Panel's recommendations in:

- Chapter 3.6, for:
  - an additional precinct objective relating to the railway land and railway operations
  - an additional application requirement relating to potential contamination of the VicTrack land
- Chapter 4.9, for greater emphasis on the sensitive interfaces along the western and southern boundaries of Precinct 1B.

Many of the issues raised by submitters and discussed in Chapter 5 of this report are addressed, at least in part, by the Vision and Objectives set out in the Structure Plan. Although the Structure Plan is a reference document in the ACZ1, there is no direct requirement for permit applications in the ACZ1 to address the Structure Plan, or for the responsible authority to consider the Structure Plan when assessing applications. The Panel considers that the drafting of the ACZ1 would be improved by including appropriate references to the Structure Plan in the decision guidelines in Clause 8.0 of the ACZ1. The Panel's preferred version of the ACZ1 provides for this.

The Panel has made various suggestions for policy neutral drafting improvements in its preferred version of the ACZ1, including correcting numbering errors and the like.

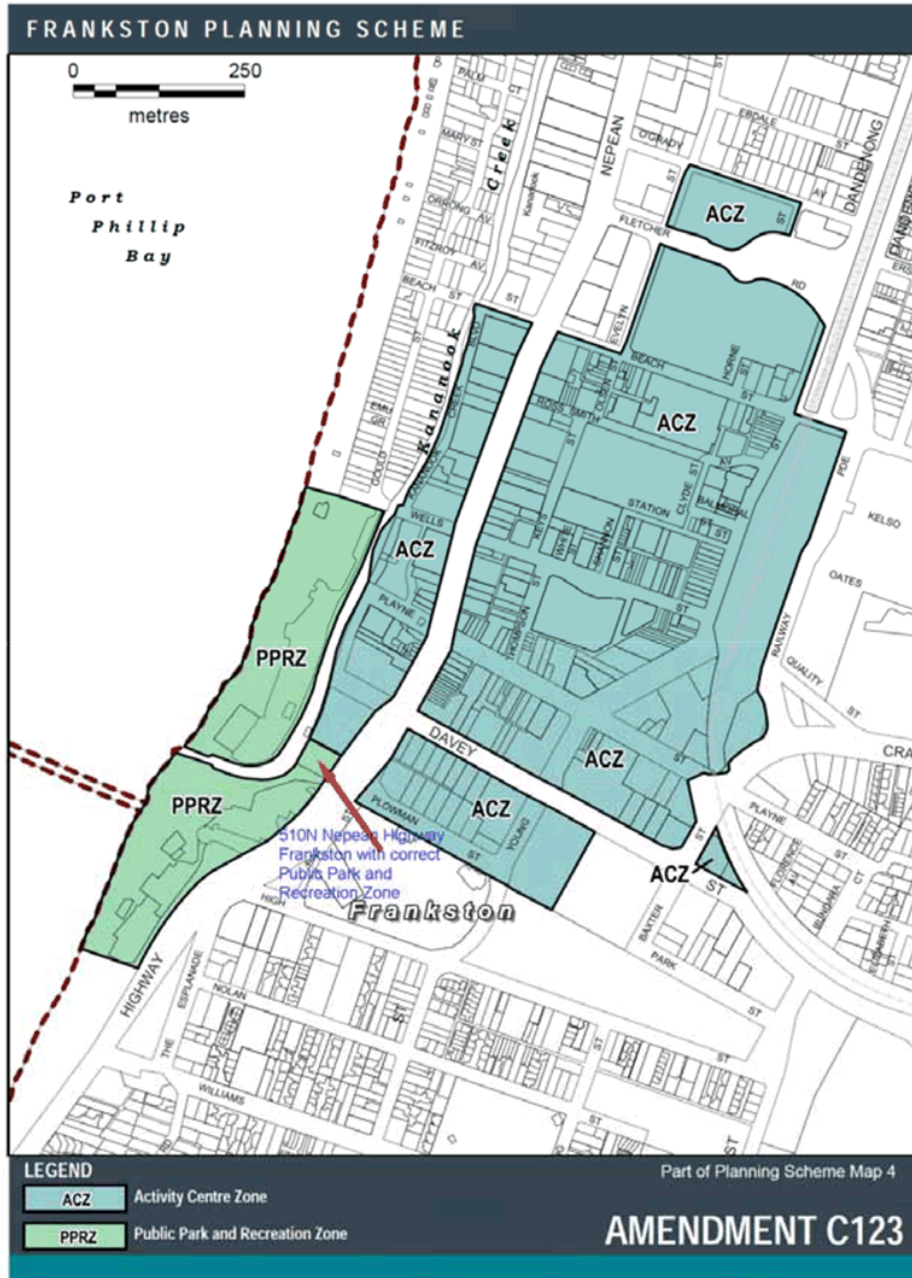
Finally, the Panel notes that the Structure Plan is not, at this stage, referenced in the Local Planning Policy Framework. The Panel recommends that the Municipal Strategic Statement and local policies (in particular Clause 22.02 Frankston Central Activities District Policy) be updated in the next general review of the planning scheme to refer to the new Structure Plan, and to remove references to any outdated Structure Plans that no longer apply.

### 6.2 Recommendations

The Panel makes the following recommendations:

**Make the other policy neutral drafting changes shown in Appendix B to this Report to improve the operation of Schedule 1 to the Activity Centre Zone.**

## Appendix A Corrected mapping - 510N Nepean Highway Frankston



## Appendix B Panel preferred version of Schedule 1 to the Activity Centre Zone

DD/MM/YYYY  
Proposed C123

### SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

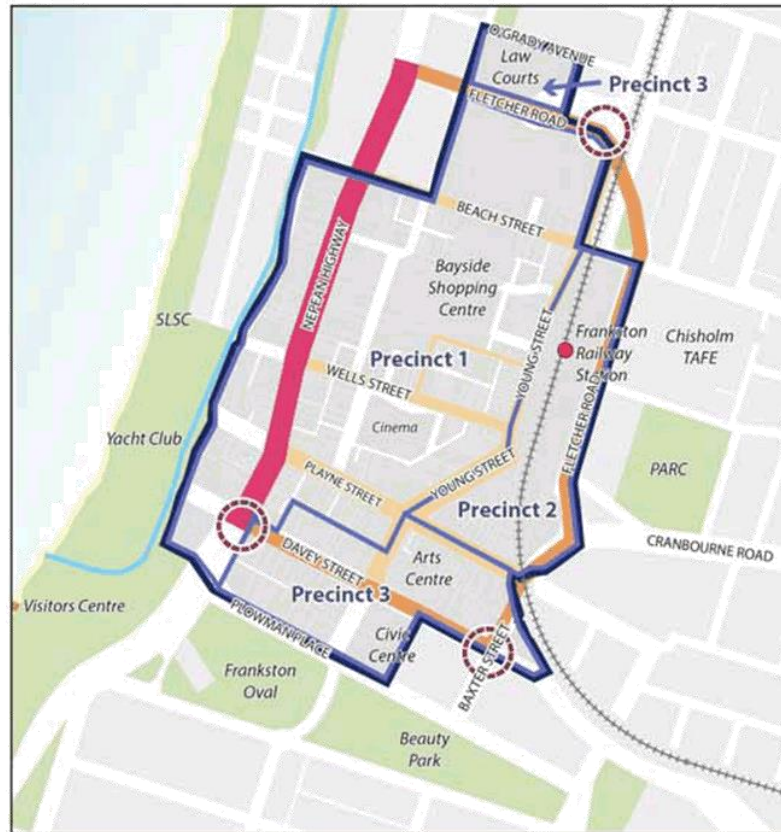
Shown on the planning scheme map as **ACZ1**.

### FRANKSTON METROPOLITAN ACTIVITY CENTRE

1.0

#### Framework Plan

DD/MM/YYYY  
Proposed C123



- Activity Centre Zone Boundary
- Precinct Boundary
- Nepean Boulevard
- Primary Streets
- Ring Road
- City Centre Entry

**2.0 Land use and development objectives**

DD/MM/YYYY  
 Proposed C123

- To establish the Frankston Metropolitan Activity Centre (FMAC) as the major retail, hospitality and business centre in the region.
- To establish the FMAC as a focus for new development and investment in the region.
- To enhance and promote Frankston as a regionally significant centre for community services, arts and culture.
- To encourage office and accommodation development.
- To increase the residential population within the FMAC.
- To encourage the consolidation of land to improve development viability and design outcomes.
- To promote excellence in architectural quality and define an identity for the FMAC that contributes to vibrant and exciting streets.
- To improve integration and connectivity between the Frankston Arts Centre, the library, the Railway Station and throughout the centre.
- To create a cohesive public realm that enhances the pedestrian environment of streets and improves transportation access and infrastructure.
- To minimise the impact of vehicle movement throughout the city centre and provide safer- streets for pedestrians and other users.

**3.0 Table of uses**

DD/MM/YYYY  
 Proposed C123

**Section 1 - Permit not required**

USE	CONDITION
▪ <b>Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit and Host farm)</b>	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
▪ <b>Bus terminal</b>	
▪ <b>Child care centre</b>	Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).
▪ <b>Cinema</b>	
▪ <b>Cinema based entertainment facility</b>	
▪ <b>Education centre</b>	
▪ <b>Home occupation</b>	
▪ <b>Informal outdoor recreation</b>	
▪ <b>Minor utility installation</b>	
▪ <b>Office</b>	Any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agent, or other office where the floor space adjoining the frontage is a customer service area accessible to the public.
▪ <b>Place of assembly (other than Carnival, Circus, Nightclub and Place of worship)</b>	
▪ <b>Railway</b>	

▪ <b>Railway Station</b>	
▪ <b>Retail premises (other than Gambling premises, Hotel, Shop and Tavern)</b>	Must be in Precincts 1 or 2.
▪ <b>Shop (other than Adult sex bookshop and bottleshop)</b>	Must be in Precincts 1 or 2.
▪ <b>Tramway</b>	
▪ <b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

**Section 2 Permit required**

USE	CONDITION
▪ <b>Adult sex bookshop</b>	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land use for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. Must be in Precinct 1.
▪ <b>Bottle shop</b>	Must be in Precinct 1.
▪ <b>Gambling premises</b>	
▪ <b>Hotel</b>	
▪ <b>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</b>	
▪ <b>Nightclub</b>	Must be in Precinct 1.
▪ <b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 square metres.
▪ <b>Service industry</b>	Must be in Precinct 1 or 2.
▪ <b>Tavern</b>	
▪ <b>Any other use not in Section 1 or 3</b>	

**Section 3 – Prohibited**

USE
▪ <b>Agriculture</b>
▪ <b>Brothel</b>
▪ <b>Camping and caravan park</b>
▪ <b>Corrective institution</b>
▪ <b>Drive in theatre</b>
▪ <b>Earth and energy resources industry</b>
▪ <b>Fuel depot</b>
▪ <b>Host farm</b>
▪ <b>Industry (other than service industry)</b>
▪ <b>Intensive animal husbandry</b>
▪ <b>Major sports and recreation facility</b>
▪ <b>Motor racing track</b>



## USE

- Primary produce sales
- Refuse disposal
- Saleyard
- Transport terminal (other than Railway Station or Bus Terminal)
- Warehouse (other than Commercial display area or Mail centre)

### 4.0 Centre-wide provisions

DD/MM/YYYY  
Proposed C123

### 4.1 Use of land

DD/MM/YYYY  
Proposed C123

A permit is not required to use land for the purposes and services of Local Government providing the use is carried out by, or on behalf of, the public land manager.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

### 4.2 Subdivision

DD/MM/YYYY  
Proposed C123

A permit is required to subdivide land.

### 4.3 Buildings and works

DD/MM/YYYY  
Proposed C123

A permit is required for all buildings and works.

No permit is required to construct or carry out buildings and works ~~for~~ the following:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant [public land manager/road management authority](#).
- The construction or modification of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant or similar.
- Buildings and works for the purpose of Local Government or Transport providing the [buildings and works are use-is](#) carried out by, or on behalf of, the public land manager.

### 4.4 Design and development

DD/MM/YYYY  
Proposed C123

#### Built Form

Built form within the activity centre should:

- Be responsive to site context.
- Maintain sunlight to footpaths on the opposite side of the street and adjacent public spaces.
- Avoid visually dominant building forms adjacent to city centre streets and public spaces.
- Reflect the status of Frankston as a Metropolitan Activity Centre on key landmark sites.

- Provide a clear delineation between development in the city centre and development in surrounding areas.
- Integrate with and contribute positively to the streetscape through the provision of active frontages that promote movement between the private and public realms.
- Provide access to pedestrians, regardless of their level of mobility.
- Locate pedestrian entries to buildings on the pedestrian network and emphasise entries with prominent design features, signage or landscape treatments.
- Separate pedestrian entries from vehicle entries.
- Respond appropriately to sensitive residential, open space and creek interfaces.
- [Where relevant, c](#)Consider the impact of new development on railway land and have regard for the primacy of the transport purpose of this land.
- Consider the impact of new development on the city centre skyline from surrounding viewpoints.
- Ensure that development is respectful of possible future development of adjoining sites and the sharing of amenity with adjacent properties.
- Provide weather protection that reduces the impacts of wind and rain and ensures adequate shade.
- Provide access and servicing from existing roads, with minimal impact on public spaces, and minimise the number of vehicle crossovers on pedestrian paths.
- Integrate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles.

**5.0 Precinct provisions**

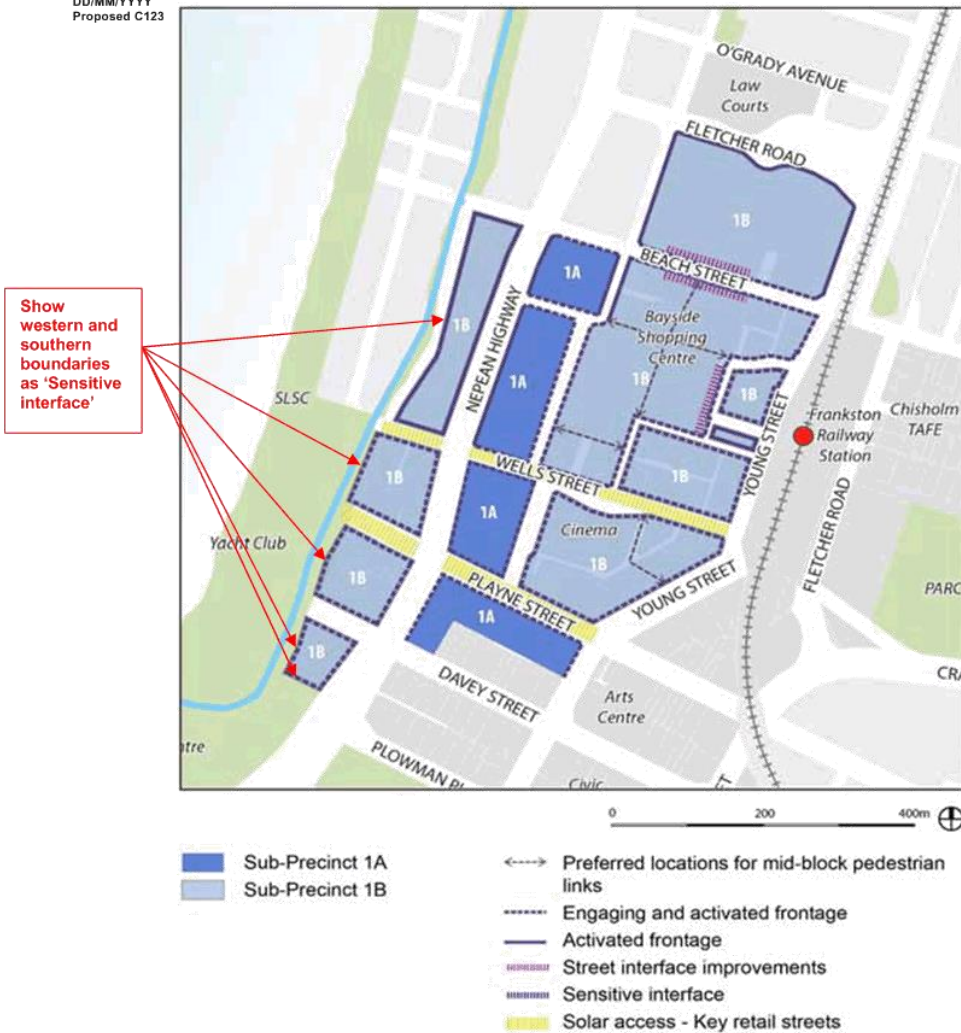
DD/MM/YYYY  
 Proposed C123

**5.1 Precinct 1 – City Centre**

DD/MM/YYYY  
 Proposed C123

**5.1-1 Precinct map**

DD/MM/YYYY  
 Proposed C123



**5.1-2 Precinct objectives**

DD/MM/YYYY  
 Proposed C123

To provide major opportunities for mixed use development with housing, serviced apartments, hotels, community uses, education providers, health services or offices located above retail ground floor uses throughout the precinct.

To provide opportunities for outdoor dining throughout the precinct.

To improve the integration of the Bayside Shopping Centre into the existing street network and surrounding retail areas.

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

**5.1-3 Precinct requirements**

DD/MM/YYYY  
 Proposed C123

Table reformatted for greater clarity

Sub-precinct	Preferred maximum building height		Preferred street setback	
1A	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Nepean Highway between Beach Street and Davey Street</li> <li>• Beach Street</li> <li>• Wells Street</li> <li>• Thompson Street</li> <li>• Playne Street</li> </ul>	minimum 3 metres	<a href="#">Davey Street</a>
	38 metres	all other locations	0 metres	in all other locations
1B	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Fletcher Road</li> <li>• Beach Street</li> <li>• Kananook Boulevard</li> <li>• Wells Street</li> <li>• Playne Street</li> <li>• Young Street (between Beach Street and Playne Street)</li> <li>• Nepean Highway</li> <li>• Shannon Mall</li> <li>• south side of Station Street</li> <li>• Station Mall</li> </ul>	0 metres	all locations
	32 metres	in all other locations		

**5.1-4 Precinct guidelines**

DD/MM/YYYY  
 Proposed C123

New development should provide active and/or engaging frontages in locations specified on the Precinct 1 – City Centre Precinct Map.

~~New development should retain existing trees and provide for the planting of new trees in locations specified on the Precinct 1 – City Centre Precinct Map. [No locations are specified on the Precinct Map.]~~

In locations identified as ‘Solar access – Key Retail Streets interface’ on the Precinct 1 – City Centre Precinct Map, new development should provide upper level setbacks that retain sunlight to the open space from 9:00am to 3.00pm on September 22.

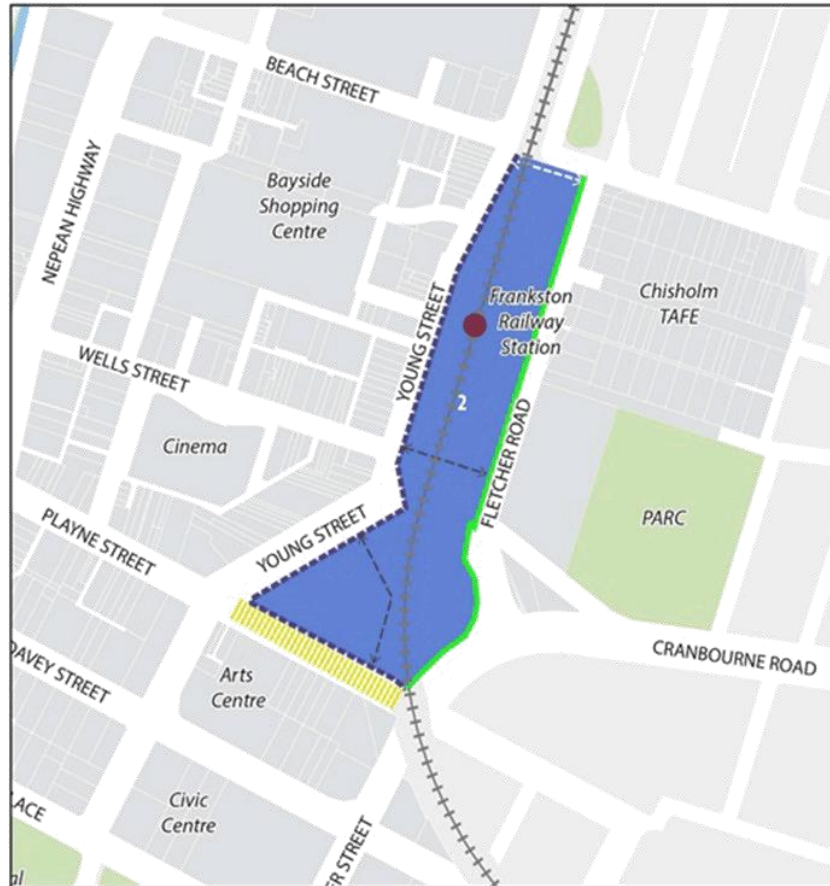
Insert new guidelines to guide development in sensitive interface areas in Sub-precinct 1B]

5.2 Precinct 2 – Frankston Station

DD/MM/YYYY  
Proposed C123

5.2-1 Precinct map

DD/MM/YYYY  
Proposed C123



■ Precinct 2

- ↔ Preferred locations for mid-block pedestrian links
- ⋯ Engaging and activated frontage
- Activated frontage / Tree retention & planting within setback
- ▨ Solar access - Key retail streets

**5.2-2 Precinct objectives**

DD/MM/YYYY  
 Proposed C123

To create an attractive and legible transport hub that includes an efficient bus interchange.  
To ensure that use and development within the Precinct is responsive to current and planned railway operations, having regard to the primacy of the transport purpose of the railway land.  
 To encourage commercial, residential and retail uses which activate the precinct and are complementary to the role of the City Centre Precinct.  
 To enhance the public realm along Young Street and ensure it is well integrated with the transport hub.  
 To strengthen linkages across the rail line and better connect the city centre to Chisholm Institute and the Peninsula Aquatic and Recreation Centre.  
 To provide adequate car and bicycle parking for commuters.

**5.2-3 Precinct requirements**

DD/MM/YYYY  
 Proposed C123

Reformat table as per Clause 5.1-3

Sub-precinct	Preferred maximum building height	Preferred street setback
N/A	12 metres within 5 metres of property boundaries abutting Young Street and Playne Streets 44 metres in all other locations	0 metres <del>in</del> all other locations

**5.2-4 Precinct guidelines**

DD/MM/YYYY  
 Proposed C123










New development should provide active and/or engaging frontages in locations specified on the Precinct 2 – Frankston Station Map.  
 New development should retain existing trees and provide for the planting of new trees– in locations specified on the Precinct 2 –Frankston Station Map.  
 In locations identified as ‘Solar access – Public open space Key Retail Streets, on the Precinct 2 – Frankston Station Map, new development should provide upper level setbacks that retain sunlight to the open space from 10:00am on September 22.  
 New development should respond to the rail environment and its context as a transport corridor.

**5.23** Precinct 3 – Arts, Entertainment and Government Services

**5.23-1** Precinct map

DD/MM/YYYY  
 Proposed C123



- |  |   |
|--|---|
|  Sub-Precinct 3A  |  Engaging and activated frontage                               |
|  Sub-Precinct 3B  |  Activated frontage / Tree retention & planting within setback |
|  Sub-Precinct 3C  |  Heritage frontage - refer to HO                               |
|  Heritage Overlay |  Sensitive interface   |
|  |  Solar access - Public open space interface                    |

**5.23-2 Precinct objectives**

DD/MM/YYYY  
 Proposed C123

To encourage the location of arts and cultural activities, entertainment uses, and government offices.

To encourage complementary uses such as higher density residential development, offices and education.

To strengthen the role of the Frankston Arts Precinct as a key destination and to further realise its ability to showcase the City.

**5.23-3 Precinct requirements**

DD/MM/YYYY  
 Proposed C123

Reformat table as per Clause 5.1-3

Sub-precinct	Preferred maximum building height	Preferred street setback
3A	12 metres within 5 metres of property boundaries abutting the northern side of Davey Street 38 metres in all other locations	Minimum 3 metres north side of Davey Street 0 metres in all other locations
3B	12 metres within 5 metres of property boundaries abutting Playne Street and Davey Street 32 metres in all other locations	Minimum 3 metres from Davey Street and Baxter Street 0 metres in all other locations
3C	12 metres within 5 metres of property boundaries abutting O'Grady Avenue, Fletcher Road, Plowman Place, Beauty Park and Frankston Primary School 26 metres in all other locations	Minimum 3 metres from O'Grady Avenue and Fletcher Road 0 metres in all other locations

**5.23-4 Precinct guidelines**

DD/MM/YYYY  
 Proposed C123

New development should provide active and/or engaging frontages in locations specified on the Precinct 3 – Arts, Entertainment and Government Services Map.

New development should retain existing trees and provide for the planting of new trees in locations specified on the Precinct 3 –Arts, Entertainment and Government Services Map.

In locations identified as ‘Solar access – Public open space interface’ on the Precinct 3 –Arts, Entertainment and Government Services Map, new development should provide upper level setbacks that retain sunlight to the open space from 10:00am on September 22.

~~On sites affected by the Heritage Overlay development~~ [Development](#) setbacks should have regard to heritage buildings.

**6.0 Application requirements**

DD/MM/YYYY  
 Proposed C123

**Use**

In addition to the application requirements set out at Clause 37.08-7, an application to use land must be accompanied by the following information, as appropriate:

- A Waste Management Plan which demonstrates as appropriate:
  - Likely waste generation.
  - Provision and allocation of bins for garbage, recycling, green waste etc.
  - The location and dimensions of bin storage areas, chutes etc., including access points for collection.
  - The proposed method and frequency of waste collection.



- An amenity action plan that addresses how off-site amenity impacts are to be managed, including in relation to:
  - Noise.
  - Vibration.
  - Odour.
  - Hours of Operation.

#### Buildings and works

In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and urban context report and shadow assessment, which demonstrates how the proposal responds to:
  - The Design and Development provisions at [Section Clause 4.4](#) and all relevant requirements set out at [Section Clauses 5.0 – 5.2 to this Schedule](#). [\[Query whether this cross-reference is correct – should it read “Clauses 5.1, 5.2 and 5.3 to this Schedule \(as relevant\)”?](#)
  - Environmentally Sustainable Design principles in terms of orientation, day lighting, thermal comfort, embodied energy and energy ratings, as well as the minimisation of energy consumption, waste emissions and water usage.
  - An Architectural design statement that details the architectural response to the design of the building.
  - Where relevant, a report from a suitably qualified heritage consultant that assesses the impact of the proposed building and works on a heritage place on the land or adjoining land.
  - A study which demonstrates reasonable levels of daylight and ventilation for higher density development.
- How the development addresses any adverse wind conditions.
- [For development on land adjacent to the railway land](#), [h](#)How the development addresses any interface issues with railway land including but not limited to railway infrastructure, drainage, vibration, overlooking, sun glare, noise and sight lines.
- For new residential and mixed use development, an acoustic report prepared by a suitably qualified person to demonstrate the proposed building incorporates appropriate noise attenuation measures to reasonably protect the amenity of future residents.
- For all applications over three storeys in height, a 3D massing model which describes a building envelope that shows:
  - The potential impact of the development on the private open space and north facing habitable rooms of adjoining properties.
  - How the development has been designed to minimise overlooking to the private open space and habitable room windows of adjacent properties and of dwellings within the proposed development.
  - The potential impact of the development on the common and private outdoor open space of the subject site.
  - The potential impact of the development on the public realm adjacent to the proposal ensuring that overshadowing of major pedestrian routes, parks and other public spaces is minimised; and that specifically:
    - solar access is provided to footpaths on the south side of east-west streets for at least three hours between 9:00am and 3:00pm on 22 September, and
    - reasonable solar access is provided to the ground floor of buildings opposite in winter. [\[Reformatted for clarity\]](#)
  - How the built form has been articulated within the envelope to achieve maximum solar access internally, to neighbouring properties and the public realm.

- How the design (including building height and setbacks) contributes to the precinct objectives.
- A Waste Management Plan which demonstrates as appropriate:
  - Strategies for waste ~~minimistation~~ minimisation during construction.
  - Likely waste generation.
  - Provision and allocation of bins for garbage, recycling, green waste etc.
  - The location and dimensions of bin storage areas, chutes etc., including access points for collection.
  - The proposed method and frequency of waste collection.

#### VicTrack land – potential contamination

An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land, to the satisfaction of the responsible authority.

### 7.0 Notice and review

DD/MM/YYYY  
Proposed C123

An application to use ~~the land, or to construct a building,~~ for the purpose of an Adult sex bookshop, Bottle shop, Gambling premises, Hotel, Nightclub, Place of assembly or Tavern is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is:

- An application for a building or works which is within 30 metres of land (not a road) in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
- An application for buildings and works that exceeds the preferred maximum building height or minimum street setback requirements as outlined in this Schedule.
- ~~An application to use land for the purposes of an Adult sex bookshop, Bottle shop, Gambling premises, Hotel, Nightclub, Place of assembly or Tavern.~~

### 8.0 Decision guidelines

DD/MM/YYYY  
Proposed C123

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider, as appropriate, the Frankston Metropolitan Activity Centre Structure Plan, 2015 and:

#### **Use**

- The likely adaptability of any space within any podium not proposed to be occupied by commercial floorspace.
- Any loss of existing job generating floor space compared to the proposed amount of floor space.
- The extent to which uses contribute to a vibrant local economy and promote the activity area as a tourist destination.
- For applications for licensed venues, the likely social and amenity impacts of the proposal on the surrounding area.

- For all applications for a Bottle shop, Hotel, Supermarket or Place of assembly where packaged liquor will be sold, the proposed size, location and opening hours of the use.

**Design and built form**

- Floor to ceiling heights that allow for flexibility of future uses.
- The extent to which the development contributes positively to the amenity of the precinct and is of an appropriate scale to accommodate the mix and intensity of uses envisaged for that precinct ~~ref.~~
- The extent to which the development is consistent with the principles of Environmentally Sustainable Development (ESD).
- The extent to which the development is consistent with the principles of Water Sensitive Urban Development (WSUD).
- The extent to which development provides for the surveillance of public spaces and creates a safe environment.
- The extent to which development encourages activity within public streets and spaces.
- Whether the scale and intensity of a development would result in the underdevelopment of a site.
- The extent to which development provides appropriate on-site amenity for future occupants.
- The extent to which the development prioritises walking, cycling and public transport use, and provides car parking that responds to anticipated demand, does not dominate the street frontage, and is functional and well-designed.
- Whether the building has minimised overlooking of adjacent private property without the need for screening, and where necessary, used building articulation and screening devices, including wing walls, planter boxes and louvers to protect privacy of adjoining properties while also providing an outlook and good internal amenity.

**Subdivision**

- Whether the subdivision is associated with a development proposal ~~that~~ that supports the objectives of [the Frankston Metropolitan Activity Centre Structure Plan, 2015](#) and this Schedule.
- Whether the subdivision of land reduces the potential of the land to be developed consistently with [the Frankston Metropolitan Activity Centre Structure Plan, 2015](#) and this Schedule.

**9.0 Advertising signs**

DD/MM/YYYY  
Proposed C123

Advertising sign requirements are at Clause 52.05. All land is in Category 1.

**10.0 Reference documents**

DD/MM/YYYY  
Proposed C123

*Frankston Metropolitan Activity Centre Structure Plan, 2015*

## Appendix C Document list

No	Date	Description	Tabled by
1A	10/11/ 2016	Council Part B submission	Frankston City Council
1B	10/11/ 2016	Attachments to Council's Part B submission: <ul style="list-style-type: none"><li>• Zoning map for Amendment C123</li><li>• Map of Area 1 (proposed rezoning to ACZ1)</li><li>• Map of Area 2 (proposed rezoning to PPRZ)</li><li>• Plan showing location of submitters</li><li>• Zoning map in and around the Station Precinct</li><li>• Frankston Station Precinct Redevelopment Master Plan</li><li>• Extract from ACZ1 showing Precinct Map for Precinct 2 (Station Precinct)</li><li>• Extract from ACZ1 showing Precinct Map for Precinct 1 (City Centre)</li></ul>	Frankston City Council
2	10/11/ 2016	Plan showing Frankston Interchange Area Land Ownership	Frankston City Council
3	10/11/ 2016	Submission on behalf of PTV/DEDJTR	PTV
4	10/11/ 2016	Submission on behalf of VicTrack	VicTrack
5	10/11/ 2016	Submission on behalf of Frankston Beach Association Inc	Frankston Beach Association Inc
6	10/11/ 2016	Submission on behalf of Eve Welch	Ms Alexander
7	10/11/ 2016	Extract from Frankston Activities Area Building Heights and Setback Study	Ms Alexander
8	10/11/ 2016	Submission on behalf of Long Island Residents Group Inc	Long Island Residents Group
9	10/11/ 2016	Aerial photograph of the Frankston Metropolitan Activity Centre	Frankston City Council
10	10/11/ 2016	Panel report for Amendment C130 to the Whittlesea Planning Scheme	Frankston City Council
11	22/11/ 2016	Phase 1 Environmental Site Assessment Frankston Station Precinct Frankston Victoria, January 2012	VicTrack
12	2/12/2016	VicTrack mark-up of the ACZ1	VicTrack

DD/MM/YYYY  
Proposed C123

### SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**.

### FRANKSTON METROPOLITAN ACTIVITY CENTRE

#### 1.0 Framework Plan

DD/MM/



-  Activity Centre Zone Boundary
-  Precinct Boundary
-  Nepean Boulevard
-  Primary Streets
-  Ring Road
-  City Centre Entry



## 2.0 Land use and development objectives

DD/MM/

To establish the Frankston Metropolitan Activity Centre (FMAC) as the major retail, hospitality and business centre in the region.

To establish the FMAC as a focus for new development and investment in the region.

To enhance and promote Frankston as a regionally significant centre for community services, arts and culture.

To encourage office and accommodation development.

To increase the residential population within the FMAC.

To encourage the consolidation of land to improve development viability and design outcomes.

To promote excellence in architectural quality and define an identity for the FMAC that contributes to vibrant and exciting streets.

To improve integration and connectivity between the Frankston Arts Centre, the library, the Railway Station and throughout the centre.

To create a cohesive public realm that enhances the pedestrian environment of streets and improves transportation access and infrastructure.

To minimise the impact of vehicle movement throughout the city centre and provide safer streets for pedestrians and other users.

### 3.0 Table of uses Section 1 - Permit not required

USE	CONDITION
<b>Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit and Host farm)</b>	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
<b>Bus terminal</b>	
<b>Child care centre</b>	Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).
<b>Cinema</b>	
<b>Cinema based entertainment facility</b>	
<b>Education centre</b>	
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Minor utility installation</b>	
<b>Office</b>	Any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agent, or other office where the floor space adjoining the frontage is a customer service area accessible to the public.
<b>Place of assembly (other than Carnival, Circus, Nightclub and Place of worship)</b>	
<b>Railway</b>	
<b>Railway Station</b>	
<b>Retail premises (other than Gambling premises, Hotel, Shop and Tavern)</b>	Must be in Precincts 1 or 2.

**Shop (other than Adult sex bookshop and bottleshop)** Must be in Precincts 1 or 2.

**Tramway**

**Any use listed in Clause 62.01** Must meet the requirements of Clause 62.01.

**Section 2 Permit required**

USE	CONDITION
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land use for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. Must be in Precinct 1.
Bottle shop	Must be in Precinct 1.
Gambling premises	
Hotel	
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Nightclub	Must be in Precinct 1.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Service industry	Must be in Precinct 1 or 2.
Tavern	
Any other use not in Section 1 or 3	

**Section 3 – Prohibited**

USE
Agriculture
Brothel
Camping and caravan park
Corrective institution
Drive in theatre
Earth and energy resources industry
Fuel depot
Host farm
Industry (other than service industry)
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Primary produce sales
Refuse disposal
Saleyard
Transport terminal (other than Railway Station or Bus Terminal)
Warehouse (other than Commercial display area or Mail centre)

**4.0 Centre-wide provisions**

DD/MM/

#### 4.1 Use of land

DD/MM/

A permit is not required to use land for the purposes and services of Local Government providing the use is carried out by, or on behalf of, the public land manager.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### 4.2 Subdivision

DD/MM/

A permit is required to subdivide land

#### 4.3 Buildings and works

DD/MM/

A permit is required for all buildings and works.

No permit is required to construct or carry out buildings and works for the following:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant road management authority.
- The construction or modification of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant or similar.
- Buildings and works for the purpose of Local Government or Transport providing the buildings and works carried out by, or on behalf of, the public land manager.

#### 4.4 Design and development

DD/MM/

##### Built Form

Built form within the activity centre should:

- Be responsive to site context.
- Maintain sunlight to footpaths on the opposite side of the street and adjacent public spaces.
- Avoid visually dominant building forms adjacent to city centre streets and public spaces.
- Reflect the status of Frankston as a Metropolitan Activity Centre on key landmark sites.
- Provide a clear delineation between development in the city centre and development in surrounding areas.



- Integrate with and contribute positively to the streetscape through the provision of active frontages that promote movement between the private and public realms.
- Provide access to pedestrians, regardless of their level of mobility.
- Locate pedestrian entries to buildings on the pedestrian network and emphasise entries with prominent design features, signage or landscape treatments.
- Separate pedestrian entries from vehicle entries.
- Respond appropriately to sensitive residential, open space and creek interfaces.
- Where relevant consider the impact of new development on railway land and have regard for the primacy of the transport purpose of this land.
- Consider the impact of new development on the city centre skyline from surrounding viewpoints.
- Ensure that development is respectful of possible future development of adjoining sites and the sharing of amenity with adjacent properties.
- Provide weather protection that reduces the impacts of wind and rain and ensures adequate shade.
- Provide access and servicing from existing roads, with minimal impact on public spaces, and minimise the number of vehicle crossovers on pedestrian paths.
- Integrate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles.

1.

## 5.0 Precinct provisions

DD/MM/

### 5.1 Precinct 1 – City Centre

DD/MM/YYYY

#### 5.1-1 Precinct map

DD/MM/

Amended Schedule 1 to the Activity Centre Zone



- Sub-Precinct 1A
- Sub-Precinct 1B

- Preferred locations for mid-block pedestrian links
- Engaging and activated frontage
- Activated frontage
- Street interface improvements
- Sensitive interface
- Solar access - Key retail streets

**5.1-2 Precinct objectives**

DD/MM/  
 YYYY

To provide major opportunities for mixed use development with housing, serviced apartments, hotels, community uses, education providers, health services or offices located above retail ground floor uses throughout the precinct.

To provide opportunities for outdoor dining throughout the precinct.

To improve the integration of the Bayside Shopping Centre into the existing street network and surrounding retail areas.

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

**5.1-3 Precinct requirements**

DD/MM/

Sub-precinct	Preferred maximum building height		Preferred street setback	
1A	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Nepean Highway between Beach Street and Davey Street</li> <li>• Beach Street</li> <li>• Wells Street</li> <li>• Thompson Street</li> <li>• Playne Street</li> </ul>	minimum 3 metres	• Davey Street
	38 metres	all other locations	0 metres	all other locations
1B	12 metres	within 5 metres of property boundaries abutting <ul style="list-style-type: none"> <li>• Fletcher Road</li> <li>• Beach Street</li> <li>• Kananook Boulevard</li> <li>• Wells Street</li> <li>• Playne Street</li> <li>• Young Street (between Beach Street and Playne Street )</li> <li>• Nepean Highway</li> <li>• Shannon Mall</li> <li>• south side of Station Street</li> <li>• Station Mall</li> </ul>	0 metres	all locations
	20 metres	for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway		
	32 metres	all other locations		

### 5.1-4 Precinct guidelines

DD/MM/ New development should provide active and/or engaging frontages in locations specified on the Precinct 1 – City Centre Precinct Map.

In locations identified as ‘Sensitive Interface Areas’ on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and foreshore.

In locations identified as ‘Solar Access – Key Retail Streets Interface’ on the Precinct 1 – City Centre Precinct Map, new development should provide upper level setbacks that retain sunlight to the open space from 9:00am to 3.00pm on September 22.

New development should be consistent with the design, form, layout, proportion and scale of the development outlined in the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*.

New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.

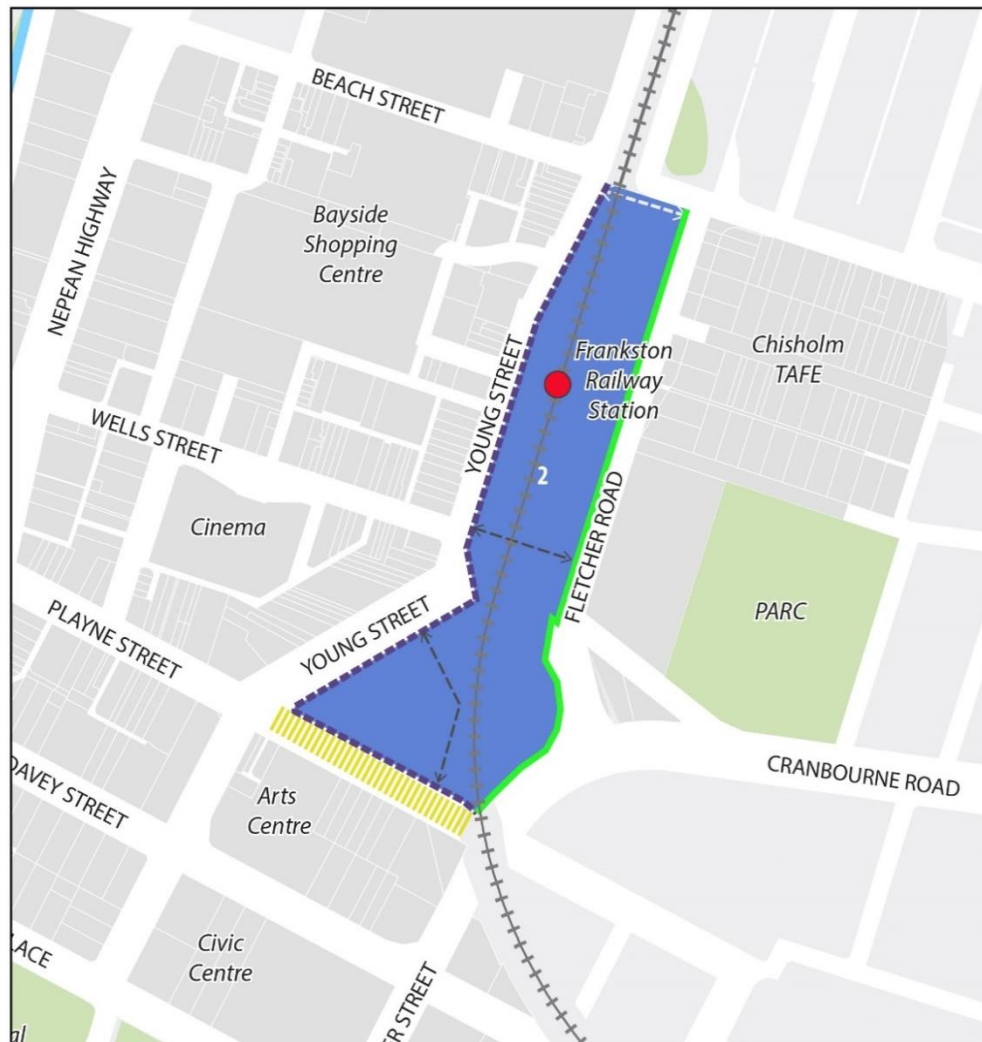
Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.

### 5.2 Precinct 2 – Frankston Station

DD/MM/YYYY

#### 5.2-1 Precinct map

DD/MM/



**5.2-2 Precinct objectives**

- DD/MM/Y To create an attractive and legible transport hub that includes an efficient bus interchange.
- To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport purpose of the railway land.
- To encourage commercial, residential and retail uses which activate the precinct and are complementary to the role of the City Centre Precinct.
- To enhance the public realm along Young Street and ensure it is well integrated with the transport hub.
- To strengthen linkages across the rail line and better connect the city centre to Chisholm Institute and the Peninsula Aquatic and Recreation Centre.
- To provide adequate car and bicycle parking for commuters.

**5.2-3 Precinct requirements**

DD/MM/

Sub-precinct	Preferred maximum building height		Preferred street setback	
N/A	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Young Street</li> <li>• Playne Streets</li> </ul>	0 metres	<ul style="list-style-type: none"> <li>• Young Street</li> <li>• Playne Street</li> <li>• Beach Street</li> </ul>
	44 metres	all other locations	minimum 3 metres	<ul style="list-style-type: none"> <li>• Fletcher Road</li> <li>• Cranbourne Road</li> </ul>

**5.2-4 Precinct guidelines**

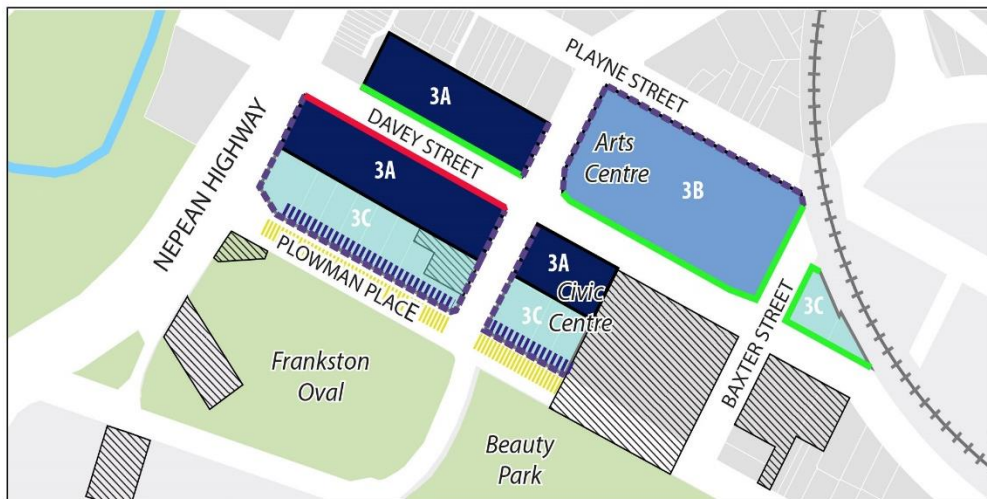
DD/MM/










- New development should provide active and/or engaging frontages in locations specified on the Precinct 2 – Frankston Station Map.
- New development should retain existing trees and provide for the planting of new trees in locations specified on the Precinct 2 –Frankston Station Map.
- In locations identified as ‘Solar access – Public open space Key Retail Streets, on the Precinct 2 –Frankston Station Map,new development should provide upper level setbacks that retain sunlight to the open space from 10:00am on September 22.
- New development should respond to the rail environment and its context as a transport corridor.

**5.3 Precinct 3 – Arts, Entertainment and Government Services**

**5.3-1 Precinct map**

DD/MM/Y



- |   |                  |   |   |
|---|------------------|---|---|
|  | Sub-Precinct 3A  |  | Engaging and activated frontage                               |
|  | Sub-Precinct 3B  |  | Activated frontage / Tree retention & planting within setback |
|  | Sub-Precinct 3C  |  | Heritage frontage - refer to HO                               |
|  | Heritage Overlay |  | Sensitive interface   |
|   |                  |  | Solar access - Public open space interface                    |

**5.3-2 Precinct objectives**

DD/MM/ To encourage the location of arts and cultural activities, entertainment uses, and government offices.

To encourage complementary uses such as higher density residential development, offices and education.

To strengthen the role of the Frankston Arts Precinct as a key destination and to further realise its ability to showcase the City.

**5.3-3 Precinct requirements**

DD/MM/

Sub-precinct	Preferred maximum building height		Preferred street setback	
	12 metres	within 5 metres of property boundaries abutting: • north side of Davey Street	Minimum 3 metres	• north side of Davey Street
	38 metres	in all other locations	0 metres	in all other locations
3B	12 metres	within 5 metres of property boundaries abutting: • Playne Street • Davey Street	Minimum 3 metres	• Playne Street • Davey Street
	32 metres	in all other locations	0 metres	in all other locations
3C	12 metres	within 5 metres of property boundaries abutting: • O’Grady Avenue • Fletcher Road • Plowman Place • Beauty Park • Frankston Primary School	Minimum 3 metres	• O’Grady Avenue • Fletcher Road • Evelyn Street • Horne Street
	26 metres	in all other locations	0 metres	in all other locations

**5.3-4 Precinct guidelines**

DD/MM/

New development should provide active and/or engaging frontages in locations specified on the Precinct 3 – Arts, Entertainment and Government Services Map.

New development should retain existing trees and provide for the planting of new trees in locations specified on the Precinct 3 –Arts, Entertainment and Government Services Map.

In locations identified as ‘Solar access – Public open space interface’ on the Precinct 3 – Arts, Entertainment and Government Services Map, new development should provide upper level setbacks that retain sunlight to the open space from 10:00am on September 22.

development setbacks should have regard to heritage buildings.

**6.0 Application requirements**

DD/MM/YYYY

**Use**

In addition to the application requirements set out at Clause 37.08-7, an application to use land must be accompanied by the following information, as appropriate:

- A Waste Management Plan which demonstrates as appropriate:
  - Likely waste generation.

- Provision and allocation of bins for garbage, recycling, green waste etc.
- The location and dimensions of bin storage areas, chutes etc., including access points for collection.
- The proposed method and frequency of waste collection.
- An amenity action plan that addresses how off-site amenity impacts are to be managed, including in relation to:
  - Noise.
  - Vibration.
  - Odour.
  - Hours of Operation.

### **Buildings and works**

In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and urban context report and shadow assessment, which demonstrates how the proposal responds to:
  - The Design and Development provisions at Clause 4.4 and all relevant requirements set out in Clauses 5.1, 5.2 and 5.3 to this Schedule.
  - Environmentally Sustainable Design principles in terms of orientation, day lighting, thermal comfort, embodied energy and energy ratings, as well as the minimisation of energy consumption, waste emissions and water usage.
  - An Architectural design statement that details the architectural response to the design of the building.
  - Where relevant a report from a suitably qualified heritage consultant that assesses the impact of the proposed building and works on a heritage place on the land or adjoining land.
  - A study which demonstrates reasonable levels of daylight and ventilation for higher density development.
- How the development addresses any adverse wind conditions.
- For development on land adjacent to the railway land, how the development addresses any interface issues with railway land including but not limited to railway infrastructure, drainage, vibration, overlooking, sun glare, noise and sight lines.
- For new residential and mixed use development, an acoustic report prepared by a suitably qualified person to demonstrate the proposed building incorporates appropriate noise attenuation measures to reasonably protect the amenity of future residents.
- For all applications over three storeys in height, a 3D massing model which describes a building envelope that shows:
  - The potential impact of the development on the private open space and north facing habitable rooms of adjoining properties.
  - How the development has been designed to minimise overlooking to the private open space and habitable room windows of adjacent properties and of dwellings within the proposed development.
  - The potential impact of the development on the common and private outdoor open space of the subject site.
  - The potential impact of the development on the public realm adjacent to the proposal ensuring that overshadowing of major pedestrian routes, parks and other public spaces is minimised; and that specifically:
    - solar access is provided to footpaths on the south side of east-west streets for at least three hours between 9:00am and 3:00pm on 22 September; and
    - reasonable solar access is provided to the ground floor of buildings opposite in winter.
  - How the built form has been articulated within the envelope to achieve maximum solar access internally, to neighbouring properties and the public realm.



- How the design (including building height and setbacks) contributes to the precinct objectives.
- A Waste Management Plan which demonstrates as appropriate:
  - Strategies for waste minimisation during construction.
  - Likely waste generation.
  - Provision and allocation of bins for garbage, recycling, green waste etc.
  - The location and dimensions of bin storage areas, chutes etc., including access points for collection.
  - The proposed method and frequency of waste collection.

### **VicTrack – potential land contamination**

An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formally owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood of contamination on the land, to the satisfaction of the responsible authority.

## **7.0 Notice and review**

DD/MM/YYYY  
Proposed C123

An application to use land, or to construct a building, for the purpose of an Adult sex bookshop, Bottle shop, Gambling premises, Hotel, Nightclub, Place of assembly or Tavern is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is:

- An application for a building or works which is within 30 metres of land (not a road) in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
- An application for buildings and works that exceeds the preferred maximum building height or minimum street setback requirement as outlined in this Schedule.

## **8.0 Decision guidelines**

DD/MM/YYYY

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider, as appropriate, the *Frankston Metropolitan Activity Centre Structure Plan, 2015 and:*

### **Use**

- The likely adaptability of any space within any podium not proposed to be occupied by commercial floorspace.
- Any loss of existing job generating floor space compared to the proposed amount of floor space.
- The extent to which uses contribute to a vibrant local economy and promote the activity area as a tourist destination.
- For applications for licensed venues, the likely social and amenity impacts of the proposal on the surrounding area.

- For all applications for a Bottle shop, Hotel, Supermarket or Place of assembly where packaged liquor will be sold, the proposed size, location and opening hours of the use.

### **Design and built form**

- Floor to ceiling heights that allow for flexibility of future uses.
- The extent to which the development contributes positively to the amenity of the precinct and is of an appropriate scale to accommodate the mix and intensity of uses envisaged for that precinct.
- The extent to which the development is consistent with the principles of Environmentally Sustainable Development (ESD).
- The extent to which the development is consistent with the principles of Water Sensitive Urban Development (WSUD).
- The extent to which development provides for the surveillance of public spaces and creates a safe environment.
- The extent to which development encourages activity within public streets and spaces.
- Whether the scale and intensity of a development would result in the underdevelopment of a site.
- The extent to which development provides appropriate on-site amenity for future occupants.
- The extent to which the development prioritises walking, cycling and public transport use, and provides car parking that responds to anticipated demand, does not dominate the street frontage, and is functional and well-designed.
- Whether the building has minimised overlooking of adjacent private property without the need for screening, and where necessary, used building articulation and screening devices, including wing walls, planter boxes and louvers to protect privacy of adjoining properties while also providing an outlook and good internal amenity.
- Whether new development within Precinct 1A and 1B is consistent with the design, form, layout, proportion and scale of the development outlined in the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*.

### **Subdivision**

- Whether the subdivision is associated with a development proposal that supports the objectives of the *Frankston Metropolitan Activity Centre Structure Plan, 2015* and this Schedule.
- Whether the subdivision of land reduces the potential of the land to be developed consistently with the *Frankston Metropolitan Activity Centre Structure Plan, 2015* and this Schedule.

## **9.0 Advertising signs**

DD/MM/

Advertising sign requirements are at Clause 52.05. All land is in Category 1.

## 10.0 Reference documents

DD/MM/

*Frankston Metropolitan Activity Centre Structure Plan, 2015*

*FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*

SJB Urban



DRAFT

# FMAC Illustrative Guidelines

## Neighbourhood Character & Urban Design Outcomes for Precincts 1A & 1B

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Prepared for  
Frankston City Council

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Issued  
24 November 2017

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# We create amazing places

DRAFT

At SJB we believe that the future of the city is in generating a rich urban experience through the delivery of density and activity, facilitated by land uses, at various scales, designed for everyone.

Version: 01  
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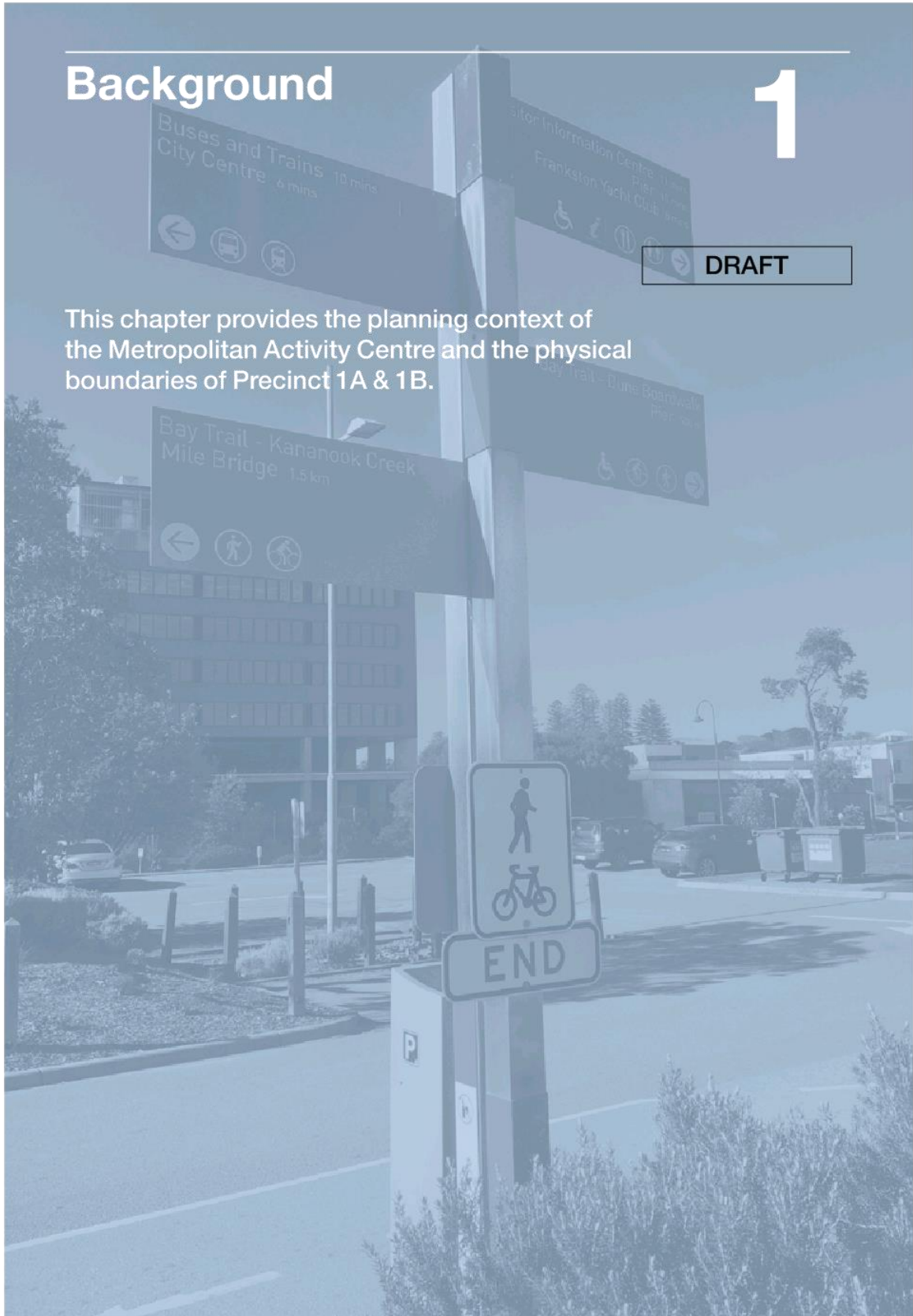
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# Background

# 1

DRAFT

This chapter provides the planning context of the Metropolitan Activity Centre and the physical boundaries of Precinct 1A & 1B.



## 1.1 Introduction

Frankston City Council adopted the Frankston Metropolitan Activity Centre Structure Plan (FMAC Structure Plan) in May 2015. Planning Scheme Amendment C123 was adopted by the recommendation from a planning panel held in November 2016. Schedule 1 of the Activity Centre Zone (ACZ1) was applied along with Amendment C123 over the Frankston City Centre. The ACZ1 includes details for land use, development and built form objectives, and precinct guidelines for preferred building heights and street setbacks.

The purpose of these Illustrative Guidelines is to provide graphic-focused guidelines addressing the future neighbourhood character and best practice urban design outcomes for Precincts 1A and 1B within the Frankston City Centre. This illustrative document will aid in the achievement of a vibrant and sustainable future for Frankston by communicating with all stakeholders effectively through explanatory diagrams.

This document is divided into four sections: Background, Built Form, Precinct Guidelines and Material Palette.

The Background provides information on the planning context of Frankston Metropolitan Activity Centre and the physical boundaries of Precinct 1A & 1B.

Built Form provides graphic explanations of the major Built Form Principles that are included in Schedule 1 to the Activity Centre Zone (ACZ1) in Frankston Planning Scheme.

In Precinct Guidelines, precinct-specific principles are demonstrated through scenario testing and illustrations and in accordance with ACZ1.

Material Palette suggests appropriate materials for the coastal environment ensuring buildings and landscapes can withstand the specific climate conditions Frankston faces.





## Background

### 1.2 Metropolitan Context

The Metropolitan Planning Strategy has identified Frankston as one of 11 Metropolitan Activity Centre (MACs). MACs will support their subregional catchments by providing communities with a wide range of services including retail, entertainment, government, community, cultural and transport services. New opportunities for jobs, activities and housing is expected to be provided by these MACs.

Frankston is located approximately 40km south east from Melbourne CBD at the northern end of Mornington Peninsula adjacent to Port Phillip Bay. It has good connections including rail, Nepean Highway, Eastlink and Mornington Peninsula Freeway. It is a major transport hub providing rail and bus access to Melbourne CBD, south to the Peninsular and to surrounding employment and residential areas.

Frankston is a major health and education hub for the south east metropolitan region and Morning Peninsula with the Frankston Hospital, Monash University and Chisholm Institute in the MAC. It also provides the south-east regions and Mornington Peninsula with a wide range of retail and entertainment services.



Existing Major Transport Infrastructure, Educational & Medical Facility in Frankston













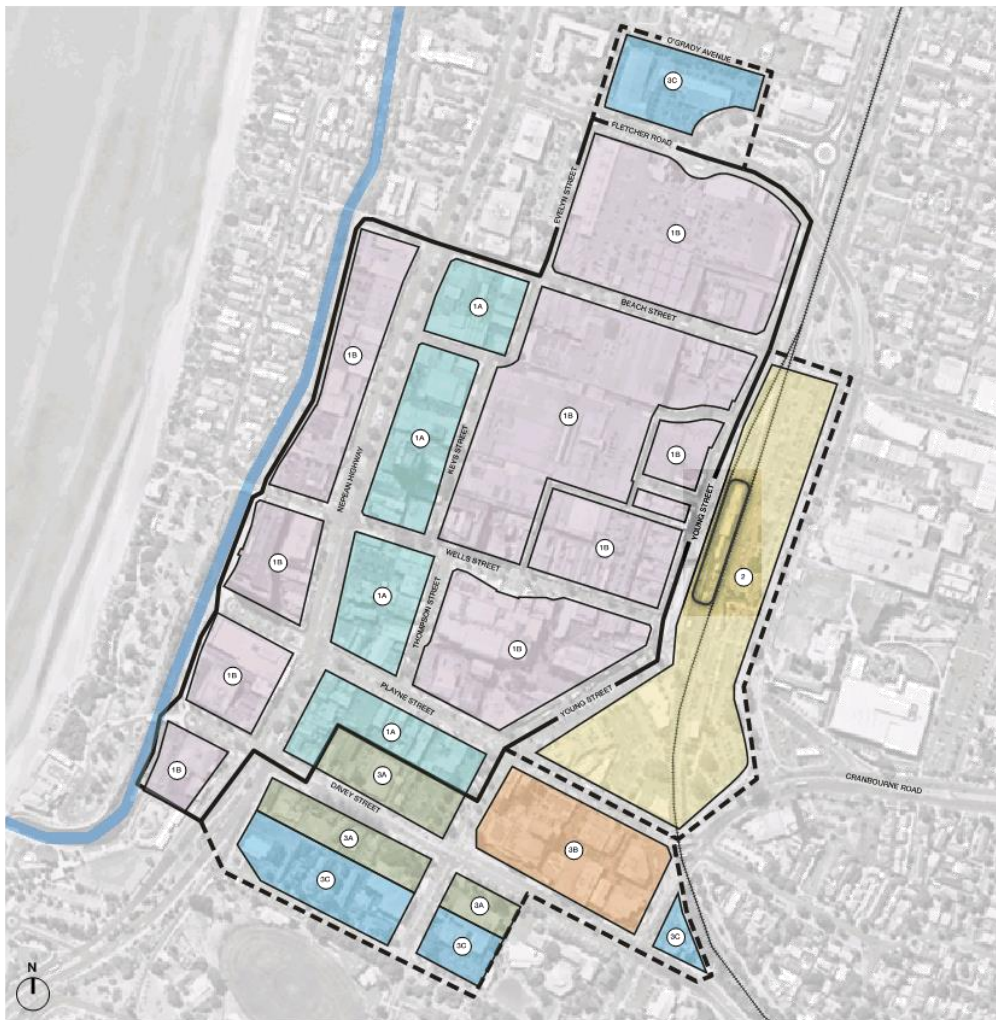
Background

1.3 Frankston Metropolitan Activity Centre

Frankston Metropolitan Activity Centre has been defined by three Precincts. This document will focus on Sub-Precinct 1A & 1B to illustrate neighbourhood character and urban design outcomes for the FMAC.

LEGEND










	Study Area Boundary		Sub-Precinct 1A		Sub-Precinct 3A
	FMAC Boundary		Sub-Precinct 1B		Sub-Precinct 3B
	Kananook Creek		Sub-Precinct 2		Sub-Precinct 3C
	Frankston Railway Station				

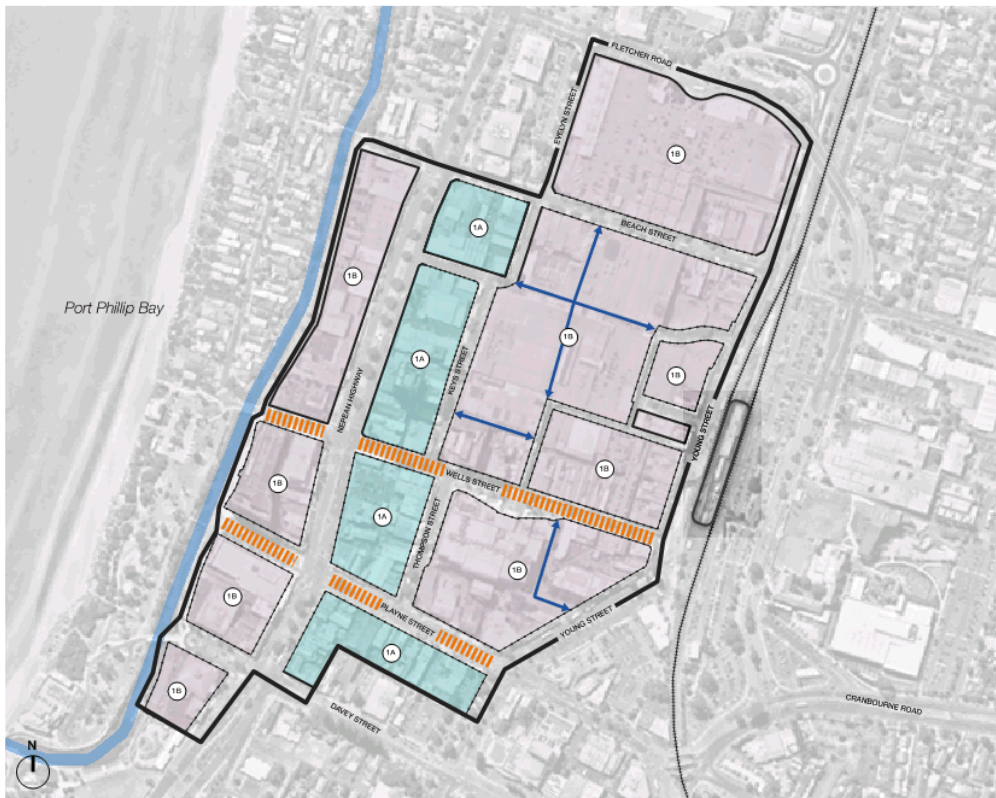


Map of Frankston Metropolitan Activity Centre (NOT TO SCALE)

### 1.4 Precinct 1A & 1B

Precinct 1A & 1B are located in the centre of FMAC. These precincts aim to provide major opportunities for mixed use development with housing, serviced apartments, hotels, community uses, education providers, health services or offices located above retail ground floor uses. Outdoor dining is also encouraged throughout Precinct 1A & 1B. The integration of the Bayside Shopping Centre with the existing street network and surrounding retail areas will potentially be improved by facilitating solar access to key retail streets and pedestrian links. The development along the western and southern boundaries of Sub-precinct 1B must be responsive to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

- LEGEND
-  Study Area Boundary
  -  Precinct Boundary
  -  Precinct 1A
  -  Precinct 1B
  -  Kananook Creek
  -  Frankston Railway Station
  -  Frankston Railway Line
  -  Preferred locations for mid-block pedestrian links
  -  Solar access - Key retail streets



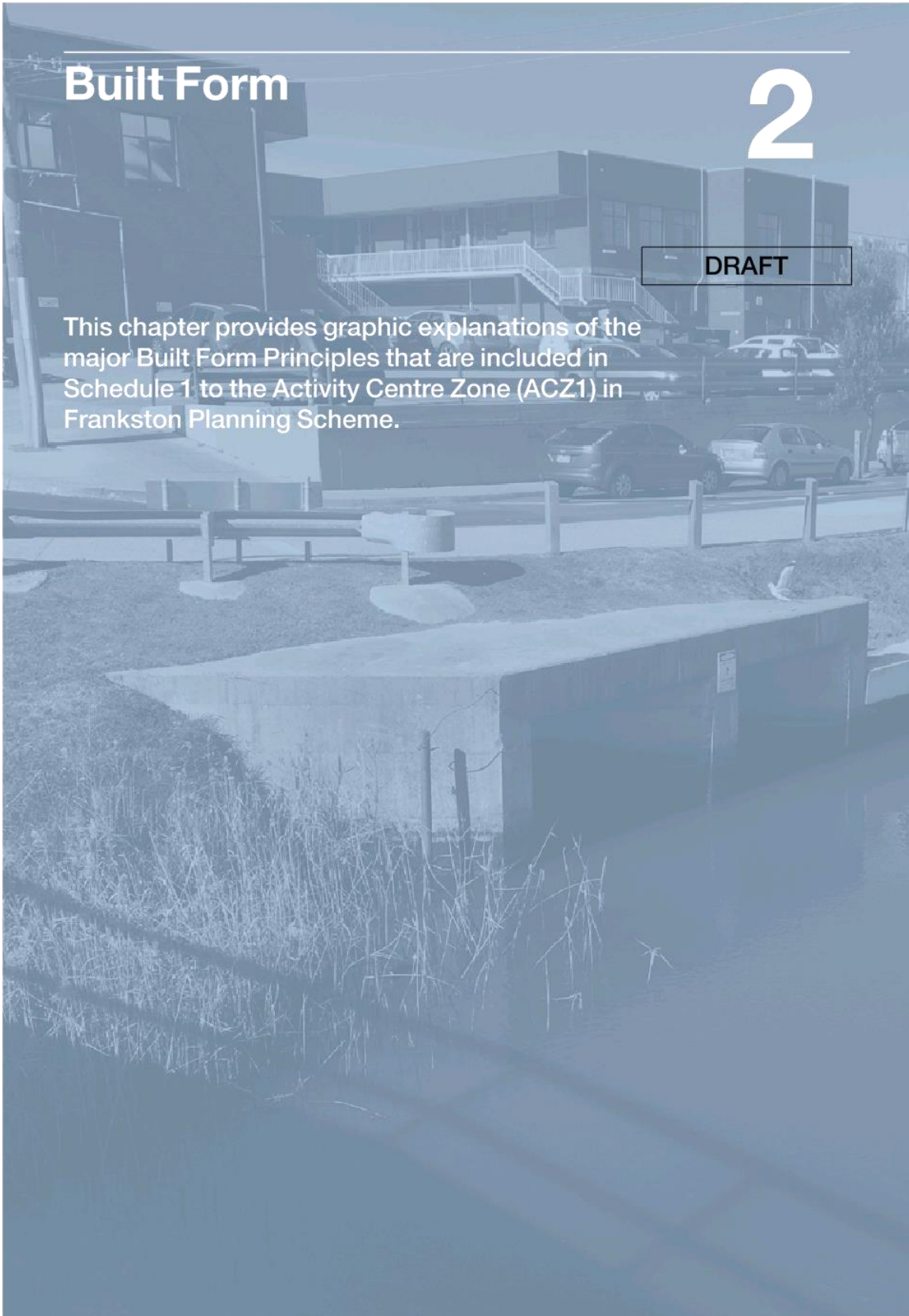
Map of Study Area (NOT TO SCALE)

# Built Form

# 2

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This chapter provides graphic explanations of the major Built Form Principles that are included in Schedule 1 to the Activity Centre Zone (ACZ1) in Frankston Planning Scheme.



## 2.1 Active Frontages

***Built Form within the Activity Centre should:***

*Integrate with and contribute positively to the streetscape through the provision of active frontages that promote movement between the private and public realm.*

*Locate pedestrian entries to buildings on the pedestrian network and emphasise entries with prominent design features, signage or landscape treatments.*

The integration of the street with building frontages is essential in encouraging activation and promoting safe, welcoming and engaging streetscapes. Integrating elements such as signage, weather protection, doors, windows and indoor/outdoor uses into the built form encourages pedestrians to engage with the street and surrounding uses.

Using diverse, high quality and textural materials at the ground and first floor contributes to an engaging and interesting streetscape that encourages human interaction.



Mary Street, Brisbane



City Creek Centre, U.S.A.

Integrated Street Environment for Active Frontage

## Built Form

The public footpath should also offer a variety of uses including public seating, shade and shelter in the form of trees and canopies, lighting, outdoor dining opportunities and mobile vendors. Providing good streetscape amenity will encourage people to use the street contributing to increased activity and safety in the public realm.



Lygon Street, Melbourne

1. Right angled sign
2. Low level planting
3. Infrastructure for all pedestrians
4. Street amenity
5. Hanging basket
6. Street tree
7. Awning
8. Outdoor dining



Street Design Features for Active Frontage

## 2.2 Solar Access

***Built Form within the Activity Centre should:***

***Maintain sunlight to footpaths on the opposite side of the street and adjacent public spaces.***

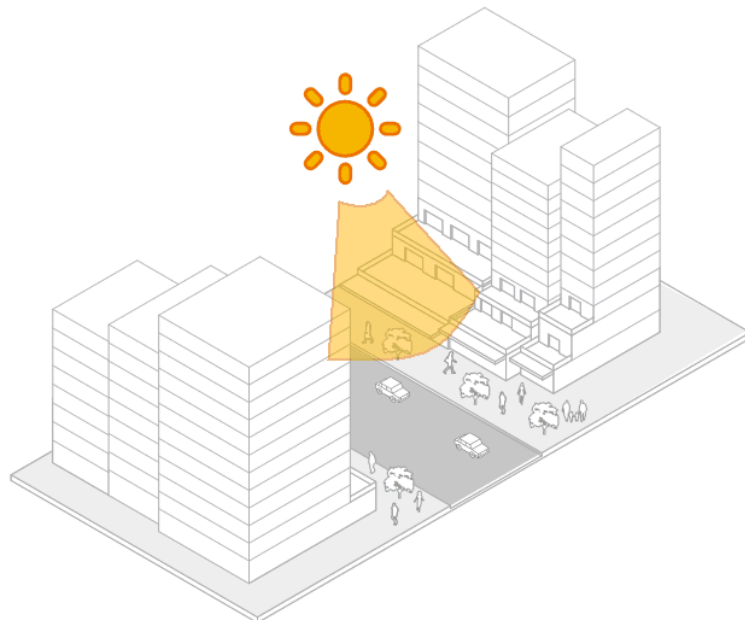
Providing good solar access to streets is essential in encouraging on-street activity. Built form should minimise the overshadowing of footpaths on the opposite side of the street. This includes built form on the northern side of streets and the impact these have on the access to direct sunlight to the southern footpath as well as the access to direct sunlight in the morning and afternoon on east and west facing footpaths. Semi-transparent materials included in canopies can also provide additional light to footpaths.



Acland Street, Melbourne



Bourke Street, Melbourne



Maintain Sunlight to Footpaths and Public Spaces



## Built Form

### 2.3 Sensitive Interfaces

***Built Form within the Activity Centre should:***

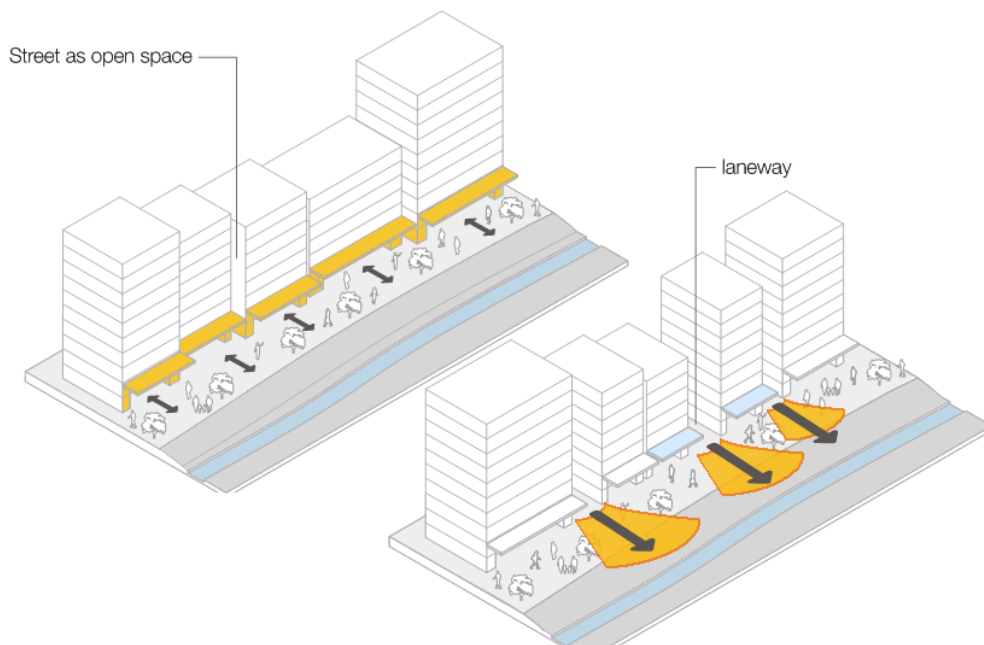
***Respond appropriately to sensitive residential, open space and creek interfaces.***

The Frankston Metropolitan Activity Centre has a number of sensitive interfaces that contribute to the unique character and amenity of the Centre including open spaces such as the beach, Kananook Creek and existing low scale residential areas.

The response to these interfaces should minimise adverse impacts as well as encourage appropriate use. The interface of buildings with Kananook Creek should encourage pedestrian movement by minimising back-of-house uses along the creek, restricting vehicle access and speeds along the creek interface, ensuring active uses facing onto the creek such as a variety of retail, commercial and community uses and providing high quality pedestrian environments.

The impact of development on the environmental qualities of the interfaces should be considered. Buildings and landscapes should respond by ensuring elements such as storm water quality, plant species and materials are appropriate for the existing and preferred landscape.

Public connections to and along the creek and the coast should be encouraged including providing a network of streets, lanes and pedestrian paths from the city centre and along the creek and coast interface.



Appropriate Response to Sensitive Interface



Southbank, Brisbane



San Diego Embarcadero, U.S.A.



North Wharf Promenade and Silo Park, New Zealand



Elizabeth Quay, Perth









**Built Form**

**2.4 Railway Interface**

*Built Form within the Activity Centre should:  
 Where relevant consider the impact of new development on railway land and have regard for the primacy of the transport purpose of this land.*

The railway is an important asset to the FMAC providing essential connections to the greater Melbourne area. New development must respond appropriately to the railway land and Railway Station by ensuring amenity impacts of the rail use are appropriately addressed by the built form and landscape.

LEGEND

-  Study Area Boundary
-  Precinct 1A
-  Precinct 1B
-  Kananook Creek
-  Frankston Railway Station
-  Frankston Railway Line
-  Railway Land
-  Sensitive Railway Land Interface



Map of Railway Land Sensitive Interface (NOT TO SCALE)

## 2.5 Visual Dominance

**Built Form within the Activity Centre should:**

***Avoid visually dominant building forms adjacent to city centre streets and public spaces.***

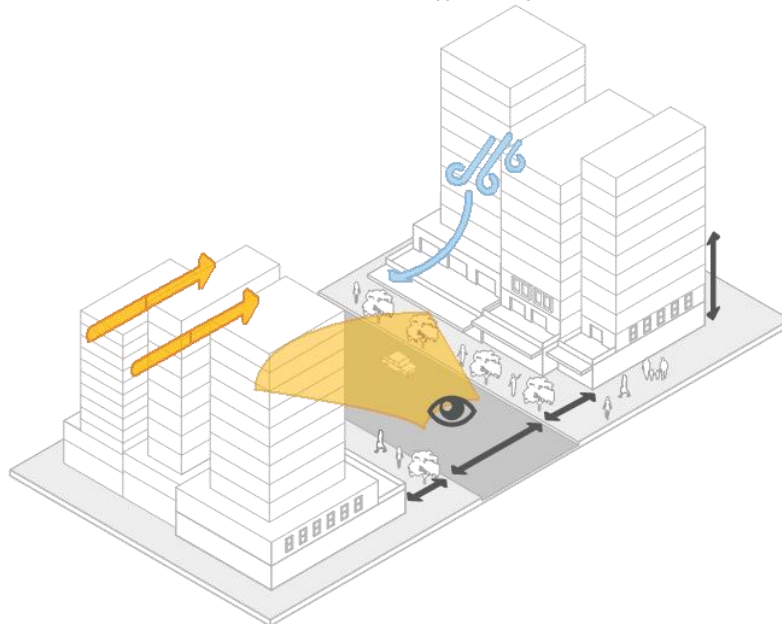
In order to create a welcoming, people-focused city centre, buildings should make a positive contribution to the streetscape and the city skyline. Dominant forms should be avoided by ensuring building envelopes provide variety and allow access to light, sky-views and enhance key pedestrian pathways. Streetscapes can be also be defined by a podium form providing a human-scaled street wall with taller form behind.



Dominant Built Form at Docklands, Melbourne



Upper level separation at Melbourne Central, Melbourne



'Human Scaled' Streetscapes

## Built Form

### 2.6 Weather Protection

*Built Form within the Activity Centre should:*

*Provide weather protection that reduces the impacts of wind and rain and ensures adequate shade.*

Good city streets allow people to use them in all kinds of weather conditions. Incorporating canopies along pedestrian streets provides shade and shelter and can help define a 'human-scaled' street by breaking up large expanses of façade. Utilising upper level setbacks, podiums and textural architecture that includes balconies can also help mitigate the impact of wind on the pedestrian environment.

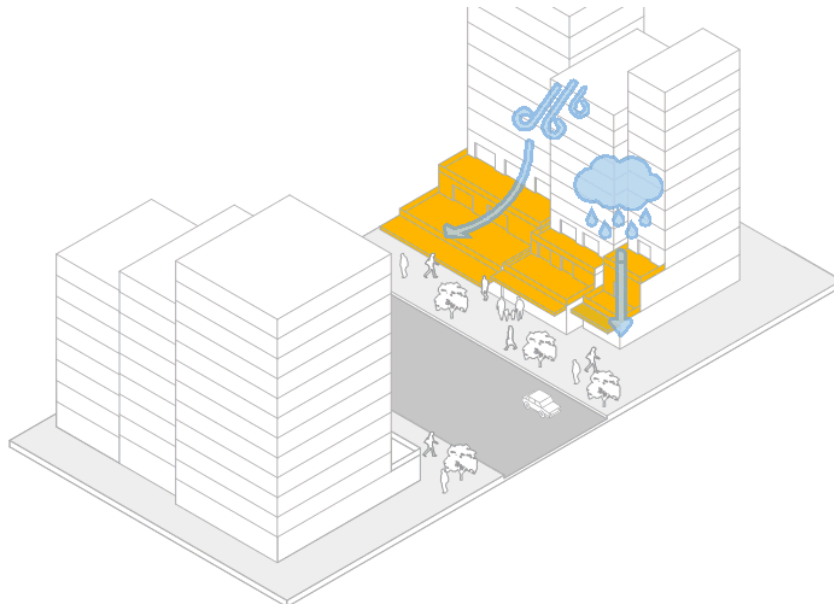
Providing a variety of movement pathways through the City also allows people to choose an appropriate route depending on the weather.



Acland Street, Melbourne



Hardware Lane, Melbourne



Create Weather-proof Pedestrian Environment

## 2.7 Pedestrian Priority

**Built Form within the Activity Centre should:**

*Provide access to pedestrians, regardless of their level of mobility.*

*Separate pedestrian entries from vehicle entries.*

*Provide access and servicing from existing roads, with minimal impact on public spaces, and minimise the number of vehicle crossovers on pedestrian paths.*



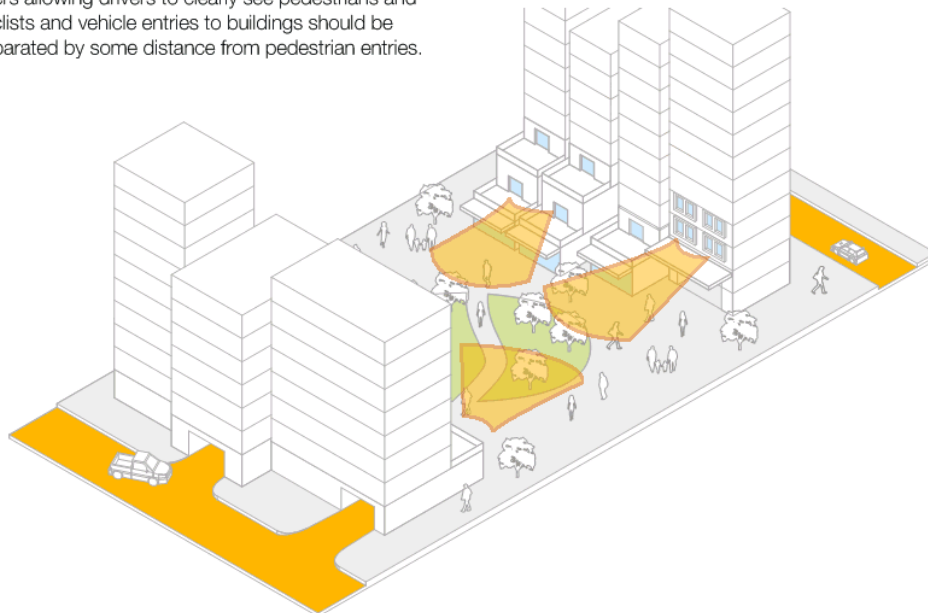
Superkilen, Denmark



Ballarat Street, Melbourne

Good cities provide equitable access for all and prioritise safe and engaging pedestrian environments. This can be assisted by ensuring pedestrian pathways and vehicle access points are carefully considered and that these conflict points are minimised, especially along key pedestrian routes.

Good site lines should be established at vehicle cross overs allowing drivers to clearly see pedestrians and cyclists and vehicle entries to buildings should be separated by some distance from pedestrian entries.



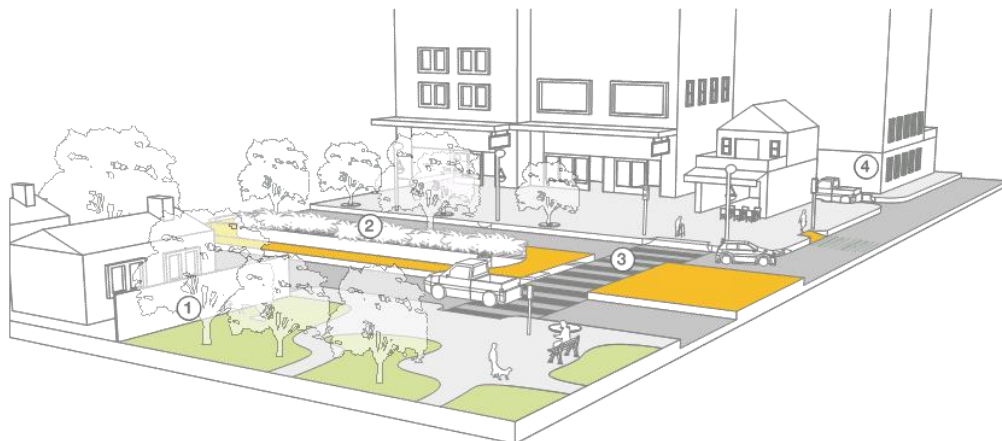
Create Safer Public Spaces

**Built Form**

1. Public Space
2. Delineation by Landscape Features
3. Infrastructure for Safe Traffic Environment
4. Vehicular Access from Side Street



Pedestrian Crossing Transformation in New York



Create Safer Pedestrian Environment

## 2.8 Equitable Development

**Built Form within the Activity Centre should:**  
*Ensure that development is respectful of possible future development of adjoining sites and the sharing of amenity with adjacent properties.*

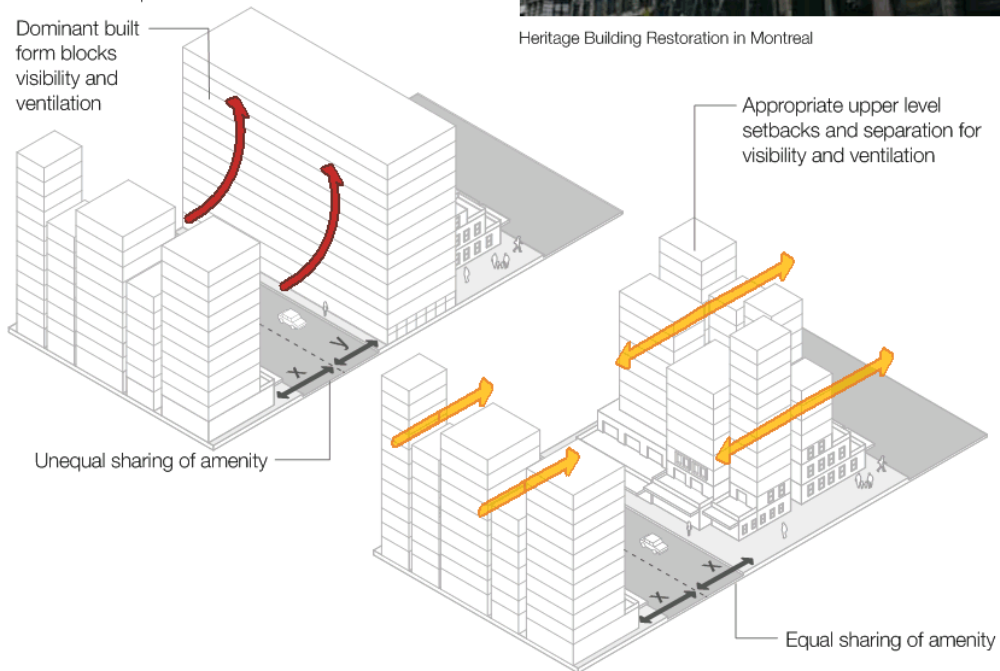
New built form should allow for equitable development of neighbouring sites. This includes providing equitable access to sunlight, air flow and streetscape amenity for future tenants of both sites. It is particularly important that while the Activity Centre is developing, the presentation of large blank side walls should be avoided. This can be addressed by utilising textured materials such as precast patterned concrete, artworks and other techniques to provide visual interest until neighbouring sites are developed.



Artwork of Construction Site in New York



Heritage Building Restoration in Montreal



Respectful of Adjoining Sites and the Sharing of Amenity



## Built Form

### 2.9 Responsive to Frankston's Role as a Metropolitan Activity Centre

**Built Form within the Activity Centre should:**

*Reflect the status of Frankston as a Metropolitan Activity Centre on key landmark sites.*

*Consider the impact of new development on the city centre skyline from surrounding viewpoints.*

*Provide a clear delineation between development in the city centre and development in surrounding areas.*

To reflect the status of Frankston as a Metropolitan Activity Centre the arrangement of new developments should consider their influence on the city centre skyline.



New York, U.S.A.



Bangkok, Thailand



Skyline with considered arrangement



Skyline without considered arrangement

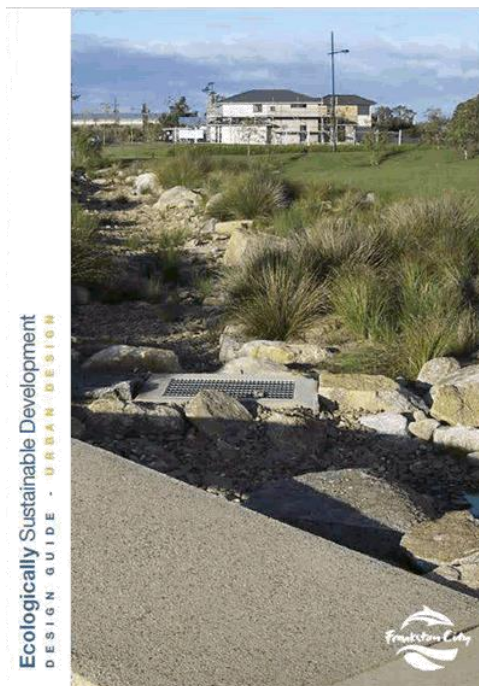
Reflect Frankston Metropolitan Activity Centre Status

## 2.10 Sustainable Frankston

*Built Form within the Activity Centre should:  
Integrate Ecologically Sustainable Design  
(ESD) and Water Sensitive Urban Design  
(WSUD) principles.*

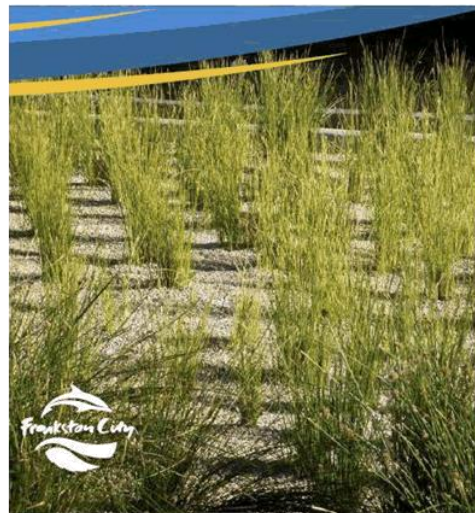
For Ecologically Sustainable Design (ESD), refer to The ESD Design Guide – Urban Design by Frankston City Council, which was published on 6 July 2009.

For Water Sensitive Urban Design (WSUD), refer to Frankston WSUD Guidelines by Frankston City Council, which was endorsed in January 2012.



Existing Frankston ESD and WSUD Guidelines

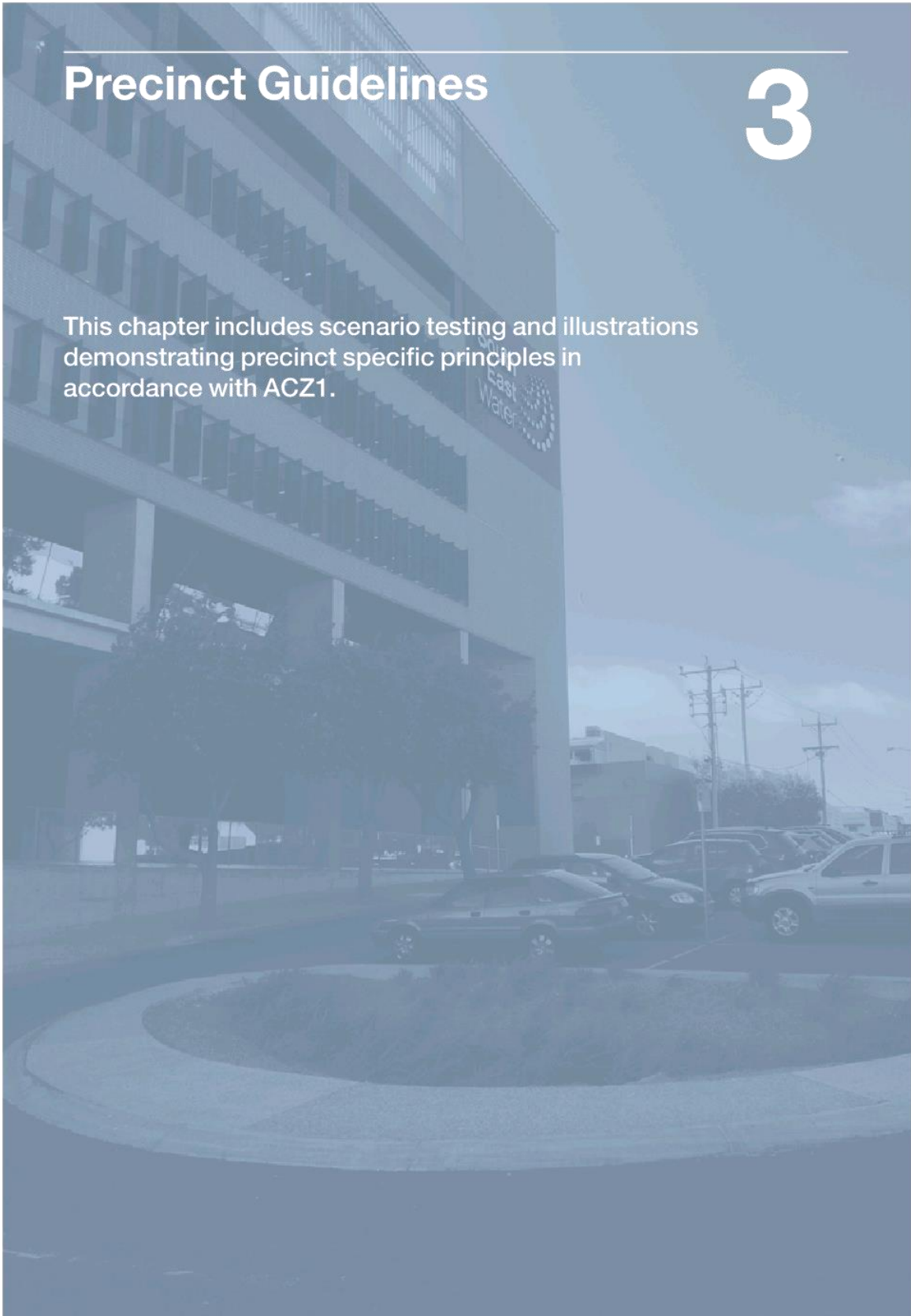
## FRANKSTON WSUD GUIDELINES



# Precinct Guidelines

# 3

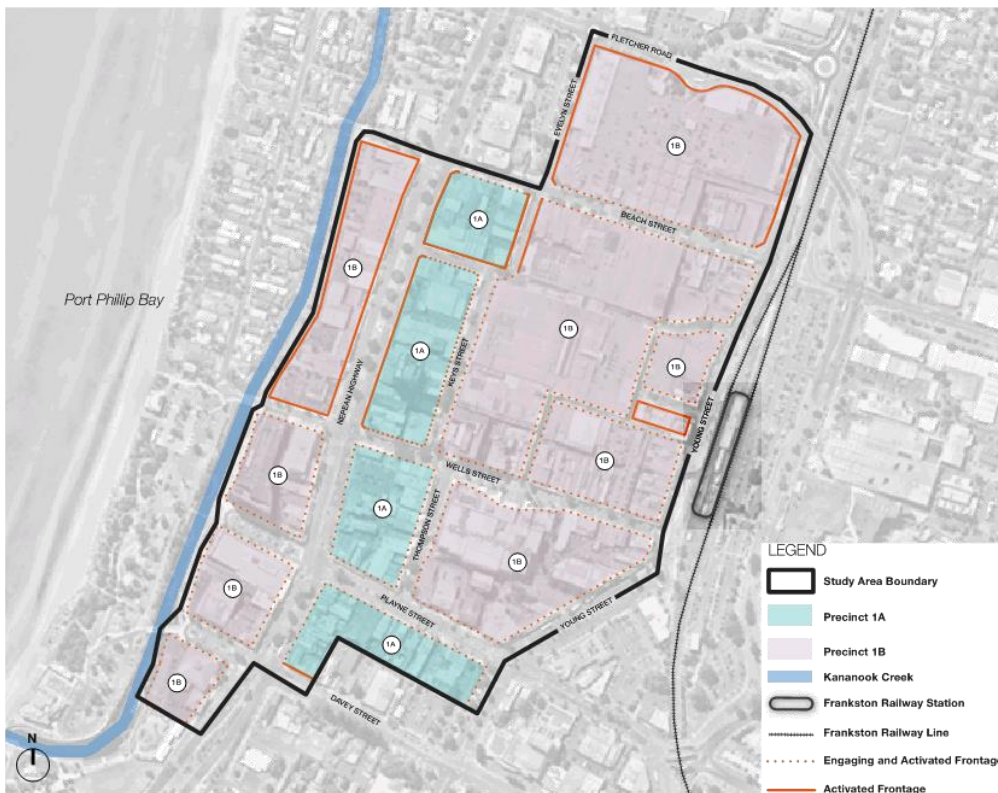
This chapter includes scenario testing and illustrations demonstrating precinct specific principles in accordance with ACZ1.



### 3.1 Active and/or Engaging Frontages

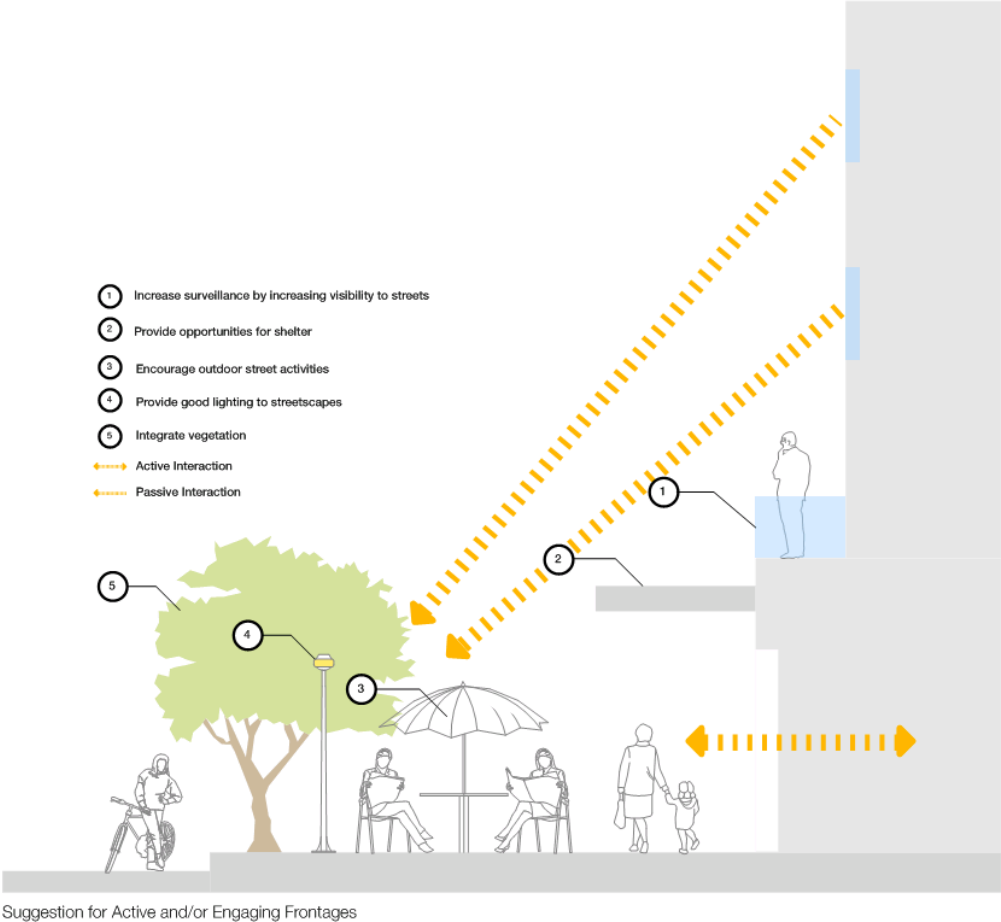
*New development should provide active and/or engaging frontages in locations specified on the Precinct 1 – City Centre Precinct Map.*

Priority areas have been identified for active and engaging frontages to ensure streetscapes are pedestrian focused and provide a variety of activities and opportunities to engage with city life.



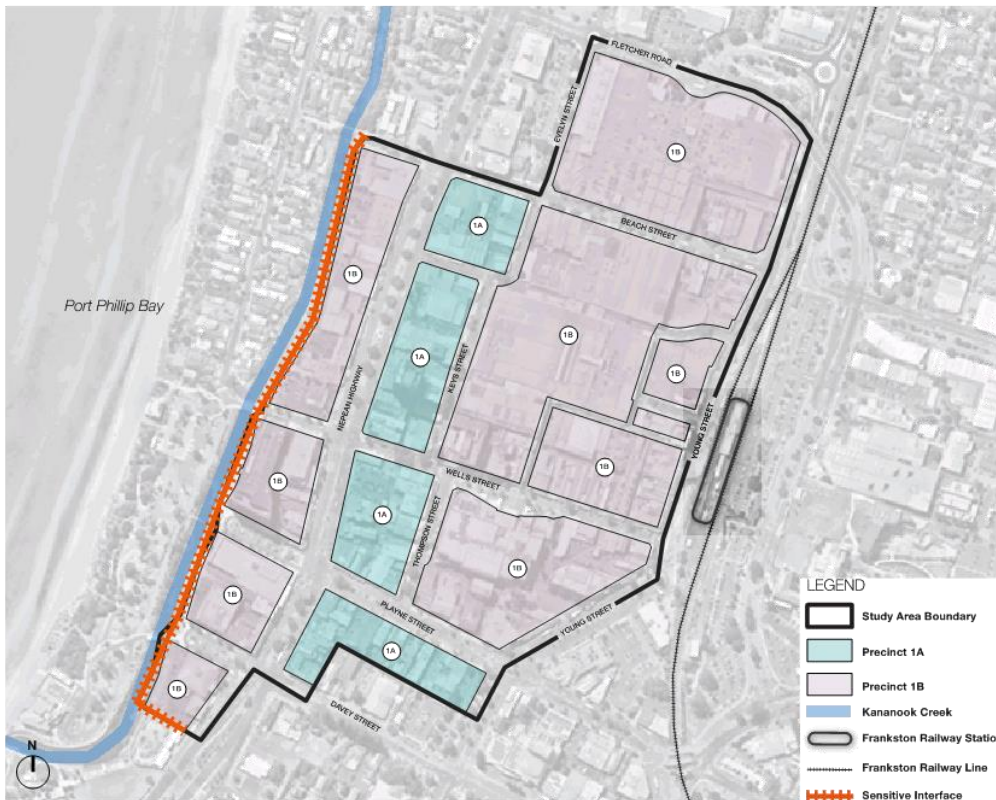
Map of Active and/or Engaging Frontages in Study Area (NOT TO SCALE)

Precinct Guidelines

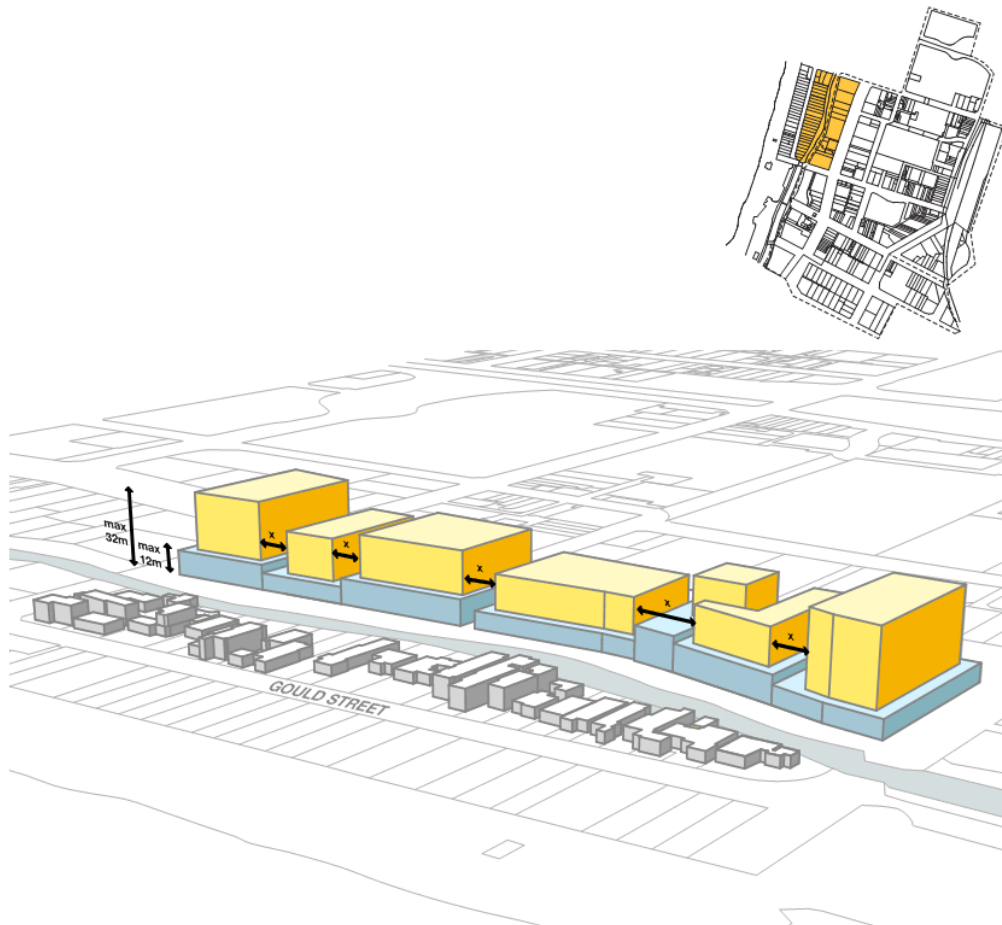


### 3.2 Sensitive Interface Area

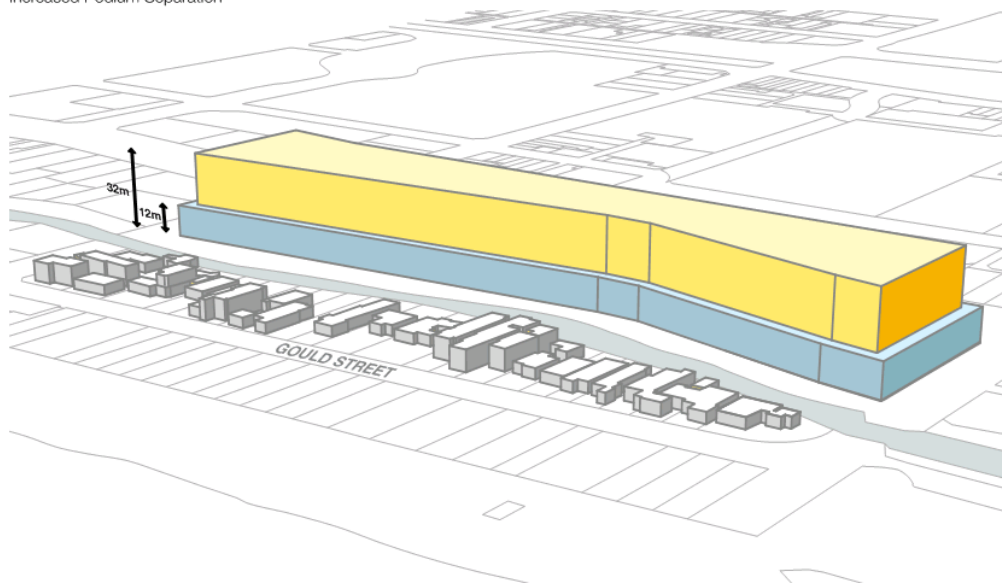
*In locations identified as 'Sensitive Interface Areas' on the Precinct 1 – City Centre Precinct Map, new development should avoid visually dominant building forms, respond appropriately to adjacent residential, foreshore and creek interfaces, consider the impact of overshadowing, sun glare and nightlight on adjacent viewpoints, and ensure that development is respectful of the sharing of amenity with adjacent residential areas and foreshore.*



Map of Sensitive Interface in Study Area (NOT TO SCALE)



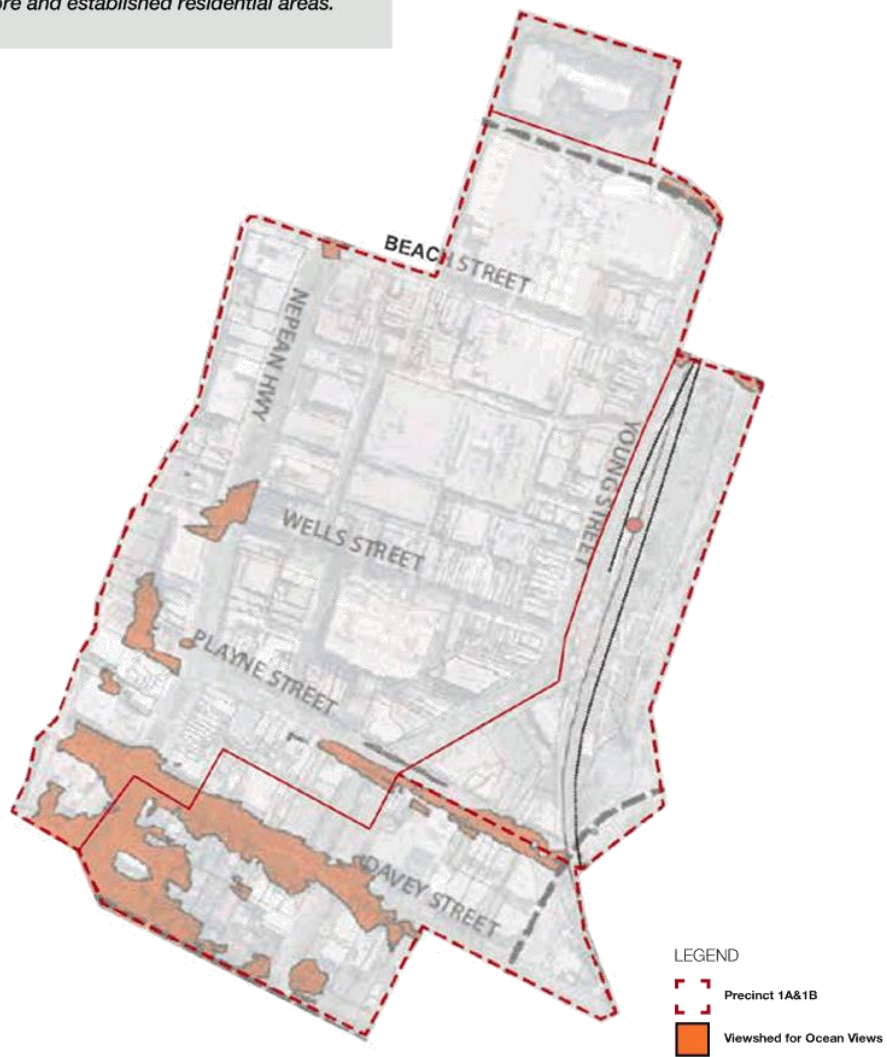
Increased Podium Separation



Visually Dominant Building Form

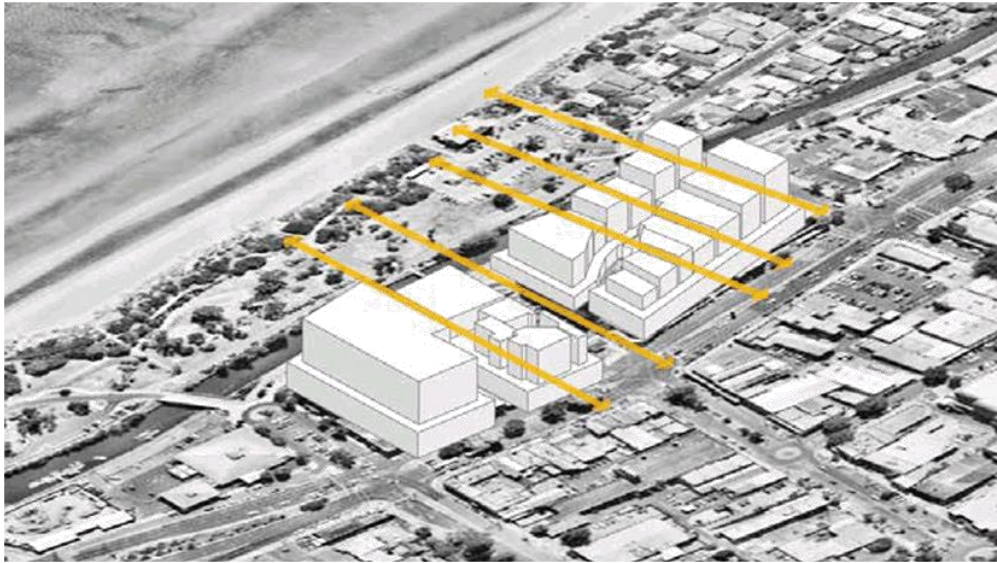
### 3.3 Connection to Foreshore and Creek Interface

*To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.*

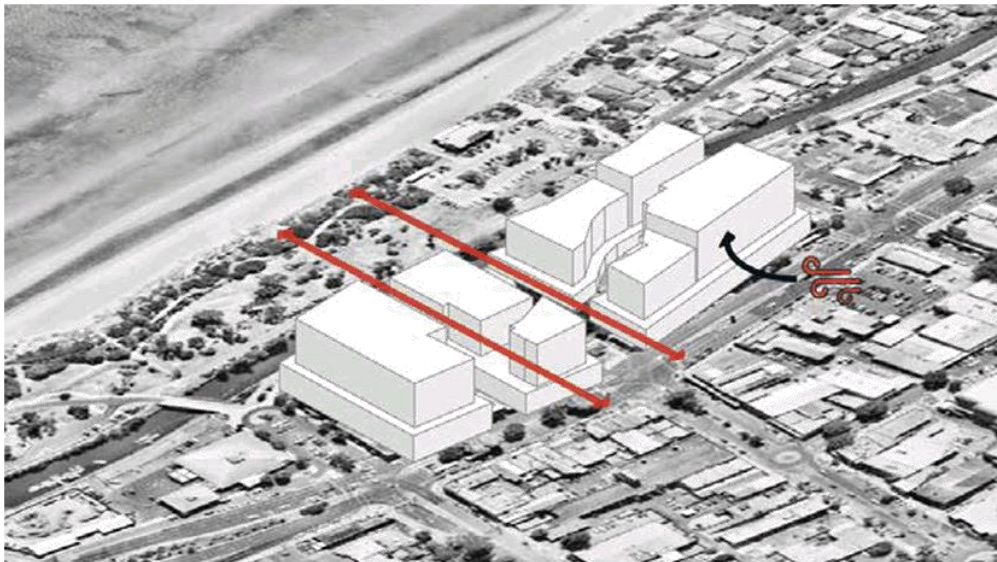


Viewshed Analysis showing where ocean views are potentially available (Building Heights and Setbacks Study Draft Report)





Increase ocean views by upper podium separation



Limited ocean views and increasing updraft winds due to dominant blocks



### 3.4 Maintain Neighbourhood Character

New development must be respectful of the preferred neighbourhood character and the valued public amenity of the creek and foreshore. Buildings along the sensitive interfaces should address both their location in a Metropolitan Activity Centre as well as their adjacencies to lower scale development and natural environments.



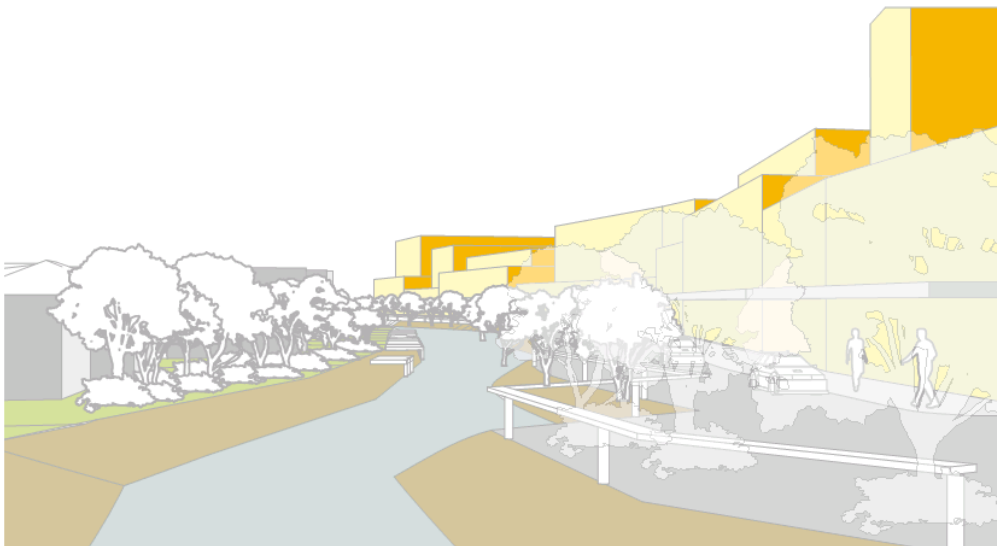
9am



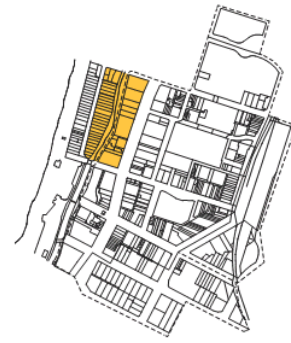
12noon



3pm



Building Height Maximum 20m



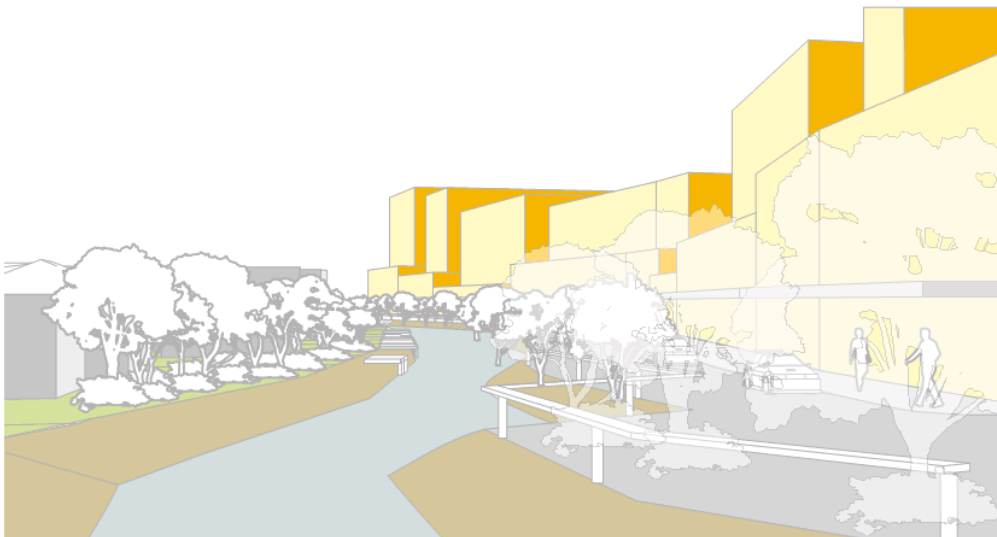
9am



12noon



3pm

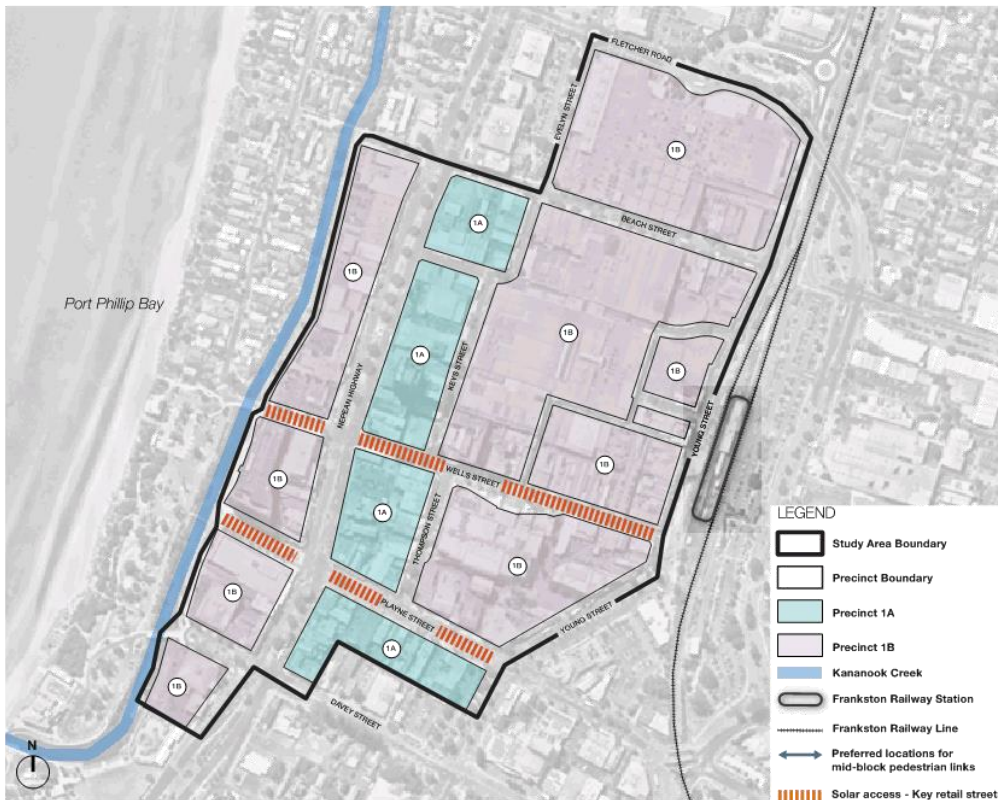


Building Height Maximum 32m

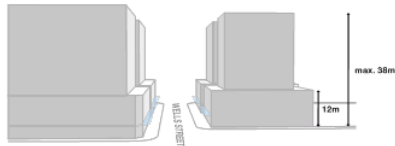
### 3.5 Avoid Overshadowing

*In locations identified as 'Solar Access – Key Retail Streets Interface' on the Precinct 1 – City Centre Precinct Map, new development should provide upper level setbacks that retain sunlight to the open space from 9:00am to 3:00pm on September 22.*

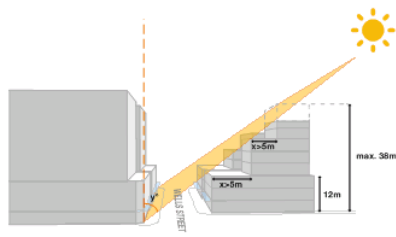
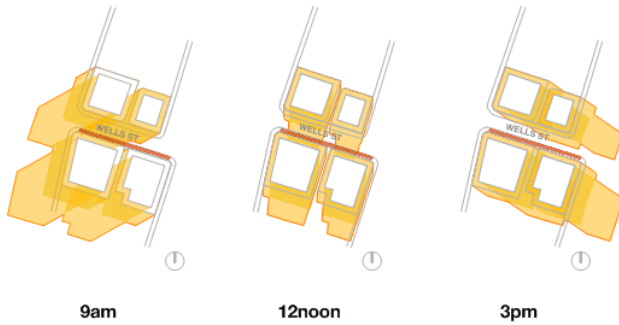
To avoid overshadowing, new development may introduce upper level setbacks to allow sunlight through key retail streets.



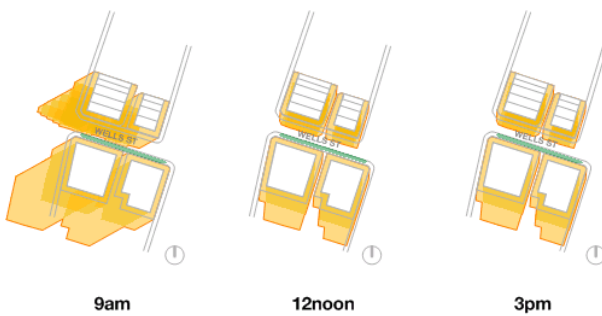
Map of Solar Access in Study Area (NOT TO SCALE)



Limited upper level setback



Sufficient upper level setback



Comparison between Limited and Sufficient Upper Level Setback

### 3.6 Sense of Enclosure

*"Sense of enclosure: when buildings physically define public spaces particularly through proportions between height and width in an area to create places that are comfortable to pedestrians." City of Ottawa (2017)*

In addition to frontage activation, a comfortable pedestrian environment can be enhanced by introducing appropriate street ratios between street width and building height.



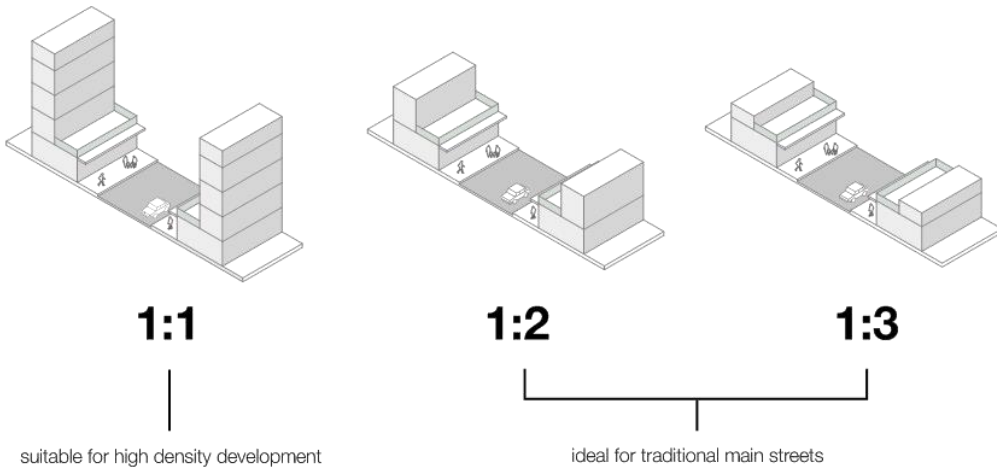
Bourke Street, Melbourne (1:1 Street Example)



Glenferrie Road, Melbourne (1:3 Street Example)



Sydney Road, Melbourne (1:2 Street Example)



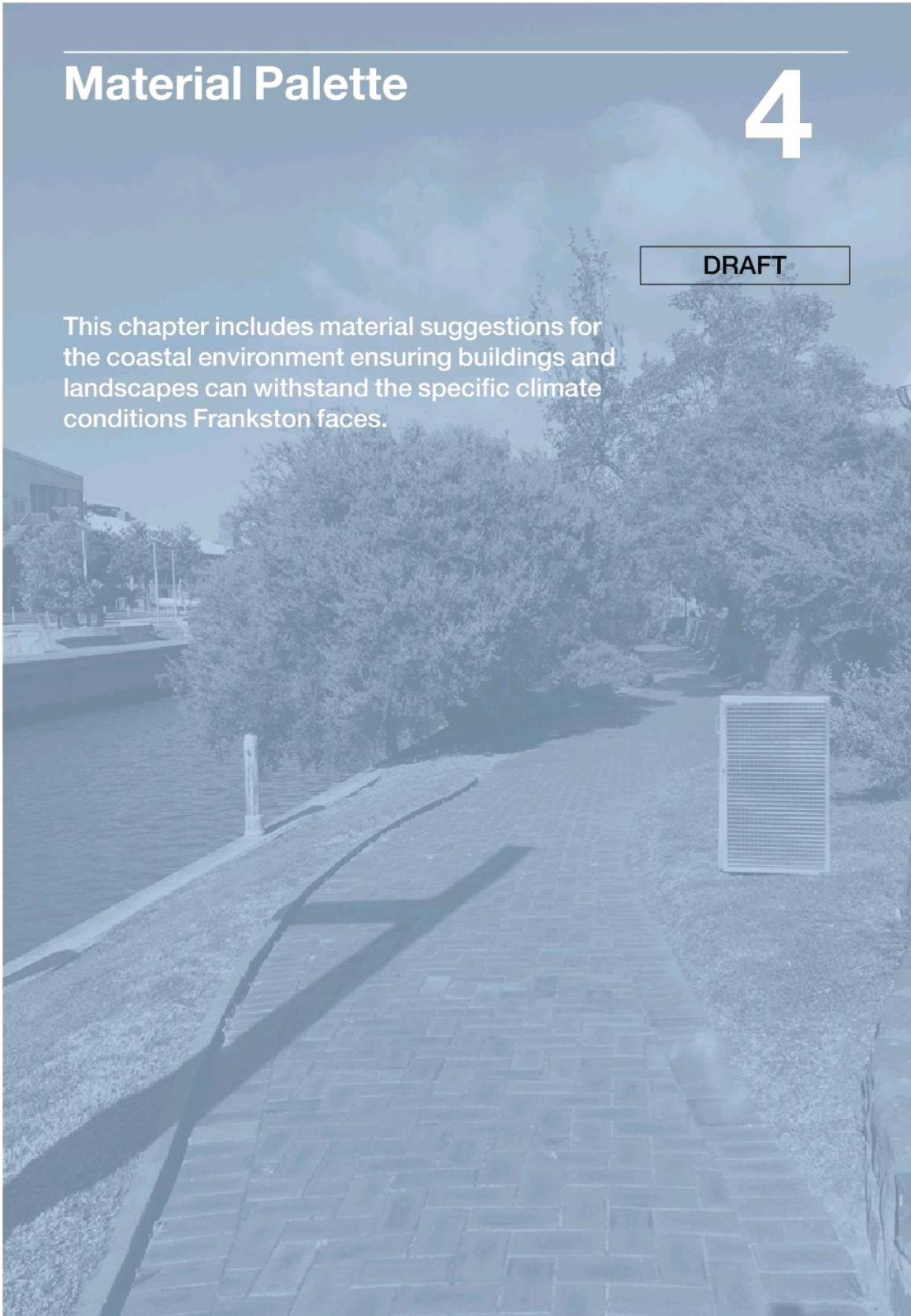
Ratio between Street Width and Building Height

# Material Palette

# 4

DRAFT

This chapter includes material suggestions for the coastal environment ensuring buildings and landscapes can withstand the specific climate conditions Frankston faces.



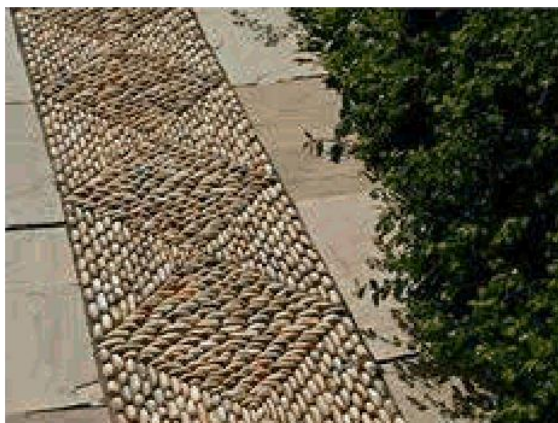
Using materials that are of high quality, robust, sustainable and appropriate for their location will help ensure that the built form of the Activity Centre can withstand the demands of the coastal setting of Frankston.

Materials should also contribute to the visual interest and of streetscapes and include a variety of textures, colours and scales.

Timber is considered a warm, human-scaled material that can be used on the facades and interiors of buildings as well as in the landscape. Maintenance should be carefully considered and the design should allow for the change in colour over time of timber.

Stone and brick can be used as cladding as well as paving and can provide subtle texture and colour to the streetscape.

Concrete can be an efficient and effective material utilising pre-cast techniques to produce patterns and forms and allowing for a range of colours, aggregates and textures to be embedded in the fabric.









SJB Urban

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We create spaces people love.  
SJB is passionate about the  
possibilities of architecture,  
interiors, urban design  
and planning.  
Let's collaborate.

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22<sup>nd</sup> December 2017.

Long Island Residents Group  
P.O. Box 11138  
Frankston 3199A

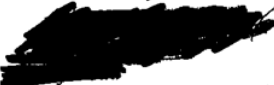
Dear Sir/madam,

**Re: FMAC Illustrative Guidelines – Precincts 1A and 1B.**

In this submission we wish to restrict our requests and comments to Precinct 1B between Nepean Highway – the coast and Kananook Creek.

- (1) As this report appears to be in response to Recommendation No. 10 made by the Council at the 1<sup>st</sup> May Council Meeting, we believe that Recommendation No. 6 should also be given the same consideration and be implemented into the Frankston Planning Scheme as part of Amendment C123. This recommends:  
*"Insert a new subsection in the table to Clause 5.1.3. Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway."*
- (2) 2.3 We agree with and support the provision of multiple laneways as shown in the Appropriate Response to Sensitive Interface.
- (3) 2.9 We support the – Skyline with considered arrangement – concept and *not* the current Gateway Building concept.
- (4) 3.2 We support the – Increased Podium Separation – and the podium setbacks but *not the 32m height*.
- (5) 3.4 Does the statement – "that buildings in sensitive areas should address their location in a Metropolitan Activity Centre" - mean that they can justify heights which do not comply with lower scale development adjacent to sensitive and natural environments? If so, we *do not accept* this and think this should not be a consideration. The diagram which shows – Building Heights Maximum 20 m – shows the building on the far right as the same height as the same building in the diagram showing – Building Height Maximum 32m. This does not give a true representation of heights in the former illustration. Also the former illustration shows only one laneway connection along this entire section. This does not appear to agree with the network of laneways concept as suggested in 2.3.
- (6) Material Palette 4. We find these *most inappropriate*. They present a very formidable, heavy, industrial look to the city. We do not need a city of South East Water buildings. Robustness does not need to be so ghastly! Instead a lighter, seaside, optimistic, people-friendly ambience should be encouraged to complement Frankston's naturally beautiful, coastal location.

Yours Sincerely



Planning Officer - Long Island Residents Group.

## SUBMISSION TO THE DRAFT FMAC ILLUSTRATIVE GUIDELINES

### 1. Introduction

The Frankston City Council notification is that

*Frankston City Council Planning and Environment Department is currently undertaking a Planning Scheme Amendment (C123) that seeks to apply the Activity Centre Zone (ACZ) over the Frankston City Centre. The ACZ will inform development and **built form controls in relation to building heights and setbacks and urban design detail**..*

*SJB Urban has prepared draft illustrative guidelines which are proposed to be implemented into the Frankston Planning Scheme as part of Amendment C123.*

*The draft illustrative guidelines have now been completed and have been placed on public exhibition...*

Frankston City Council, 30 November 2017 (Emphasis added).

#### Comment

It is considered that **all built form controls in relation to heights and setbacks**, if they are to be **controls**, need to be specified in the Table for the individual **Precinct Requirements** in the ACZ 1 and not just be included in General Objectives applicable to Precincts 1,2 and 3.

2. The **Draft Illustrative Guidelines Neighbourhood Character & Urban Design Outcomes** prepared by SJB Urban for Frankston Council, dated 24 November 2017, begin with the statement that

*Frankston City Council adopted the Frankston Metropolitan Activity Centre Structure Plan (FMAC Structure Plan) in May 2015. Planning Scheme Amendment C123 was adopted by the recommendation from a planning panel held in November 2016. Schedule 1 of the Activity Centre Zone (ACZ1) was applied along with Amendment C123 over the Frankston City Centre. The ACZ1 includes details for land use, development and built form objectives, and precinct guidelines for preferred building heights and street setbacks. (Emphasis added)*

#### Comment

- Neither the C123 Panel Report findings and other recommendations nor an application of the ACZ1 for the FMAC has been adopted by Council so the Illustrative Guidelines are not addressing an adopted Amendment or already- introduced Activity Centre Zone.
- It is considered that until there has been **adoption** by Council of a particular set of recommendations, such as those intended in Item 11.04 at OM 300 on 1 May 2017 (see Attachment A ), built form controls applicable in a Schedule to the ACZ and precinct design guidelines may be somewhat premature.

### 3. Built Form Controls

#### (i) Building Heights

At the OM 300 on 1 May 2017 , a recommendation was made in Item 11.4 (Point 6) for an additional sub- section to the Table to be included in the ACZ1 (See Fig 1 below) stipulating a preferred height of 20 metres for Sub-precinct 1B where it adjoins the Kananook Boulevard between Plowman Place and Beach Street .

5.1-3 Precinct requirements Table reformatting for greater clarity

DDMMYYYY  
 Proposed C123

Sub-precinct	Preferred maximum building height	Preferred street setback	
1A	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Nepean Highway between Beach Street and Davey Street</li> <li>• Beach Street</li> <li>• Wells Street</li> <li>• Thompson Street</li> <li>• Playne Street</li> </ul>	minimum 3 metres Davey Street
	38 metres	all other locations	0 metres in all other locations
1B	12 metres	within 5 metres of property boundaries abutting: <ul style="list-style-type: none"> <li>• Fletcher Road</li> <li>• Beach Street</li> <li>• Kananook Boulevard</li> <li>• Wells Street</li> <li>• Playne Street</li> <li>• Young Street (between Beach Street and Playne Street)</li> <li>• Nepean Highway</li> <li>• Shannon Mall</li> <li>• south side of Station Street</li> <li>• Station Mall</li> </ul>	0 metres all locations
	32 metres	in all other locations	

Figure 1 ACZ1 Draft Table of Requirements for Precincts 1A and 1B

**Comment**

- The 20 metre height limit for this sensitive interface is supported to encourage built forms to respond appropriately to scale, visual mass, overshadowing and overlooking in this coastal location.
- In the event that the recommendation be re-proposed and adopted, a draft sub-section addition to the Table should be prepared.
- It has not been established if a 12 metre preferred building height within 5 metres of a boundary abutting a nominated street would be the most appropriate to achieve a 'human scale' environment in this situation.
- It is suggested that a 'three storey street edge' be considered in order not to overwhelm the Kananook Boulevard street space.

**(ii) Setbacks**

For building heights above 12 metres within 5 metres of a street boundary, upper level setbacks apply to the property boundary/boundaries adjoining a nominated street. There is no specified requirement for setbacks above podiums on non-street adjoining sideages in Precincts 1A or 1B (or indeed for Precincts 2 and 3 in the ACZ1).

**Comment**

- In the case of Sub-precinct 1B between Nepean Highway and Kananook Boulevard, for example, *views through setback gaps between buildings* that are of sufficient width to allow views to and from the Creek and Bay, as advocated and illustrated in the SJB Urban's Illustrative Design Guidelines (see Figure2), may not be achieved without a *requirement* for upper level side setbacks in the ACZ1.

- The Background Study that informed the Activity Centre Structure Plan 2013, revised in 2015, recommended visual permeability between buildings and privacy between potential future apartments by 'requiring setbacks for towers' and avoiding 'a solid wall of building along the Highway.'<sup>1</sup>
- However, the only proposed upper level setback requirement in the draft ACZ1 Guidelines for Precincts 1,2 and 3<sup>2</sup> is for locations identified on Precinct Maps as 'Solar access – Key Retail Streets interface' to retain 9am-3pm hours of sunlight as measured at 22 September.

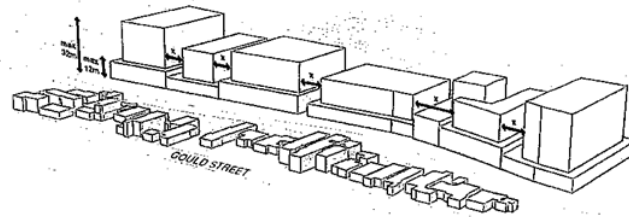


Figure 2 Upper Level Setbacks, FMAC Illustrative Guidelines

- Preferred **dimensions** for upper level setbacks above podiums (shown with *x* in Fig 2) are not specified in the Table to the ACZ1 or in the FMAC illustrative Guidelines (Fig 2 and 3) although the Background Study to the Structure Plan advocated a combined space of 10 metres between towers<sup>3</sup> and the C123 Panel Report indicates setbacks of 5 metres above podiums :  
 Precinct 1B – 32 metres with a 12 metre podium on some frontages (setback of 5 metres above the podium).<sup>4</sup>



Figure 3 FMAC Illustrative Guidelines Separation between upper levels of buildings

#### 4. Urban Design Guidelines

##### Comment

<sup>1</sup> Tract Consultants (2013) Frankston Central Activities Area Building Height and Setback Study, p14 and p16  
<sup>2</sup> Draft ACZ1, Precinct Guidelines in Clauses 5.1-4; 5.2-4; 5.3-4  
<sup>3</sup> Above No 1, p. 18  
<sup>4</sup> Amendment C123 Panel Report, p.22

- The FMAC Illustrative Guidelines provide a range of desirable, worthwhile design guidelines but there is no *requirement* for their application in any permit proposal.
- The draft ACZ1 applies to Precincts 1, 2 and 3 whereas the Illustrative Guidelines have been prepared specifically for Precinct 1. The Panel Report appears to recommend new design guidelines just for the coastal side of Precinct 1B, '*Insert new guidelines to guide development in sensitive interface areas in Sub-precinct 1B.*'<sup>5</sup>
- The question is, will applications in Precincts 2 and 3 be required to address the urban design and neighbourhood principles that are identified for Precinct 1 in the *Illustrative* Guidelines if adopted as a reference document in the Planning Scheme or not address any guidelines other than those listed in proposed Clauses 5.2-4 and 5.3-4 in the ACZ1?
- Will applicants need to wade through the Guidelines document and pick and choose from the illustrative 'menu' or be required to address *all* of the guidelines in an application?
- A **checklist** could be provided for applicants to show which principles have been considered and incorporated, or not incorporated, in proposed designs.

Inclusions on the list could be

Inspiring design	Interactive facades
Solar accessibility for neighbouring buildings and streets	Vegetation, greenery, water features
Mid-block pathways	Environmental protection
Ventilation	WSUD principles
Wind mitigating measures	Mitigation of heat island effects
Adequate onsite parking	Consideration for other potential developments
Views through to sky, beach, creek	Street weather protections
Unobtrusive signage	Contribution to outdoor open space
Sun glare mitigation	Long distance and skyline views of development
Night light effects on residents, wildlife	Human scale reinforcement
Pathways through building	Contribution to activated /engaged frontages and streetscapes

## 5. Conclusion

- Built form controls and design outcomes cannot be accurately detailed until there has been an *adoption* by the Council of Amendment C123 recommendations and any other recommendations.
- Actual built form **requirements** for the often very large and tall building proposals for the City Centre are minimal in the draft ACZ1, effectively extending only to preferred building heights. Additional requirements for upper level sideage setbacks to allow views through buildings to the sky, creek and bay as shown in Fig 1, with a *preferred dimension* provided for this setback between towers, are advocated.

<sup>5</sup> Ibid, p44, "*Insert new guidelines to guide development in sensitive interface areas in Sub-precinct 1B*".



- The FMAC Illustrative Guidelines, if included as a reference document in the Planning Scheme, will not have the statutory weight of zone requirements so just 'how many' and 'which' design principles might be compelled by Town Planners and VCAT for the various precincts are uncertain. A checklist for Town Planners assessing applications (example in Point 4) and for applicants to consider if they have addressed a range of design principles would be useful.
- Planning is intended to be orderly, sustainable and to provide certainty for permit applicants. It is not clear that *certainty* of good design outcomes will be achieved if the Illustrative Guidelines for Frankston City's Precincts remain only illustrative.

Thank you for the opportunity to comment

[REDACTED]  
[REDACTED]  
[REDACTED]

22 December 2017

Attachment A: Recommendations of Amendment C123 Panel Report and of Councillors , OM 300

ORDINARY MEETING MINUTES	16	01 May 2017 OM300
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**11.4 Frankston Planning Scheme Amendment C123 - Report on findings and recommendations of Panel Report**  
*(MP Community Development)*

**Recommendation (Director Community Development)**

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:


1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.
3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.
5. Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:  
VicTrack land – potential contamination  
An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.
6. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.

**Recommendation (Director Community Development)**

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

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

Chairperson's initials 

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.
5. Include the following application requirement in Clause 6.D of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:  
**VicTrack land – potential contamination**  
An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.
6. Insert a new subsection in the table to *Clause 5.1.3 Precinct requirements* that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway.
7. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.
8. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.
9. Amend the Precinct guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:
  - *New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*
  - *Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*
10. As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.

*Cr Bolam withdrew his support for this motion*

**Recommendation (Director Community Development)**

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

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited as an interim measure, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
 To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.
3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
 To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.
5. include the following application requirement in Clause 6 D of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:  
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 An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority
6. insert a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway
7. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone
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9. Amend the Precinct guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:
  - *New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment*
  - *Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface*
10. As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document, including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017

**Deferral Motion to another Council Meeting**

**Moved: Councillor Bolam                      Seconded: Councillor Toms**

That the matter be deferred for further consideration

Carrned

For the Motion:            Cns Bolam, Daniel Mayer, McCormack, O'Connor and Toms  
 Against the Motion:    Cns Atken and O'Reilly



## Frankston Beach Association Inc.

*Preserving the beach for all to use*

### **FBA RESPONSE TO FMAC Illustrative Guidelines – Precincts 1A and 1B**

In this submission Frankston Beach Association (FBA) wishes to comment and respond on Precinct 1B between Nepean Highway, the beach and Kananook Creek.

Our beautiful coastline is our greatest asset and we believe that the Guidelines do not consider the waterfront character; what they facilitate is a super urbanised concept superimposed on a seaside municipality.

When reflecting on the status of Frankston as an Activity Centre these Guidelines should follow Geelong's example and reduce heights to lower levels and provide sufficient setbacks; 32 metres is not a sensitive response to a coastal or creek environment.

Geelong, which is the only other designated Activity Centre with a coastal aspect has complied with Planning Note 60, the Victorian Government's guide to the drafting of Structure Plans for Activity Centres. To its disadvantage Frankston has ignored Planning Note 60 and has produced Guidelines that don't enhance and promote a seaside town; for example

#### **Schedule 1 to the Geelong Activity Centre Zone states –**

- *To ensure Geelong remains an international waterfront city, with world-class facilities.*
- *To respect the waterfront character and avoid dominating the waterfront character through excessive bulk and unarticulated built form."*

#### **Schedule 17 to the design and development overlay -**

- *To ensure built form shares key views....and maintains the general step down of built form to Corio Bay*
- *Building heights should respect the existing waterfront character and avoid dominating the waterfront through excessive bulk.*
- *Geelong's Western Beach Precinct 2 is 9 metres and the inner wedge precinct 3 a preferred height of 20 metres.*

FMAC Guidelines should clearly and explicitly support a strong direction to respect the Frankston waterfront character and avoid dominating the waterfront through excessive bulk and unarticulated built form.

We wish to comment on specific items in the Guidelines as follows –

2.3 **Sensitive Interfaces** – we support the provision of a network of streets, lanes and pedestrian paths from the city centre, along the creek and coastal interface. Plant species should be indigenous.

2.6 **Built form with the Activity Centre** - we support good city streets allowing people to use them in all kinds of weather, providing shade and shelter.

2.9 **Responsive to Frankston's Role as a Metropolitan Activity Centre**— as a seaside Activity Centre we have a responsibility to have more than an urban, metropolitan focus. Frankston's vision should be to sensitively integrate the seaside aspect as much as possible. The seaside is what makes Frankston unique and is a great advantage over other Metropolitan Activity Centres. It will draw people to live, play, and shop in a great environment.

3.1 **Active and Engaging Frontages** – we support the five actions, however, the actions must always celebrate the seaside aspect. Specifically, the number 5 action to integrate Indigenous species is essential.

3.2 **Sensible Interface Area** – We support the design of Podium separation and the setbacks; in principle, but not the design in the Guidelines. The design image gives the illusion of separation but the visually dominant, high building form, with minimum separation, blocks visual access to the beach. **Mandatory height limits are required.** The Planning Practice Note 60 clearly states that mandatory limits will only be considered in exceptional circumstances which are identified as –

- *Sensitive coastal environments where exceeding the height limits will unreasonably detract from the significance of the coastal environment.*
- *Significant landscape precincts such as natural waterway.*

Precinct 1B fronts onto both these types of environments. Please remove 32 metres height from 3.2. FBA strongly objects to 32 metre height, it is far too high – on entering Frankston, the seaside is not visible from Nepean Highway and there is no invitation to explore the coast.

Comment [Jd1]: It is

3.4 **Maintain neighbourhood character** -

Council's guidelines for buildings along sensitive interfaces are not clear language statements eg what does "their adjacencies to lower scale development and natural environment" mean?

Diagrams are "sketchy" and difficult to interpret particularly for 3.4 nwhere they appear to convey that height makes no difference to solar access.

3.6 **Sense of Enclosures** – 1:2 and 1:3 are not ideal traditional main streets – they are busy urban streets with congested traffic, uncomfortable pedestrian spaces and not easily transplanted to Frankston. The Guidelines could find

better examples eg on the Peninsula better examples are the main streets in Mornington and Mt Eliza.

The Illustrative Guidelines do not give convincing alternatives to achieve Precinct Guideline 5.1.4

We also wish to draw attention to the current problem of wind tunnels in both east/west and north/south running streets. We recommend that this problem is addressed in any future planning and building design.

We also feel there is not enough linkage between Kananook Creek and the Coast. As the creek runs behind the sand dunes, it should be treated as part of the coastline.

We trust our comments will be respected.

FBA Committee  
2<sup>nd</sup> January 2018



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9 January 2018

Frankston City Council  
Strategic Planning Department  
PO Box 490  
Frankston

Dear Ma'am/Sir,

**Re: Farmer Group submission to draft FMAC Illustrative Guidelines Report, November 2017**

Echelon Planning acts for the Farmer Group with respect to a group of land parcels (466, 488, 448A and 450 Nepean Highway, Frankston 3199) which are under their control and are located within Precinct 1B of the Frankston Metropolitan Activity Centre.

As you will be aware, the Farmer Group currently holds a permit for the above listed titles for the development of an office, retail and residential building obtained in December 2013.

Further to the consultation and discussion undertaken with Council in respect to the above permit consultation, we wish to make a submission to Frankston City Council's Draft FMAC Illustrative Guidelines report to outline our consideration of the guidelines as they relate to our client's land and to highlight how the development of the landholdings will contribute to the realisation of a number of key ideas in the report.

The development of the Farmer Group's land holdings presents a range of opportunities to help realise a number of the urban design outcomes contained within the Guidelines. Our client therefore wishes to ensure that the final FMAC Illustrative Guidelines report is prepared with these opportunities in mind.

#### **The FMAC Illustrative Guidelines**

The FMAC as correctly described in the Guidelines is a major transport hub connecting the Peninsular and surrounding region to metropolitan Melbourne. In addition, Frankston is identified as a major health and education hub with many institutions and public facilities located within or near the FMAC boundary. It is our submission that a FMAC Illustrative Guidelines report and associated controls must acknowledge and address the strategic importance of the FMAC, while maintaining the balance between improving amenity and development opportunities.

There are a number of strategies and ideas in the Illustrative Guidelines report which aim to improve the amenity, accessibility, land use function and attraction of FMAC for new investment. The Farmer Group's development supports and present a positive response to the Guidelines while providing considerable opportunities to realise a number of specific ideas suggested including;

- 2.1 *Active Frontages* – by placing active retail uses at ground floor.
- 2.5 *Visual Dominance* – by employing a podium/tower building typology that recessively places the building bulk away from street level views.
- 2.6 *Weather Protection* – Adding additional cover at street level.







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- 2.9 *Responsive to Frankston's Roles as a Metropolitan Activity Centres* – by increasing commercial and retail floorspace within the Frankston MAC.
- 3.3 *Connection to Foreshore and Creek Interface* – by introducing pedestrian laneways that improve connections between Nepean Highway and the Kanaook Creek.

With respect to Section 2.9 *Responsive to Frankston's Roles as a Metropolitan Activity Centres*, the need to consider the skyline from surrounding viewpoints is supported to ensure the FMAC reads as a metropolitan centre with heights and scales to match. The sketch elevations in this section highlight the need for variability of building heights to ensure while building arrangement and positioning are important, focusing higher growth within Precinct 1a and 1b while leaving the outlying areas to provide transitions to the lower surrounding areas. Also to be deduced from the sketch elevations is the potential impact that mandatory height controls could have upon skyline definition, leading to a arbitrarily defined 'flat top' that does not visually read as an activity node.

#### Summary of submission

The realisation of the ideas put forward in the FMAC Illustrative Guidelines will only be possible if the Illustrative Guidelines and associated planning controls provide sufficient flexibility to enable a range of development scale and density outcomes on sites such as that owned by the Farmer Group.

More broadly, it is suggested that while the Illustrative Guidelines should encourage a range of heights and setbacks, any future controls relating to heights and setbacks should be in accordance with the gazetted FMAC Structure Plan. These include the discretionary height controls that were supported by the Panel to Amendment C123, which found that the 2013 Study provided strategic justification through shadow diagrams and viewshed analyses for height and setback controls that are applied to each precinct. We strongly oppose any 20 metre height limits within Precinct 1b.

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The Farmer Group wishes to be involved in the ongoing finalisation of the FMAC Illustrative Guidelines in consultation with the City of Frankston.

If you require further information or clarification of any matters raised in this submission, please do not hesitate to contact me on 03 9862 3470.

Julia Abbinga  
Urban Planner



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**11.4 Frankston Planning Scheme Amendment C123 - Report on findings and recommendations of Panel Report**

*(MP Community Development)*

**Recommendation (Director Community Development)**

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.
3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

To ensure that use and development is responsive to current and planned railway operations, having regard to the primacy of the transport of the railway land.
5. Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:

VicTrack land – potential contamination

An application for a sensitive use (residential use, child care centre, pre-school centre or primary school), or the construction or carrying out of buildings and works in association with a sensitive use, on land owned or formerly owned by VicTrack must be accompanied by an Environmental Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.
6. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.

**Recommendation (Director Community Development)**

**Moved: Councillor Bolam**

**Seconded: Councillor Mayer**

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
2. Amend the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:

Chairperson's initials 

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To ensure that development along the western and southern boundaries of Sub-precinct 1B responds to the sensitive interfaces with Kananook Creek and the surrounding foreshore and established residential areas.

3. Amend the Precinct guidelines in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include guidelines (to be developed by Frankston City Council) that guide development in the sensitive interface areas of Precinct 1B.
4. Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to include the following:  
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6. Insert a new subsection in the table to *Clause 5.1.3 Precinct requirements* that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway.
7. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.
8. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.
9. Amend the Precinct guidelines listed in Clause 5.1-4 of Schedule 1 to the Activity Centre Zone to include the following residential character guideline statements:
  - *New development is designed to enhance the quality of the public realm and to safeguard residential amenity for future residents, consistent with the delivery of a functional and attractive mixed use residential environment.*
  - *Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*
10. As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.

*Cr Bolam withdrew his support for this motion*

Chairperson's initials



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**Recommendation (Director Community Development)**

**Moved: Councillor McCormack**

**Seconded: Councillor Mayer**

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited as an interim measure, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
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  - *Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*

Chairperson's initials



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10. As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.

**Deferral Motion to another Council Meeting**

**Moved: Councillor Bolam**


**Seconded: Councillor Toms**

That the matter be deferred for further consideration.

**Carried**

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

Against the Motion: Crs Aitken and O'Reilly

Chairperson's initials 

**Council Meeting 1 May 2017**

**Item 11.4**

**Frankston Planning Scheme Amendment C123 – Report on findings and recommendations of Panel Report.**

**Alternate recommendation**

Officers have been requested to prepare an alternate recommendation to provide for a reduced building height control for Precinct 1B that adjoins Kananook Creek.

Officers have also been asked to include additional provisions for neighbourhood character in the mixed use residential areas of the FMAC and to address the need for additional specific guidelines for new development in the interface area to Kananook Creek and Gould St.

*The proposed text for an alternate to the recommendation could be:*

**Recommendation (Director Community Development)**

That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C123 as exhibited, subject to the following changes:

1. Amend the Precinct Map in Clause 5.1-1 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B, to designate the western and southern boundaries of Precinct 1B as 'sensitive interface' areas.
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Site Assessment detailing the likelihood on contamination on the land, to the satisfaction of the responsible authority.

6. Insert a new subsection in the table to **Clause 5.1.3 Precinct requirements** that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Wells Street, Kananook Creek, Beach Street and Nepean Highway.
7. Make other policy neutral drafting changes shown in Appendix B to this Report (Panel Report) to improve the operation of Schedule 1 to the Activity Centre Zone.
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*Within the interface between the residential area of Gould Street and Precinct 1B, new development is to be specifically designed to protect the amenity of this residential area. The overall design intent is to articulate frontages, avoid dominant built form and to appropriately celebrate and respect the foreshore and creek interface.*

As an additional measure, following adoption of Am C123 by Council, officers are requested to prepare a draft reference document including illustrative guidelines that address neighbourhood character and urban design outcomes for Precincts 1A and 1B and for this to be submitted for Council consideration by September 2017.

SUBMISSION NUMBER	ORGANISATION / AUTHOR	SUBMISSION SUMMARY	OFFICER COMMENT
1.	Long Island Residents Group	<p>The Long Island Residents Group (LIRG) has made the following submissions with regards to the area of Precinct 1B (between Nepean Highway and Kananook Creek):</p> <ol style="list-style-type: none"> <li>1. <i>The ACZ should be amended in line with a Recommendation (not carried) from the 1<sup>st</sup> May Council meeting minutes which originally considered the Planning Panel report:</i> <p style="text-align: center;"><i>Insert a new subsection in the table to Clause 5.1.3 Precinct requirements that stipulates a preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway.</i></p> </li> <li>2. <i>Supports the provision of multiple laneways as shown in the diagrams in Section 2.3 of the Illustrative Guidelines.</i></li> <li>3. <i>Supports the concept of a considered skyline to surrounding viewpoints as shown in the diagrams in Section 2.9 of the Illustrative Guidelines.</i></li> <li>4. <i>Does not support the concept of a Gateway</i></li> </ol>	<ol style="list-style-type: none"> <li>1. Recommendation 6 of the meeting minutes for the 1st May 2017 Ordinary Meeting was not carried. This recommendation was added to the officer recommendations in response to community concerns with regards to the height of new development that abuts the Kananook Creek. <p>This concern was considered by the Planning Panel who found that <i>'the preferred heights will not result in unacceptable overshadowing or blocking of views...height limits will not operate in isolation...development proposals will need to respond to the whole of the ACZ1 including requirements that...built form be responsive to site context...built form responds appropriately to sensitive residential, open space and creek interfaces'</i>.</p> <p>While a 32 metre preferred height limit is supported by the Frankston Metropolitan Activity Structure Plan (FMAC) and the Frankston Central Activities area Building Height and Setbacks Study 2013 (the Study), the ACZ has been amended to reflect community sentiment with the following added to Clause 5.1.3 Precinct requirements:</p> <p style="text-align: center;"><i>A preferred maximum building height of 20 metres in sub-precinct 1B for the area bounded by Plowman Place, Kananook Creek, Beach Street and Nepean Highway.</i></p> <p>Setting a 20 metre preferred height limit will ensure</p> </li> </ol>



		<p><i>site.</i></p> <p>5. <i>Supports the separation between built form above the podium as shown in the diagrams in Section 3.2 of the Illustrative Guidelines, but does not support the 32 metre heights</i></p> <p>6. <i>The Material Palette in Section 4 is inappropriate and will result in an industrial.</i></p>	<p>that built form appropriate responds to the sensitive coastal and creek environs in this area.</p> <p>It is highlighted that the specified height limit in the ACZ is a ‘preferred’ limit and not a ‘mandatory’ limit. This will allow for some flexibility to accommodate contextual variations, innovative design and proposal which may achieve a net community benefit by allow a height above the ‘preferred’.</p> <p>When assessing development proposals, the building form and heights must be responsive to the site context and response to the sensitive residential, open space and creek interfaces. Any future planning permit application is required to be accompanied by a site analysis, urban context report, shadow assessment and 3D massive models in order for Council to consider of the development contributes positively to the amenity of the precinct and is an appropriate scale for the site context. The preferred height limits will operate in conjunction with the various other objectives and requirements to ensure that development in Precinct 1B response appropriately to its surrounds and any relevant site constraints.</p> <p>In addition, the Illustrative Guidelines recognise that the FMAC area has a number of sensitive interfaces that contribute to the unique character and amenity of the centre and provide guidance to ensure that development is not visually dominant, responds to adjacent residential foreshore and creek interfaces, considers the impact of overshading, sun glare and nightlight on adjacent viewpoints and ensures that</p>
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			<p>development is respectful of the sharing of amenity with adjacent residential areas and the foreshore.</p> <ol style="list-style-type: none"><li>2. The LIRG support is noted. The guidelines require the interface of buildings with Kananook Creek to encourage pedestrian movement by minimising back-of house uses along the creek, restrictive vehicle access and speeds along the creek interface and ensuring active uses facing onto the creek.</li><li>3. The LIRG support is noted.</li><li>4. Gateway and landmark sites are important elements within an Activity Centre. The <i>Frankston Central Activity Area Building Heights and Setback Study (2013)</i> and FMAC Structure Plan support the emphasis of landmarks sites on corner and peripheral areas that have high visual exposure from multiple viewpoints. Gateway sites and landmark sites help to delineate the city centre to areas peripheral to the city centre or help to empathies key cites in order to reinforce the status of Frankston as a Metropolitan Activity Centre.  The submission does not provide any further commentary as to the reasons on why a Gateway concept is not supported.</li><li>5. The LIRG support is noted. An officer response with regards to the preferred height limits in Precinct 1B is provided above.</li><li>6. This comment is a subjective one. The colours and materials within the Illustrative Guidelines are</li></ol>
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			<p>suggested as a guide. Materials are generally light weight and of natural texture (timber/stone etc). The materials suggested are not intended to limit the options for new development. Rather they have been suggested as they are considered to be high quality, robust, sustainable and to contribute to the visual interest of the street through varied textures, colours and scales. The assessment of material and colour details of development proposals will be assessed on their individual merits.</p>
2.	Owner/Resident , Frankston	<ol style="list-style-type: none"> <li>1. <i>The requirements of the Illustrative Guidelines should be specified within the Activity Centre Zone (ACZ) within the Table for each individual precinct requirement.</i></li> <li>2. <i>The Illustrative Guidelines state that the Amendment C123 has been approved and the ACZ1 has been applied to the city centre. At this stage, the findings of the Panel Report have been adopted by council, nor has the Amendment been approved into the Planning Scheme.</i></li> <li>3. <i>At a Council meeting held on 1 May 2017, a recommendation was added by Council which stipulated a preferred height of 20 metre for sub-precinct 1B where it adjoins the Kananook Boulevard between Plowman Place and Beach Street. This recommendation is supported to encourage an appropriate scale for the coastal location.</i></li> </ol>	<ol style="list-style-type: none"> <li>1. The Illustrative Guidelines will be referenced within the ACZ and will provide background information to inform development proposals. The ACZ includes detailed land use and development objectives and height and setback requirements. The Illustrative Guidelines will provide graphic focus guidelines that address future neighbourhood character and best practice urban design outcomes for Precincts 1A and 1B and will act as a reference document in the ACZ to further guide built form within the Frankston city centre.</li> <li>2. At this draft stage, the above submission is correct in that the Illustrative Guidelines have not yet been adopted or approved into the Planning Scheme. However, before the Illustrative Guidelines have any force or effect they would be submitted along with Amendment C123 to the Minister of Planning for approval. Therefore, while Illustrative Guidelines include this statement in a retrospective manner, it will be correct once Amendment C123 has been approved into the Planning Scheme. Therefore the statement in the Illustrative Guidelines will be correct once approved and has no bearing at draft stage.</li> </ol>

		<p>4. <i>The ACZ or the Illustrative Guidelines do not provide a specific setback requirement above the podium (12m) for non-street adjoining sidages. A specific requirement is required to ensure gaps are provided in the built form to allow for views to and from the coast/creek and to avoid a solid wall interface. The ACZ and Illustrative Guidelines should provide for a combined space of 10 metres between towers above the podium.</i></p> <p>5. <i>While the Illustrative Guidelines provide some design guidance, there are no requirements in the ACZ and guidelines that specify prescriptive controls with regards to development.</i></p>	<p>3. The submissions refers to a motion that was withdrawn and deferred relating to a 20 metre height limit specified for sub precinct B. This has been addressed in Submission 1 above.</p> <p>4. The purpose of the Illustrative Guidelines is to provide a future graphic representation of the built form to inform planning application proposals. The ACZ and Illustrative Guidelines provide objectives to ensure that development is not visually dominant and responsive to the foreshore or creek interfaces. The diagrams within the Illustrative Guideline show built form scenarios that include gaps between buildings without specifying precise setbacks.</p> <p>If the ACZ or Illustrative Guidelines provided a specific setback that was required for new development, it may render some lots undevelopable where the lots are too narrow. It is envisaged that lots would be consolidated in order to achieve the preferred height limits. The ACZ and Illustrative Guidelines provide a suitable level of flexibility in built form to accommodate particular development context and innovation in design. Separation of built form will be assessed on their merits against the objective of the ACZ and Illustrative Guidelines.</p> <p>It is also noted that these issues have been considered by an independent Planning Panel who were comfortable with the level of guidance provided in the exhibited Amendment with regards to the avoidance of dominant building form.</p>
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			<p>5. The existing ACZ provides a high level of performance based objectives to control built form. The Panel report recommended guidelines in the ACZ to be developed for the sensitive interface areas of Precinct 1B (given it faces the creek). It is not considered that additional controls are requirement for Precincts 2 and 3. The Illustrative Guidelines will only apply to development within Precinct 1A and 1B and the existing precinct objectives provided in Clause 5.2-2 and 5.-2 will enable suitable built form within Precincts 2 and 3.</p>
3.	Echelon Planning	<p>Echelon Planning represent the Farmer Group who own land holdings within Precinct 1B of the FMAC. Echelon Planning support the Illustrative Guidelines and do not support a lower building height of 20 metres along the Kananook Creek as:</p> <ol style="list-style-type: none"> <li>1. <i>The heights will not be reflective of the city's role as a Metropolitan Activity Centre.</i></li> <li>2. <i>The guidelines provide an appropriate level of guidance with regards to built form to ensure the sensitive interfaces to the Kananook Creek are provide with proper regard.</i></li> <li>3. <i>The guidelines need to provide sufficient flexibility to accommodate a range of development scale and density outcomes.</i></li> </ol>	<p>The submissions of support by Echelon Planning are noted. The design objectives provide a suitable level of guidance without being overly rigid to accommodate innovation in design and particular development context.</p> <p>As noted above in Submission 1, setting a 20 metre preferred height limit will ensure that built form appropriate responds to the sensitive coastal and creek environs in this area.</p> <p>It is highlighted that the specified height limit in the ACZ is a 'preferred' limit and not a 'mandatory' limit. This will allow for some flexibility to accommodate contextual variations, innovative design and proposal which may achieve a net community benefit by allow a height above the 'preferred'.</p>
4.	Frankston Beach Association (FBA)	<p>The Frankston Beach Association have made the following submissions:</p>	<p>The objection with regards to the 32 metre preferred height for development adjacent to the Kananook Creek is noted. This has been addressed in Submission 1 above.</p>

		<p>1. <i>The ACZ and the Illustrative Guidelines do not provide strong support for development to respect Frankston Waterfront character and avoidance of dominating built form, visual bulk and unarticulated built form. The FBA strongly objects to the 32 metre heights.</i></p>	<p>The ACZ provides for a high level of guidance to ensure that built form does not significantly impact on the Kananook Creek interface and the Illustrative Guidelines further reinforce these requirements through graphic representation.</p> <p>The Illustrative Guidelines recognise that the FMAC area has a number of sensitive interfaces that contribute to the unique character and amenity of the centre and provide guidance to ensure that development is visually dominant, responds to adjacent residential foreshore and creek interfaces, considers the impact of overshadowing, sun glare and nightlight on adjacent viewpoints and ensures that development is respectful of the sharing of amenity with adjacent residential areas and the foreshore.</p>
5.		<p>The submission supports the submissions made by the FBA as described in item D above.</p>	<p>A response to these submissions is provided in item D above.</p>

**Executive Summary****11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.2 Development and Housing
Priority Action	1.2.3 Ensure built form, displays architectural excellence and embodies creative urban design

**Purpose**

This report considers the merits of the planning application to erect and display an internally illuminated, floodlit, electronic major promotion sign at 197 Karingal Drive Frankston

**Recommendation (Director Community Development)**

That a Notice of Decision to Grant a Planning Permit to erect and display an internally illuminated, floodlit, electronic major promotion sign at 197 Karingal Drive Frankston be issued, subject to the conditions contained in the officer's assessment.

**Key Points / Issues**

- The planning application was deferred at the 11 December 2017 (OM310) Council meeting to give the Applicant an opportunity to make further submissions in response to concerns raised by Councillors that related to the height, amenity impacts and precedent of the proposed sign.
- On the morning of 26 February 2018, the applicant arranged to fly a balloon (or blimp) to illustrate the visibility of the proposed 25 metre sign from the north and south approaches along the freeway and surrounding area. Unfortunately the balloon broke its moorings due to wind, and the demonstration was not able to be completed.
- Video footage of a previous trial balloon flight has recently been circulated to all Councillors separately for information.
- Councillors were briefed on 19 March 2018 on a major redevelopment proposal for the Karingal Hub Shopping Centre which provided the strategic and economic context for the proposed sign.
- The proposed sign is considered to be consistent with State and Local Planning Policy objectives and strategies relating to economic wellbeing and prosperity of communities.
- The proposed sign is architecturally designed and will be a visual marker for the Karingal Hub Shopping Centre which is identified as a Major Activity Centre in the Frankston Planning Scheme.
- The proposed sign has the conditional support of VicRoads.
- It is considered appropriate to support the sign in light of the future redevelopment of the activity centre and its role as a major activity centre in the hierarchy of activity centres within the Frankston municipality.
- It is recommended that a Notice of Decision to Grant a Planning Permit be issued subject to conditions.

For further information, please refer to the officer's assessment contained within this report.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Executive Summary****Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

There are no financial implications associated with this report.

The permit application fee paid to Council is \$1,456.70. The average cost to process a planning application is \$1,729 which in this case is a shortfall of \$272.30.

**Consultation****1. External Referrals**

The application was referred externally to VicRoads who did not object to the proposal.

**2. Internal Referrals**

The application was referred internally to Council's Traffic Engineers, Environment Officer and Urban Designer who did not object to the proposal.

**Notification of Proposal**

Notification of the planning application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*.

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- Two (2) signs erected on the site frontages

As a result of the public notification, two (2) objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

**Analysis (Environmental / Economic / Social Implications)**

The proposed major promotion sign will be a significant marker and identifier for the Karingal Hub Major Activity Centre given the scale and profile of the sign. It will increase the prominence and awareness of the centre to a broader catchment base which is expected in turn to generate increased economic investment and vitality of the centre. The proposal is unlikely to have any negative impacts on the environment as a result of light spill or vegetation removal.



**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

Council has complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987 in processing the planning application.

Policy Impacts

Council officers have assessed the planning permit applicant in accordance with the following State and Local Planning Policy provisions, zones, overlays, particular and general provisions of the Frankston Planning Scheme.

State and Local Policy Frameworks – Clauses 09, 11, 15, 21.04, 21.07 and 21.10.

Zone and Overlays – Clause 34.01 – Business 1 Zone, Clause 44.05 – Special Building Overlay and Clause 42.01 – Environmental Significance Overlay – Schedule 1

Particular Provisions – Clause 52.05 – Advertising

Council's Outdoor Advertising Signage Guidelines

Karingal Major Activity Centre Structure Plan, February 2013

Officer's Declaration of Interests

Under Section 80C of the *Local Government Act 1989*, officers providing advice or a report to Council must disclose any direct or indirect interest they have in a matter.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

There are no particular risks associated with this application

**Conclusion**

The current proposal is considered satisfactory and should be supported by the issue of a Notice of Decision to Grant a Planning Permit.

The applicant has provided further information in relation to the overall height of the sign, amenity impacts and precedent of the proposed in the context of the major redevelopment proposal for the Karingal Hub Shopping Centre.

This information is considered to provide further justification and context to support the proposed sign.

11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign

**Executive Summary**

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**ATTACHMENTS**

Attachment A:[↓](#) Locality Map - Zoning

Attachment B:[↓](#) Locality Map - Aerial

Attachment C:[↓](#) Development Plans

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign**

**Officers' Assessment**

**Summary**

<b>Existing Use</b>	Karingal Hub Shopping Centre
<b>Site Area</b>	12 hectares
<b>Proposal</b>	To erect and display an internally illuminated, floodlit, electronic major promotion sign
<b>Zoning</b>	Business 1 Zone
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Special Building Overlay</li> <li>• Environmental Significant Overlay – Schedule 1</li> </ul>
<b>Reason for Reporting to Council</b>	Councillor interest

**Background**

Councillors were briefed on 19 March 2018 on a major redevelopment proposal for the Karingal Hub Shopping Centre. This proposal is aimed at linking the retail and entertainment centres, providing access to public transport, improved pedestrian and connectivity throughout the centre, wider range of community and commercial services; create a community hub and a sense of community belonging.

The proposed redevelopment of the Karingal Hub Shopping Centre is consistent with the vision and strategic directions of the Karingal Hub Major Activity Centre Structure, February 2013.

With a view of testing the visibility of the sign, the applicant agreed to arrange for a balloon to fly at 25 metres on 26 February 2018 in the location proposed for the sign to provide a visual context of the proposed sign from different aspects. Whilst this demonstration was not successful due to the balloon breaking its mooring caused by a wind gust, video footage of a previous test run has been circulated to all Councillors separately for information. The video footage indicates that the very top of the sign would be visible from vehicles southbound on the Peninsula Link Freeway, and in a relatively narrow view range from vehicles northbound.

The applicant has provided the following comments in relation to concerns previously raised:

- *On the basis of the balloon flight, as represented in the video provided, ISPT confirm that a sign at a lesser height than the 25 metres would be ineffective.*
- *The balloon simulation confirmed the analysis that formed the basis of the application material, particularly for north bound traffic.*
- *The amenity impacts have been assessed and remain as indicated in the further information material.*
- *In short the combination of the distance to the nearest residential neighbours, and the intervening vegetation and structures, prevent any unreasonable residential amenity impact from the sign.*

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

- *In relation to precedent, only a bad precedent based on the specific characteristics of any proposal is appropriate planning decision guidance.*
- *The absence of amenity impacts in our view is the critical factor in the circumstances.*
- *The conditional consent of Vic Roads we believe addresses the freeway related issues.*
- *Finally Karingal is a major activity centre in Frankston, the only such centre in the municipality to our knowledge. A sign of this scale is appropriate to a centre of this scale and function in the retail hierarchy, and will not set an undesirable precedent.*
- *In addition the circumstances of Karingal set it apart from any other centre in the municipality, a centre with Freeway frontage, with an elongated catchment along that road which needs to be addressed for the centre to continue to meet its designated role in the retail hierarchy, particularly in light of the significant future investment proposed.*

**Subject Site**

The Karingal Hub Shopping Centre is situated on the south side of Cranbourne Road between Peninsula Link freeway and Karingal Drive. Residential development abuts its northern boundary and beyond.

Karingal Hub Shopping Centre is identified as a Major Activity Centre providing a full range of retail, commercial and community facilities together with access to regular public transport services.

The shopping centre comprises two main precincts; the Karingal Hub retail centre and the Star Zone Village Cinema complex. Car parking facilities surround these precincts with access from Cranbourne Road and Karingal Drive.

Cranbourne Road is the primary address for the shopping centre. There are three major stores located to the east of Karingal Hub that are accessed from Cranbourne Road.

The development extends across a large portion of the site which has an overall area of some 12 hectares, some of which is undeveloped with part of this containing native vegetation.

The land falls steeply from the Cranbourne Road frontage to the north and from the eastern boundary towards the centre of the site. The Peninsula Link sits approximately seven metres below Cranbourne Road.

**Locality**

The Karingal Hub Shopping Centre is located 4km to the east of Frankston Major Activity Centre. A small neighbourhood centre is located further to the east and north in Langwarrin.

Land surrounding the centre and further afield has primarily been developed for housing. Other regional recreational and health facilities are located within close proximity of the shopping centre including Ballam Park and the Peninsula Private Hospital.

Peninsula Link Freeway has entry and exit ramps on the north and south bound carriageways providing access onto Cranbourne Road.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment*****Site History***

Various planning permits have been issued since the development of the land as the Karingal Hub Shopping Centre.

***Proposal***

It is proposed to erect and display internally illuminated, floodlit, electronic major promotion sign within the landscaped area along the eastern boundary of the Karingal Hub Shopping centre adjacent to the Peninsula Link Freeway.

The sign is triangular in shape, comprising of three independently visible surfaces enabling it to address both north and south bound motorists on the freeway, the centre car park and beyond to the west.

The overall height of the sign is 25 metres with a maximum width of 4.93 metres.

The sign comprises of three distinct parts as follows:

- The bottom section of the sign has a total height of 9.7 metres and comprises of two parts; a vandal proof "kick" panel with a graffiti resistant coating, 3 metres high and the section above is to be clad in native hardwood slats with a height of 6.7 metres. This section of the sign will contain no advertising and will be flood light by baffled lighting from four light sources in vandal proof housing;
- The central panel comprises an LED screen to display tenant logos and centre related information (the two surfaces facing the freeway), including promotions and community events. This component will be 7.8 metres high and 4.5 metres wide with an advertising area of 35.1m<sup>2</sup>. The images on the LED screens will be displayed for a minimum duration of 30 seconds with an instantaneous transition between slides. No animated or moving images will be displayed.
- The top section will carry the centre's new branding and name and will be internally illuminated, allowing multiple colour combinations of the logo, on an alucobond panel, 7.5 metres high and 4.5 metres wide (freeway faces) with an advertising area of 33.75m<sup>2</sup>. The inward face is lightly wider and extends to the central panel as there is not electronic component on this face.

The sign components are integrated by an LED strip on the east facing edge of the sign displaying the centre logo colours, and other promotion, charity or seasonal colours.

All light sources will be controlled by an ambient light sensor automatically adjusting the light intensity according to ambient light conditions and be capable of being set to a maximum LUX level.

**State and Local Planning Policy Frameworks**

State Planning Policy Framework relevant to this application are summarised as follows:

- Clause 11 - Settlement
- Clause 17 – Economic Development
- Clause 18 – 02-4 – Management of Road System

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

Local Planning Policy Framework relevant to this application are summarised as follows:

- Clause 21.04 - Settlement
- Clause 21.08 – Economic Development
- Clause 21.10 – Built Environment and Heritage

**Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 34.01 – Commercial 1 Zone – Category 1
- Clause 52.05 – Advertising Signs

Particular and General Provisions

- Clause 52.05 – Advertising Signs

Strategic documents

- Karingal Major Activity Centre Structure Plan, February 2013
- Frankston City Council Outdoor Advertising Signage Guidelines, February 2017

***Notification of Proposal***

Notice of the application was provided by means of signs on site and mail notices to nearby properties.

Two objections were received. The grounds of objection are summarised as follows:

- Potential impact on motorists accessing the shopping centre;
- The sign will contribute to an excessive amount of light pollution impacting on amenity and will attract wildlife which will result in noise at night time.

A Residents Discussion Meeting was not held as the concerns raised were not likely to be able to be addressed by the applicant.

**External Referrals**

The application has been referred to VicRoads who are a S55 referral authority in accordance with the Frankston Planning Scheme.

VicRoads requested further information to be provided to enable an assessment of the level of impact the proposed pylon sign may have on motorist behaviour and safety of the arterial road network.

The following information was requested:

1. Further details on what can be visually expected on the proposed LED screen on typical days as opposed to special seasons or events;
2. Further details on the frequency and the manner in which the internally illuminated logo colours will change or transition. Similar clarification is also required for the LED tiled detail strip.

The applicant provided a Lighting Report prepared by NDYLIGHT dated September 2017 in response to VicRoads further information request.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

VicRoads reviewed the lighting report and advises in their response that they do not object to the proposal subject to conditions being included on any permit issued.

While VicRoads did not object to the proposal it made the following comments:

*“VicRoads notes while the proposed development is not without some merit, there are a number of deficiencies as follows:*

- It is noted that the proposed sign is located at a major decision point where southbound vehicles are likely to be changing lanes as per the directions provided on the nearby gantry to continue on the freeway or to enter the Cranbourne Road exit. In order to minimise the likelihood of involuntary attention capture of motorists at this major decision point, VicRoads considered it appropriate for Council to consider including a note on permit to limit text within the advertising content to no more than 4-6 words.”*

While a Note can be included on a permit it is not enforceable in accordance with the Planning and Environment Act 1987.

Information regarding the advertising displays on the sign could be provided through the preparation of advertising signage guidelines for approval and to the satisfaction of Council. Council could include this as a condition of permit.

**Internal Referrals**

The application has been referred to Council's Traffic Engineers, Environment Officer and Urban Designer who provided the following comments:

Traffic Engineer

Council's Traffic Engineers does not object to the proposal.

Environment officer

Council's Environment Officer does not object to the proposal and provided the following comments (summarised):

- The current plans show that no tree removal is required for installation of the sign or the power cable
- Movement of vehicles and materials on site may impact on retained trees. No indication of proposed access points, storage areas or vehicle movement alignments has been provided.
- The current proposal is generally supported subject to the inclusion of conditions relating to tree protection and replacement.

Urban Design Advice

Council officers referred the proposal to SJB Urban Design who reviewed the Preliminary Concept Design, Clause 22.09 Outdoor Advertising Signage Policy, Outdoor advertising Signage, Frankston City Council (2014) and the Karingal Major Activity Centre Structure Plan, 2013.

SJB provided the following urban design advice on the proposal (summarised):

- The sign has been designed to focus on motorists travelling along Peninsula Link both north and south bound traffic.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

- The height of the proposed sign ensures the top most portion of the sign is visible to northbound traffic approaching the off-ramp. The rail and road overpasses, topography and substantial amount of established vegetation obstruct sightlines from this direction significantly.
- The proposal does not capture any view points from Cranbourne Road and the on ramp to the Peninsula Link. Views from these aspects would be most likely at intersections and lower travelling speeds.
- A balance should be achieved between the need to increase the visibility of the shopping centre and maintaining the intended experience of the Peninsula Link.
- While a visual example of the material has not been provided, it is envisaged that various tenant logos will clutter and dominant the display. Considered without the LED component and additional information, the pylon design could be considered streamlined, modest and not disruptive to the existing designed aspects in the vicinity.
- The pylon has the potential to offer the dual functionality of providing wayfinding and information to Trail users of pedestrian/cycle paths along the freeway. The design of the sign has accounted for safety in terms of lighting and materiality choices at this scale.
- Consideration has not been given to the impact of the proposed internal illumination on the adjacent roadway safety. This is a matter for VicRoads, the relevant referral authority.
- The location and purpose of the sign is supported subject to a number of recommendations including a set of guidelines on the maximum amount of information to be displayed on the LED screen at one time.

**Discussion*****State and Local Planning Policy***

The proposal is considered to be consistent with the broader State and Local planning policy objectives and strategies relating to economic wellbeing and prosperity of communities.

Karingal Hub Shopping Centre is identified as a Major Activity Centre at Clause 21.08 of the Frankston Planning Scheme and provides a full range of retail, office, commercial and community facilities with good access to public transport.

Clause 21.08 – Economic objective is to *“reinforce existing activity centres and to encourage them to provide a wide range of goods and services, consistent with their role in the activity centre hierarchy.”*

One of the strategies in achieving the above objective is to: *“require a high standard of architectural design, external finishes, identification and advertising signs and landscaping”* when considering development proposals including signage.

The Karingal Hub Major Activity Centre Structure Plan, 2013 provides a vision for a period of 15 to 20 years, the Structure Plan seeks to outline key policy directions, and important physical outcomes as it relates to the Activity Centre’s built form and activity, recreation and environment, and access and mobility.

The Structure Plan is to be used as a guide in assessing planning permit applications.



**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

The Structure Plan recognises opportunities for the future integration and consolidation of the shopping centre through redevelopment opportunities. With projected floor space demand within the shopping centre of 15,600m<sup>2</sup>, the Structure Plan identifies that future growth needs to be accommodated through more efficient use of surface car park land and redevelopment of poorly configured buildings.

The Structure Plan recognises three nodes identified for 'place identity markers' which are situated at Cranbourne Road/Peninsula Link intersection, Karingal Drive/Cranbourne Road and on Karingal Drive between Naranga Crescent and Star Zone. The Structure Plan advocates that these should be the focal points for improving landscape and urban design treatments within the public space and encouraging new development to provide a high quality built form profile and presentation within these areas. A strengthened building presentation along Cranbourne Road is to be achieved through more prominent building forms which are architecturally distinctive, attractive and proudly 'announce' the presence of the Town Centre.

Appropriate identification signage could be integral to achieving the vision sought by the Structure Plan.

Council has recently adopted Outdoor Advertising Signage Guidelines for the purposes of providing guidance in relation to the assessment of advertising signage proposals. These guidelines provide policy direction for signage within the municipality and will be implemented into the Frankston Planning Scheme at Clause 22.09 when Amendment C100 is approved.

Council's Outdoor Advertising Signage Guidelines encourage signage along freeways subject to balancing any amenity and safety issues, impacts on landscape character, and areas that interface with sensitive land uses, like residential areas.

For land adjacent to the Peninsula Link, the design guidelines apply as follows:

*Signs along freeways are encouraged:*

- *Away from on and off ramps, where drivers require extra concentration;*
- *At locations that interface with land with less restrict advertising sign requirements such as business areas;*
- *Where illumination or glare will not spill onto the road; and;*
- *To meet the requirements of any guidelines specific to a road corridor.*

Under the Business 1 Zone, advertising signage falls within Category 1 – Commercial areas where minimum limitation applies. The purpose of Clause 52.05 includes ensuring that signs 'do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road'. At clause 52.05-3 there are numerous decision guidelines, applicable to all types of signs, which must be considered, as appropriate, including:

- *The character of the area;*
- *Impacts on views and vistas;*
- *The relationship to the streetscape, setting or landscape;*
- *The relationship to the site and building;*
- *The impact of structures associated with the sign;*

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

- *The impact of any illumination;*
- *The impact of any logo box associated with the sign;*
- *The need for identification and the opportunities for adequate identification on the site or locality;*
- *The impact on road safety.*

Major promotion signs are also subject to the specific permit requirements and decision guidelines at Clause 52.05-6.

The purpose of Clause 52.05-6 is:

- *To achieve high quality visual standards for the siting of major promotion signs;*
- *To ensure that the signs are not detrimental to the appearance of their surroundings or the safe and efficient operation of the route through the application of consistent planning controls.*

The decision guidelines at Clause 52.05-6 require consideration to be given to the effect of the proposed major promotion sign on:

- *Significant streetscapes, buildings and skylines;*
- *The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy;*
- *Residential areas and heritage places;*
- *Open space and waterways.*

The following locational principles must also be taken into account:

- *Major promotion signs are encouraged in commercial and industrial locations in a manner which complements or enhances the character of the area;*
- *Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways;*
- *Major promotion signs are discouraged within open space reserves or corridors and around waterways;*
- *Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines;*
- *In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.*

***Is there policy support for the sign?***

The sign is located at the edge of land that forms part of a major activity centre, within a business zone and positioned adjacent to the Peninsula Link freeway, approximately 60 metres from the on/off ramps to the Cranbourne Road intersection. The location of the sign is considered consistent with the locational requirements of Council's Outdoor Advertising Signage Guidelines and where Major Promotion Signs are encouraged in accordance with Clause 52.05-6 of the Frankston Planning Scheme.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

The Karingal Hub Shopping Centre has a number of identification signs positioned along Cranbourne Road and Karingal Drive. This includes a 16 metre promotion sign on Cranbourne Road which identifies the site from the Frankston and Cranbourne approaches along Cranbourne Road; and a promotion sign on Karingal Drive identifying the access points into the various retail and entertainment areas.

The location of the current signage is concentrated on a localised catchment with visibility concentrated on motorists travelling in an east-west direction. The current signage is not visible from the freeway.

The proposed major promotion sign is proposed to be located on the eastern side of the Karingal Hub shopping centre where no identification signage for the shopping centre currently exists.

One of the key purposes of the sign is to provide a visual marker on the freeway to identify the shopping centre, its location and promote the activities of the centre to a wider audience and catchment.

The structure plan for Karingal Hub recognises the benefits that may be derived from increased accessibility brought about by the completion of Peninsula Link to the shopping centre.

The structure plan also recognises that there are substantial opportunities for redevelopment and revitalisation of the centre, lifting the profile and promoting the centre through appropriate mechanisms, one of which being appropriate signage.

The proposed sign is located adjacent to the Peninsula Link freeway, a major arterial road, to the north of a major road intersection with Cranbourne Road. The sign is located in an elevated position above the roadway and an acceptable distance from the off-ramps not to cause distraction for motorists heading in a northerly or southerly direction.

The subject site is not an open space reserve or located along a forest, tourist road or scenic route but is adjacent to a landscaped section of the freeway.

No vegetation is proposed to be removed in order to provide for the works associated with the base of the sign and the sign will be partly screened by the existing canopy vegetation existing within the freeway reserve.

There are no other major promotion signs in this section of the freeway, on the north or south approaches, although it is not uncommon to find artwork, industrial buildings, acoustic walls, bridges, etc along sections of Peninsula Link.

The proposed sign would mark a transition from a more urban experience travelling along the freeway from the north to a rural experience to the south, beyond Cranbourne Road where much of the land use is rural in nature.

The sign also has the potential to assist in way-finding along the freeway given its proximity to the existing pedestrian/cycle pathway along the freeway. This could be achieved by way of a condition should a permit be issued.

It is considered the proposal is consistent with the many of the policy requirements

***Is the scale, location and form of the sign acceptable relative to its physical setting?***

While the Karingal Hub Major Activity Centre is located on a topographical high point in the landscape it is largely unseen from the freeway and the residential areas to the north and south-east aspects.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

The commercial buildings that comprise the centre combined with the relatively steep slope of the topography to the north result in minimal exposure of the centre unless travelling along Cranbourne Road or Karingal Drive.

Due to the topographical constraints of the centre, the applicant is seeking to raise the profile and awareness of the centre through signage situated at a vantage point to capture passing trade along the freeway. The applicant has advised that the proposed major promotion sign is part of a re-branding strategy for the shopping centre aimed at improving the centre's profile and increase its catchment area.

For the sign to be seen along the approaches of the freeway it needs to sit above the existing tree line of the vegetation along the western freeway reservation.

The sign has been designed to achieve maximum exposure to the freeway. At an overall height of 25 m, it is the top portion of the sign that will be visible above the canopy of the trees, most of the remainder of the sign will be screened due to the existing vegetation, the rail and road overpasses and topography of the area. Therefore, the sign is less likely to be a dominant feature of the freeway from north and south bound approaches.

The sign has been architecturally designed, in a triangular shape to maximise exposure but minimise impact on the natural setting.

The triangular shape of the sign promotes a style of elegance and sophistication that demonstrates a high standard of design which is encouraged by policy objectives of the planning scheme.

The proposed sign is likely to be similar to the prominence of the 9m high silver gnome located to the south of Cranbourne Road which acts as a marker of place at this section of the freeway.

A review of signage of major activity centres nearby shows that large promotion signs are commonly used to promote such centres. Examples can be seen at the Cranbourne Park Shopping Centre, Knox City Shopping Centre and Fountain Gate Shopping Centre.

The applicant has advised that there are a number of non-site related 'advertising promotion' signs at around 18 metres on Peninsula Link and on Eastlink in various locations including service centre signs that are in the order of 25 metres high and constructed on raised ground, where sight lines are more difficult.

***Will the sign have an impact on road safety?***

Montages of the visual impact of the sign to the east, along both approaches of the freeway and to the west have been provided.

The montages show that the logo will be visible from the north and south approaches to varying degrees, depending on the distance of the approach. Visibility of the sign increases as motorists approach the on/off ramps at the Cranbourne Road intersection, however, it is only the upper two sections of the sign that are visible.

The applicant provided a Lighting Report prepared by NDYLIGHT at the request of VicRoads. This report makes an assessment of the level of illumination and whether it complies with VicRoads requirements.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

This report recommends the dimming of the LED screen to be permanently set at a level so that the veiling illuminance at the worst case scenario will be less than the VicRoads requirement of signage not providing a veiling luminance greater than 0.25 cd/m<sup>2</sup> to drivers using Peninsula Link. The addition of coloured sections of LED in the branding and sign content will reduce the veiling luminance to lower levels.

The above report, however, does not detail what can be visually expected on the proposed LED screen on typical days, as opposed to special seasons or events, nor the frequency and the manner in which the internally illuminated logo colours will change or transition.

Given the scale and prominence of the proposed sign it is considered important that this information be provided as part of any approval process. Council can require the preparation of Advertising Signage Guidelines as a condition of permit which would enable a review and sign off process to be maintained.

***Will the sign unreasonably impact on the amenity of the residential areas nearby?***

Given the overall height of the sign, parts of the sign are likely to be visible from surrounding residential areas, particularly at night, as the sign is proposed to be internally illuminated. However, it is unlikely the proposed major promotion sign will have a detrimental impact on the amenity of residential areas nearby.

From the location of the proposed sign there is a distance of 300m to the nearest dwelling on the east side of McClelland Drive. Between the freeway and McClelland Drive there is a heavily vegetated strip of land that obscures any view from dwellings in this location to the freeway.

It is possible that dwellings to the east of McClelland Drive may be able to obtain glimpses of the logo of the sign given the overall height of the sign at 25 metres and there may be some light glow, particularly at night, but the limited exposure of the sign at this distance, and beyond, in an easterly direction is unlikely to cause any material detriment to residents.

The sign will be more visible to the residential areas to the north, south and west but unlikely to cause any unreasonable material detriment to residents.

There is a distance of 200m from the location of the sign to the nearest residence to the north, 400m from the sign to the dwellings to the west and 450m from the sign to the dwellings to the south.

Although the sign is proposed to be sited on a high point in the topography, the existing commercial buildings within the shopping centre will screen much of the sign from view from the west and south.

From the dwellings to the north, the sign will be more visible given the topography and absence of any buildings between the dwellings and the site of the proposed sign. However, existing trees will provide some screening and when the vacant commercially zoned parcel of land is developed, any future building will provide further screening to the sign from the north.

While residents may be able to see the logo and some light glow, the limited exposure of the sign at these distances is unlikely to cause any material detriment to residents.

Further to this the sign has been designed in a triangular shape with three exposed advertising faces directed towards the approaches along the freeway and to the west, to assist in minimising any impact on sensitive uses nearby.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment*****Will the sign attract wildlife?***

No evidence has been supplied by the objector to support the contention that the illuminated sign will attract Lorikeets. In any regard the sign is located at significant distance to nearby dwellings and accordingly any Lorikeets which are attracted by the lights are likely to congregate well away from dwellings.

***Conclusion***

The current proposal is considered satisfactory and should be supported by the issue of a Notice of Decision to Grant a Planning Permit.

It is considered that the proposed sign is appropriate given the role of the activity centre and its locational context – it is appropriate that a major activity centre have a significant sign to identify its location to passing traffic. The sign will not have a material detrimental impact upon residential amenity.

**Recommendation (Director Community Development)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 614/2016/P to erect and display an internally illuminated, floodlit, electronic major promotion sign at 197 Karingal Drive, Frankston, subject to the following conditions:

**Plans**

1. Before the commencement of any works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application prepared by Studio at Large, dated 7/2/17, identified as ISPT, issue 1.2 and 2.1, but modified to show:
  - (a) The base of the sign to provide some way-finding information for trail users of the pedestrian/cycle link along the freeway to the centre;
  - (b) Advertising Signage Management Plan in accordance with Condition 4.
  - (c) The Tree Protection Fence locations for all retained vegetation must be illustrated on all relevant plans.

**No Alterations**

2. The location and details of signs including those of the supporting structure, as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Signage Requirements**

3. The sign must be located wholly within the boundary of the land and must not exceed 25 metres in height.

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

4. Prior to the commencement of any works associated with the installation of the sign, the applicant must submit an advertising signage management plan for the approval and to the satisfaction of the Responsible Authority in consultation with VicRoads. When approved the advertising signage plan will form part of the planning permit. The advertising signage management plan must demonstrate that the content of the electronic sign, particularly in relation to text and colours, will be management in such a way to reduce any offsite impact. The plan must be prepared for the LED screen and must include as a minimum the following:
- Details of tenant signage;
  - Details of event signage;
  - Day and night displays;
  - Daytime centre logo graphic and border including colours and frequency of changes;
  - Night-time centre logo graphic and border colours and frequency of changes.

The guidelines must be prepared and submitted to the satisfaction of the Responsible Authority. When approved the guidelines will form part of the planning permit.

5. External sign lighting must be designed, baffled and located so that no direct light is emitted beyond the boundaries of the site so as to prevent any adverse effect on adjoining land or adverse spillage of light onto the roadway, to the satisfaction of the Responsible Authority.
6. The sign and its displayed image must not:
- Be animated;
  - Be moving or rotating;
7. The signs hereby permitted must be constructed and maintained to the satisfaction of the Responsible Authority.

**VicRoads Requirements**

8. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than  $0.25 \text{ cd/m}^2$ , throughout the driver's approach to the advertising sign.
9. The control of the electronic sign must be in accordance with the submitted Lighting Report prepared by NDYLIGHT Lighting Design issued on 6 September 2017.
10. No image may be displayed on the electronic sign for less than 30 continuous seconds.
11. The transition between images must be instantaneous.
12. The advertising content of the sign must not:
- Consist of more than one static image at a time;
  - Contain or consist of video, movie or television broadcast;
  - Contain any flashing or blinking elements that create the illusion of movement;

**11.2 Planning Permit Application 614/2016/P - 197 Karingal Drive, Frankston 3199 - To erect and display an internally illuminated, floodlit, electronic major promotion sign****Officers' Assessment**

- d) Be capable of being mistaken for a traffic signal or traffic control device. This includes the use of red, amber or green circles, octagon, crosses or triangles;
  - e) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes use of the wording, stop, give way, slow turn left or turn right;
  - f) Be predominantly green, amber or red in colour.
13. The sign and advertising content must not dazzle or distract road users due to its colouring or content.
14. In the event of a malfunction of the electronic sign or advertising content, the electronic sign must be shut down and cease visual output until the malfunction is rectified.

**Satisfactorily Completed**

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

**Permit Expiry**

16. This permit will expire if the sign is not erected within two years of the date of issue of the permit.
17. The permit expires 15 years from the date of this permit.

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

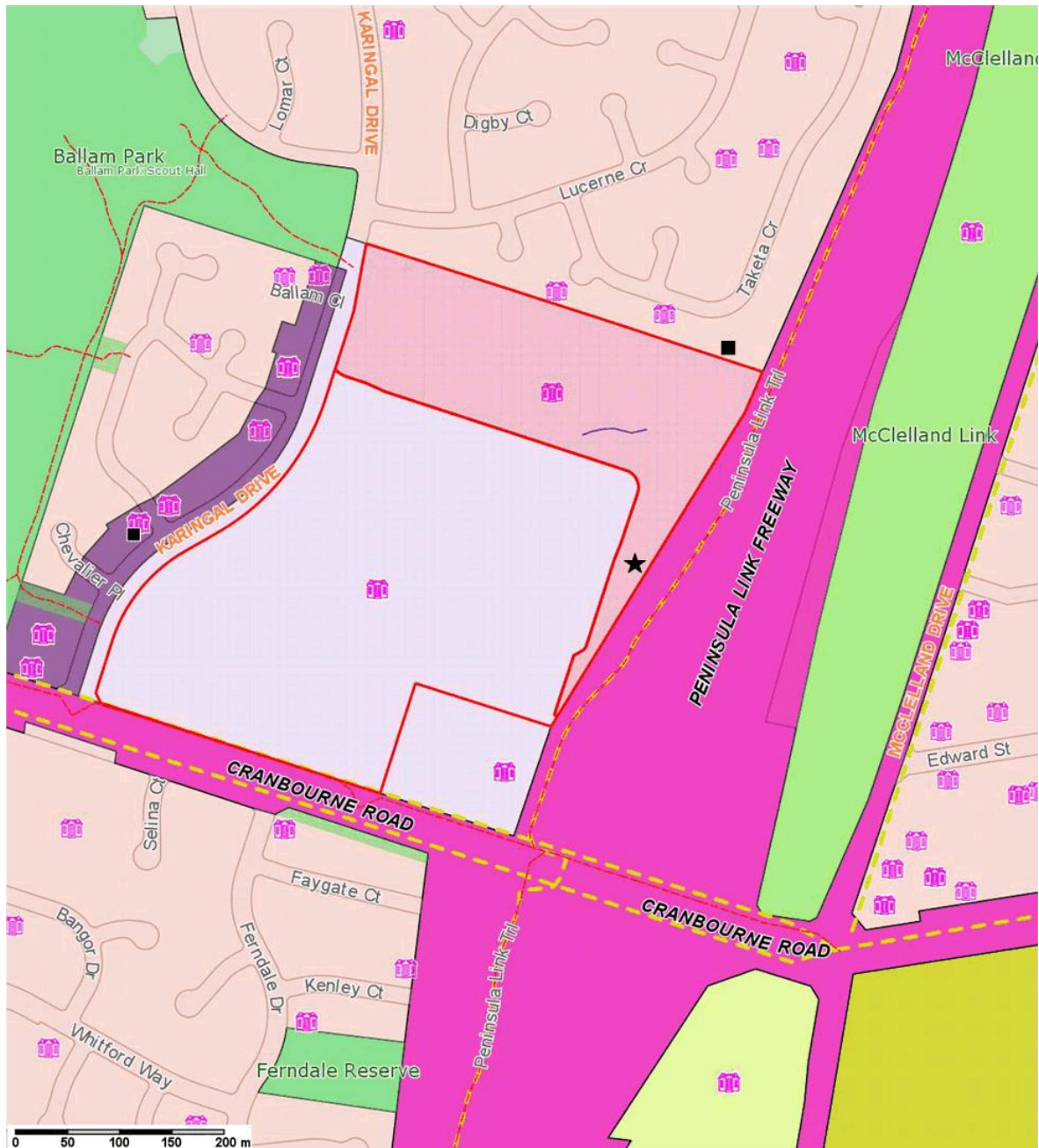
**Notes**

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

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



Town Planning Application 614/2016/P  
 Karingal Hub - 197 Karingal Drive Frankston  
 ★ Subject Site      ■ Objectors (2)



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 Date Printed: 8/06/2017  
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 Issued by: Tara Lambert



Town Planning Application 613/2016/P  
 Karingal Hub – 197 Karingal Drive Frankston



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**ADVERTISED PLAN**

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# ISPT - Karingal Hub

Pylon Sign - Development Application Package

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Issue 2.1 — 21st November 2016

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# ADVERTISED PLAN

## Overview


This package gives an overview of the proposed location and construction of a new pylon sign at Karingal Hub shopping centre.

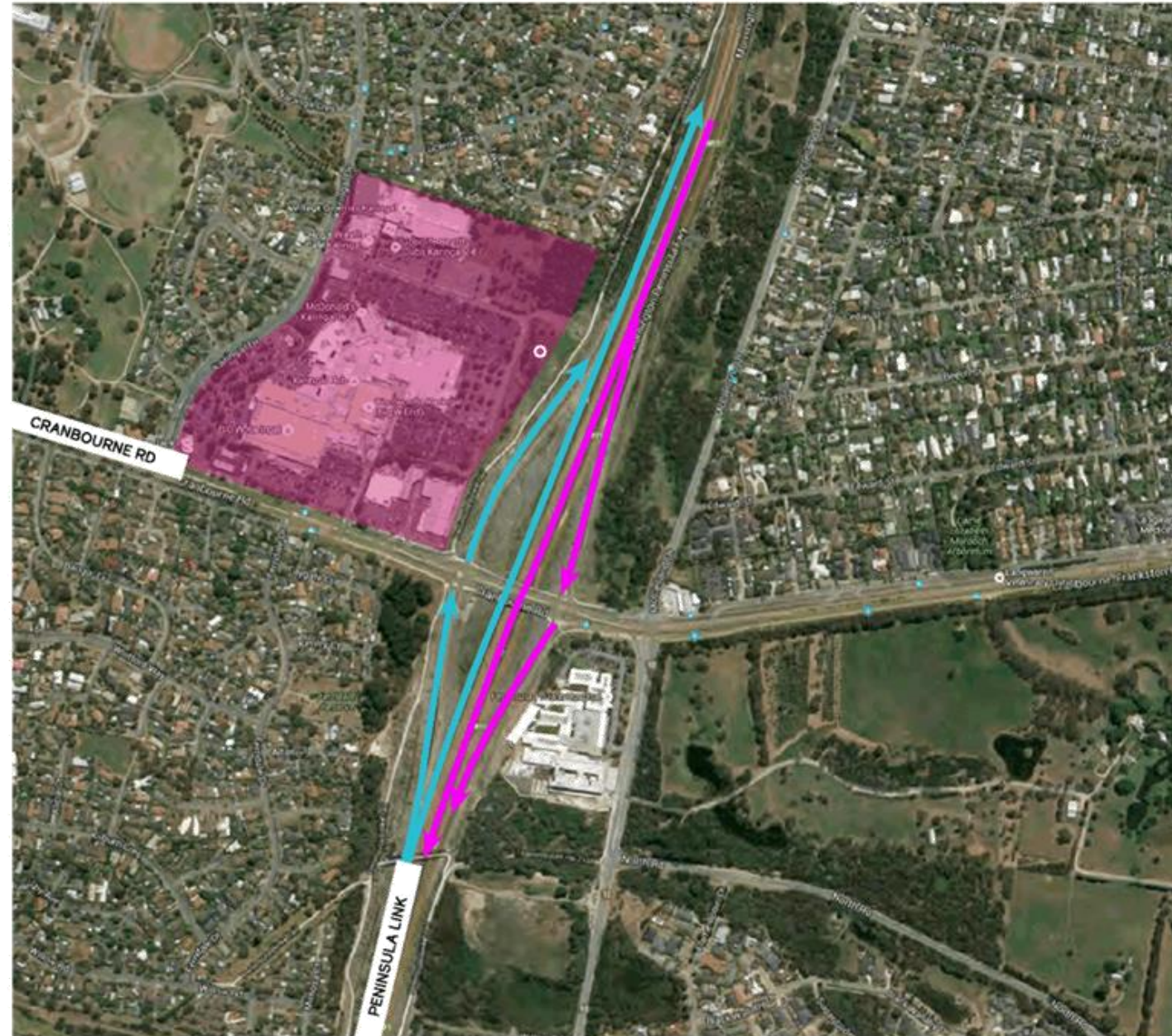
A preliminary site inspection on Tuesday 14th June, 2016 revealed a preferred location for the sign on the South-Eastern boundary of the site.

This preference is informed by sight-lines from the ground which we believe would provide good visibility of the sign for southbound traffic and adequate visibility for northbound traffic on the northern side of the Cranbourne Rd overpass.

A Viewing Distance Analysis was undertaken on Monday 4th July 2016, the findings are documented in the following pages.

A new brand has been developed for the centre which will be represented on the new pylon sign. The sign will act as a beacon to denote the location of the centre to motorists travelling primarily in a North - South direction.

-  Proposed sign location
-  Site Extent
-  Southbound Lanes
-  Northbound Lanes



SITE CONTEXT

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Preliminary Concept Design

**DATE**  
21.11.16

**Studio  
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### Sign Placement

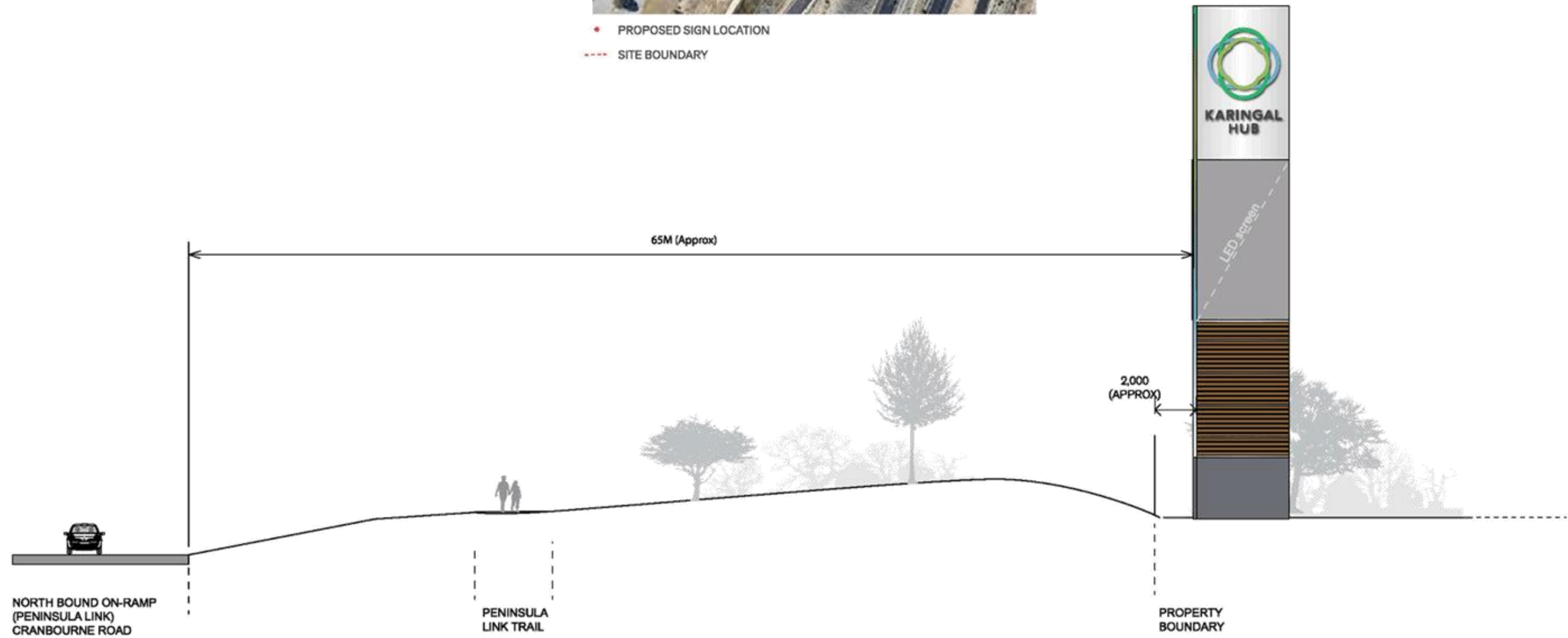
It is proposed that the sign be located on the Eastern edge of the Karingal Hub site (within the boundary). The sign is configured in a triangle shape to allow maximum visibility to North and Southbound traffic, taking into account it's considerable distance from the roadway.

**ADVERTISED PLAN**

4



• PROPOSED SIGN LOCATION  
- - - SITE BOUNDARY



**PROJECT**  
Karingal Hub Pylon Sign

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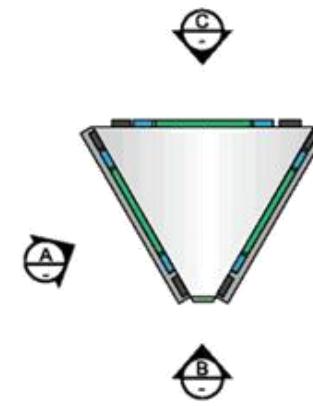
**STAGE**  
Preliminary Concept Design

**DATE**  
21.11.16

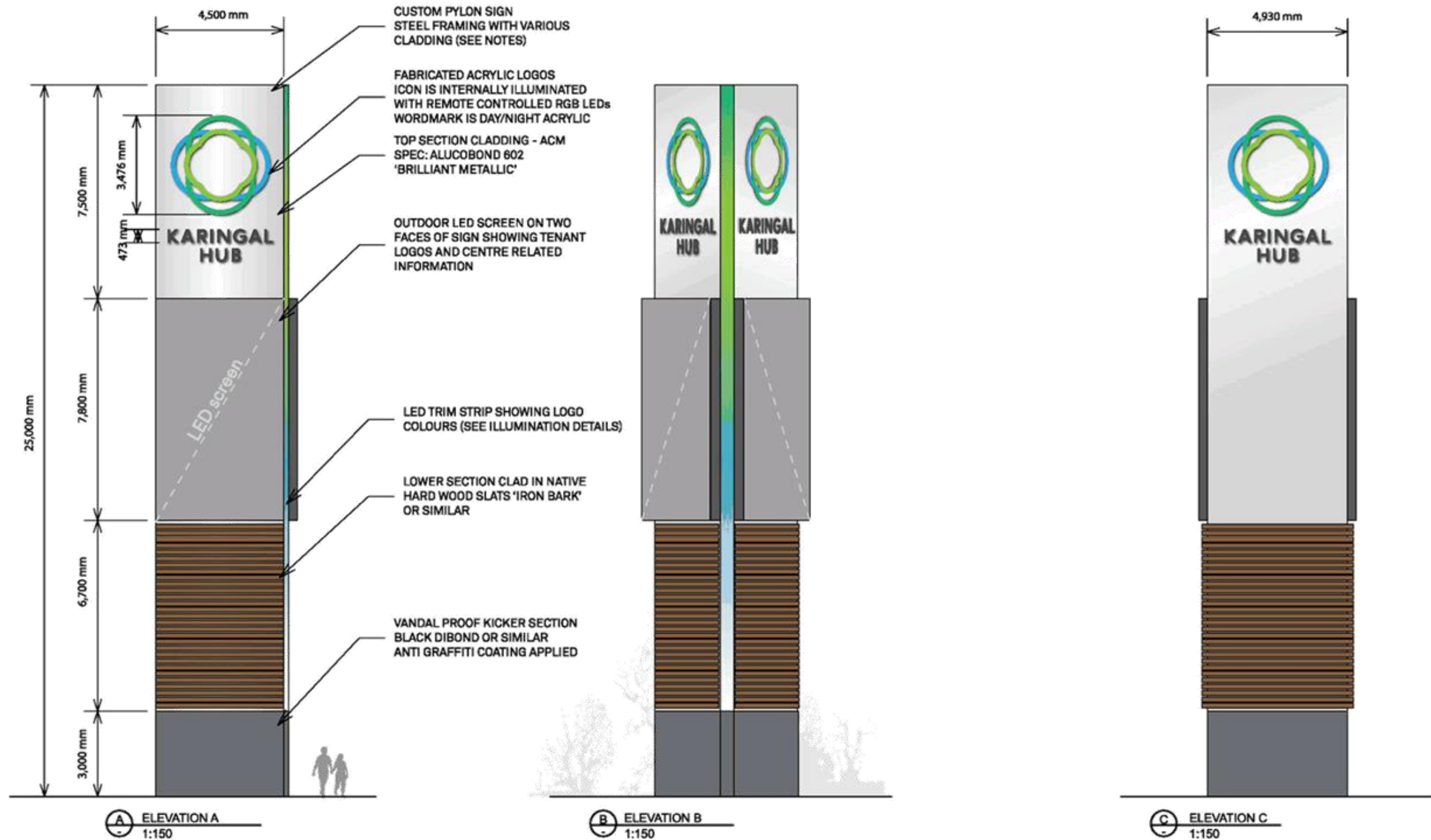
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### Sign Details

The sign is comprised of three main sections. The upper section shows the centre logo and is clad in a uniform aluminium composite material. The middle section houses an LED screen (on two faces), which will be remote controlled. The screen will show centre specific information, as well as information relating to the local community. The lower part of the sign is designed to be viewed from the peninsula link trail. Using natural native hardwood to reflect the environment, with a vandal-proof 'kicker' section below.



### ADVERTISED PLAN



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 Karingal Hub Pylon Sign

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## Illumination and Animation

A key feature of the sign is the configurable internal illumination of the logo. The colour scheme can be customised to suit the season or local events. A dynamic colour scheme will create an ongoing point of interest and supports the local appreciation for public art and community engagement.

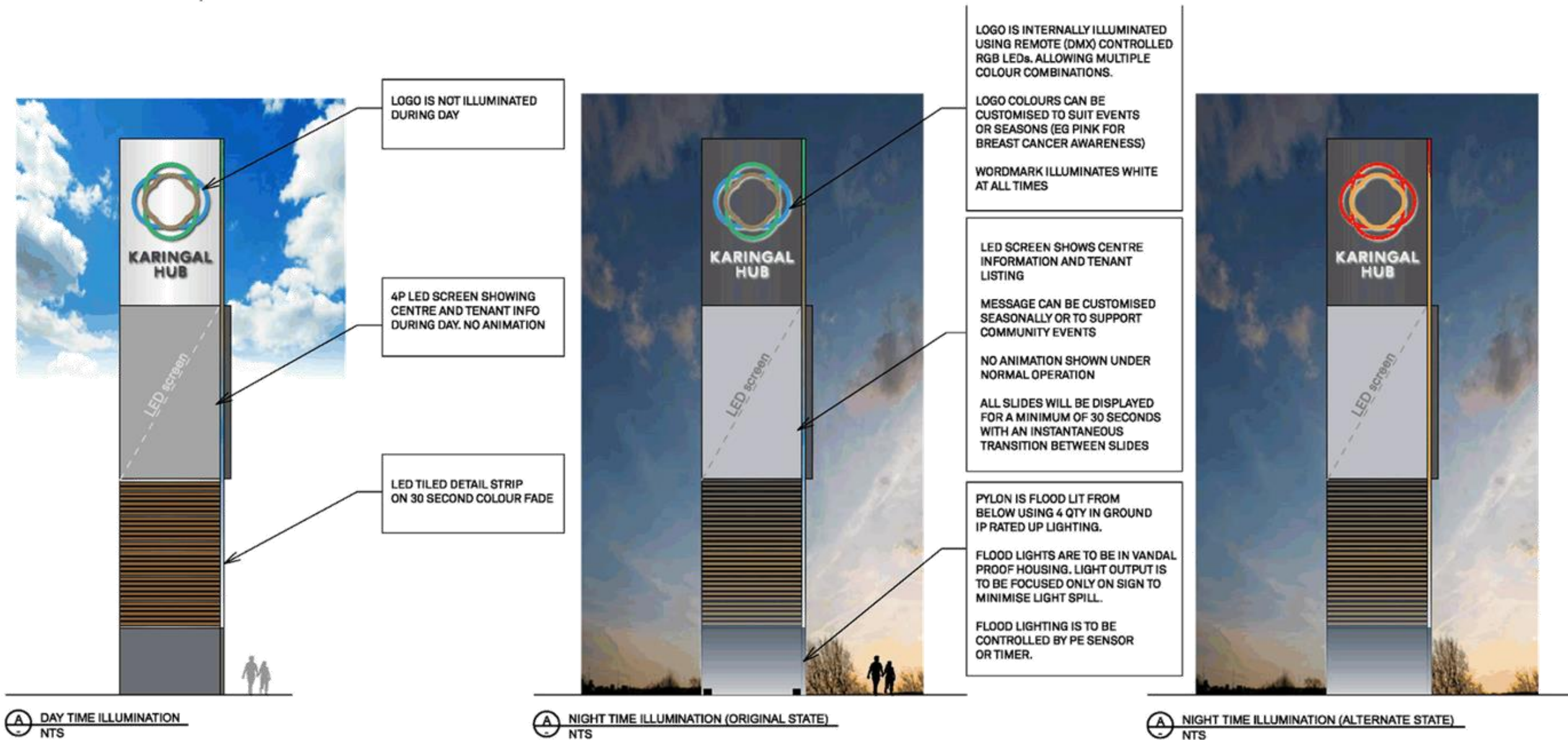
The lower section of the sign will be externally illuminated from the ground using 'up light' flood lighting. Flood lighting will ensure visual consistency of the sign particularly from a pedestrian / cyclist level. Illuminating the sign at ground level will also ensure vandalism is kept to a minimum.

## ADVERTISED PLAN

### GENERAL SPECIFICATION:

SIGN WILL BE FITTED WITH AUTOMATIC AMBIENT LIGHT CONDITIONS SENSORS (PE CELL OR SIMILAR) TO CONTROL LIGHT OUTPUT AND INTENSITY. LIGHT OUTPUT OF THE SIGN MUST AUTOMATICALLY ADJUST TO SUIT MEASURED AMBIENT LIGHT, AND MUST BE ABLE TO BE SET TO A MAXIMUM LUMINANCE LEVEL.

CONTROL SYSTEM WILL RECORD LIGHT LEVELS NO LESS FREQUENTLY THAN EVERY TEN MINUTES AND ADJUST OUTPUT TO PRESET LEVEL OF CD/M2.

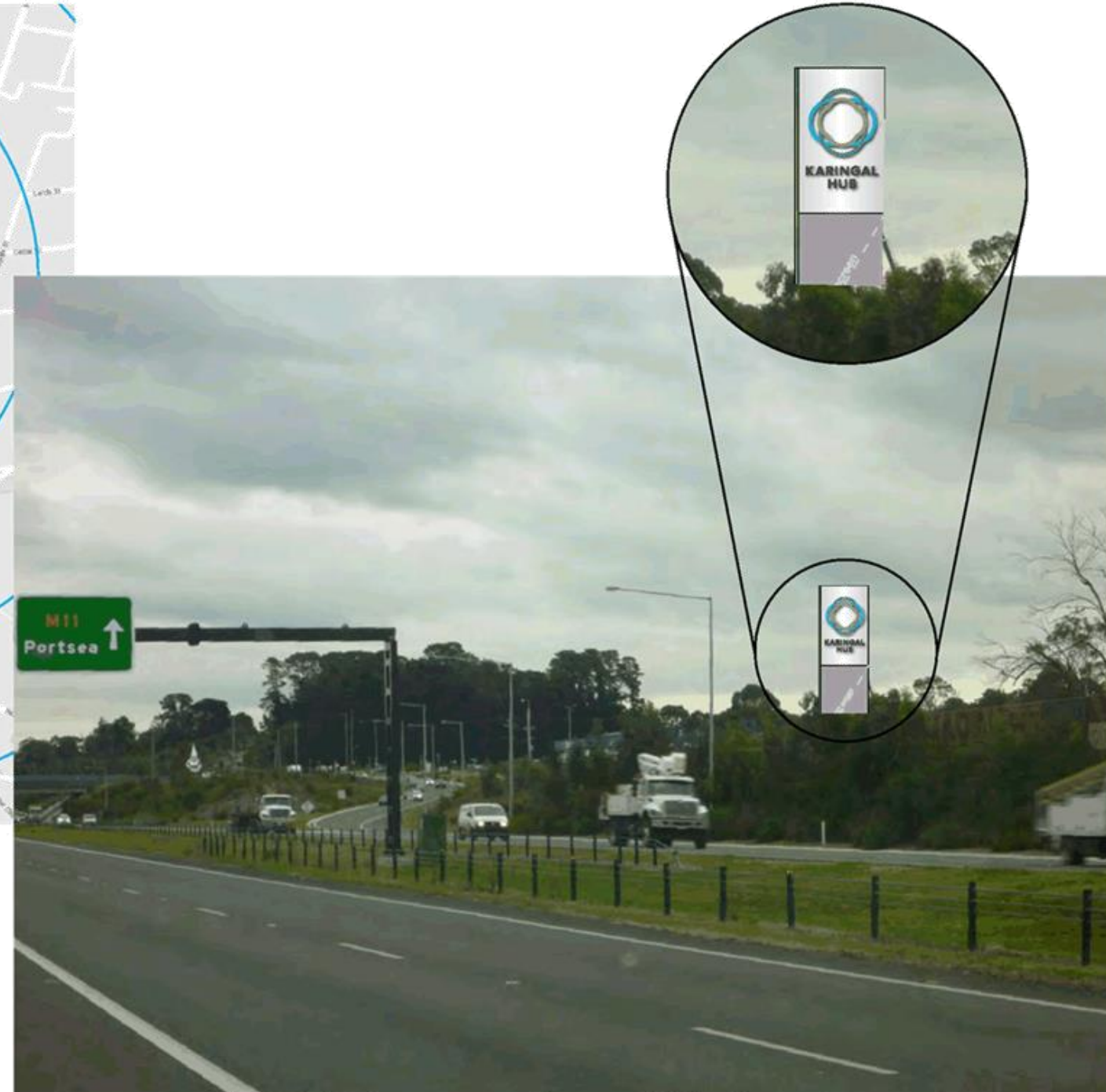
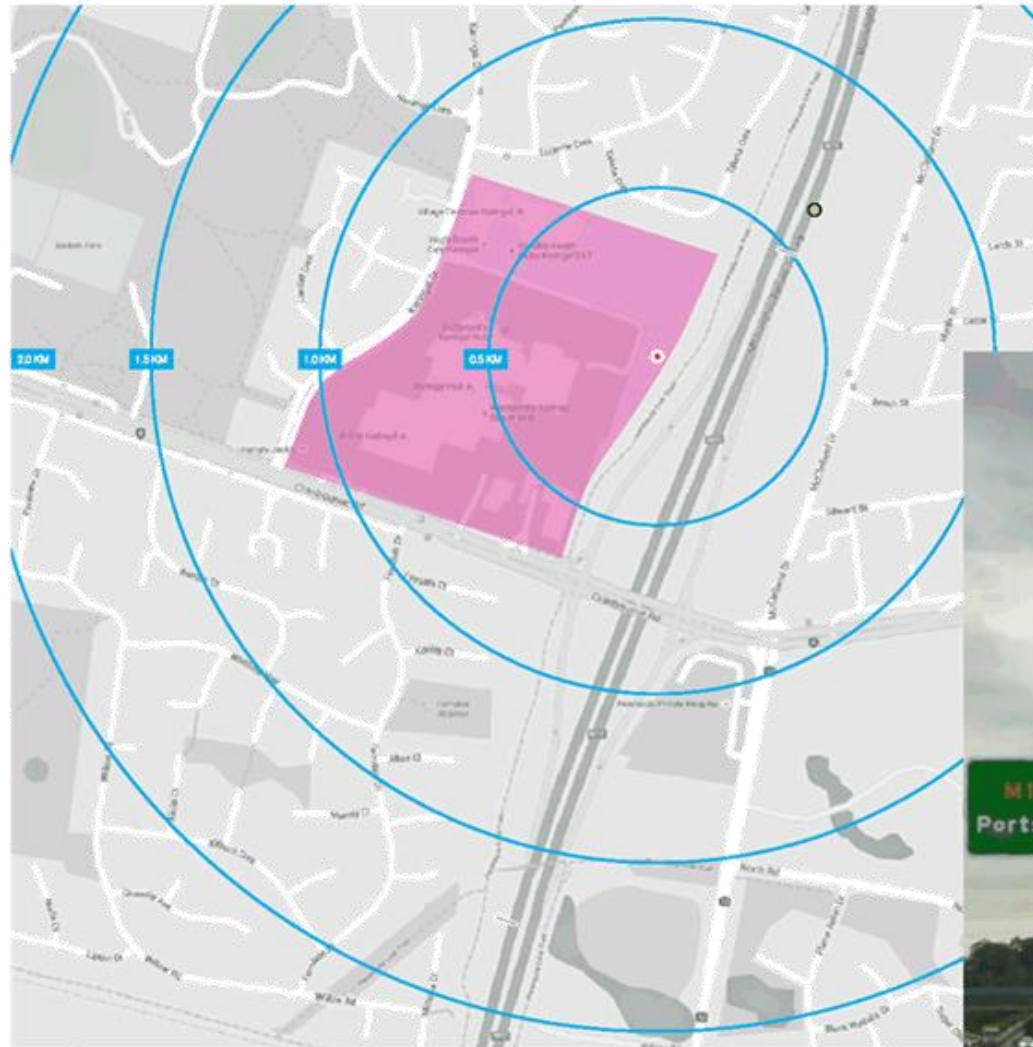


## Viewing Distance Overlay

Southbound overview.

**ADVERTISED PLAN**

7



SOUTHBOUND VIEW

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
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Preliminary Concept Design

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# Viewing Distance Overlay

Southbound viewpoints.

**ADVERTISED PLAN**

8

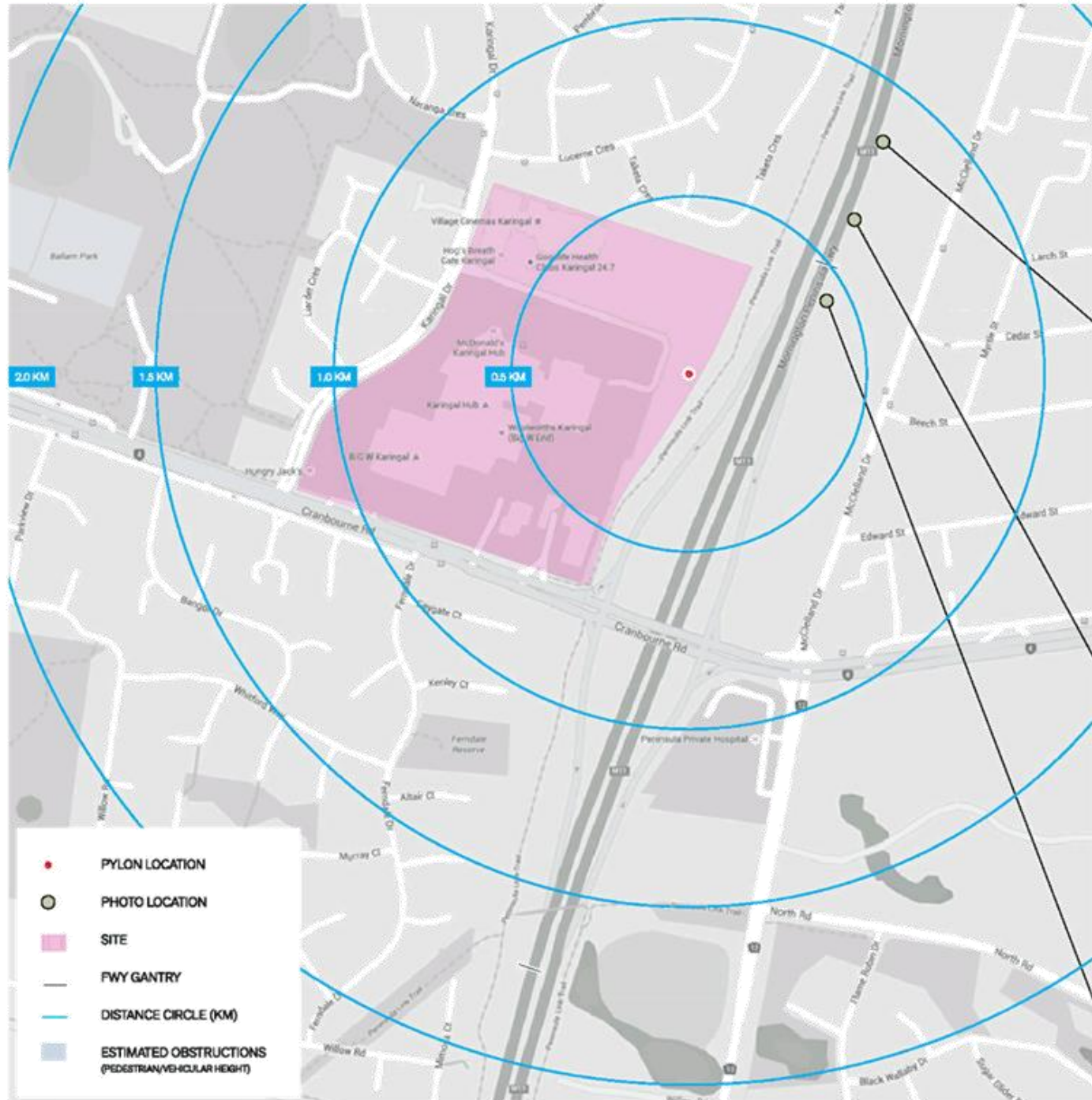


PHOTO 01



PHOTO 02



PHOTO 03

SITE DETAIL - PHOTO LOCATIONS  
SCALE: 1:7500

**PROJECT**  
Karingal Hub Pylon Sign

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Preliminary Concept Design

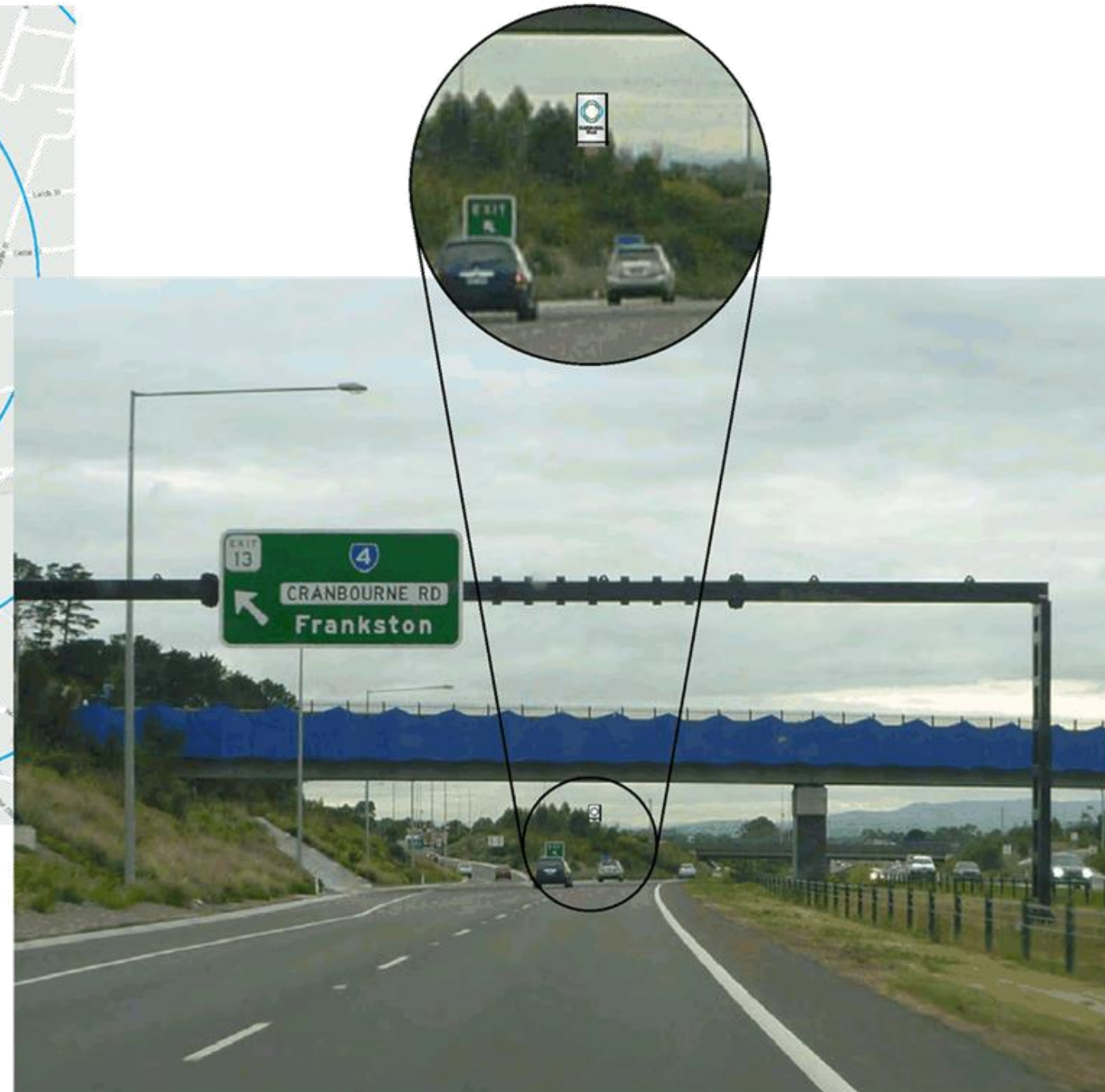
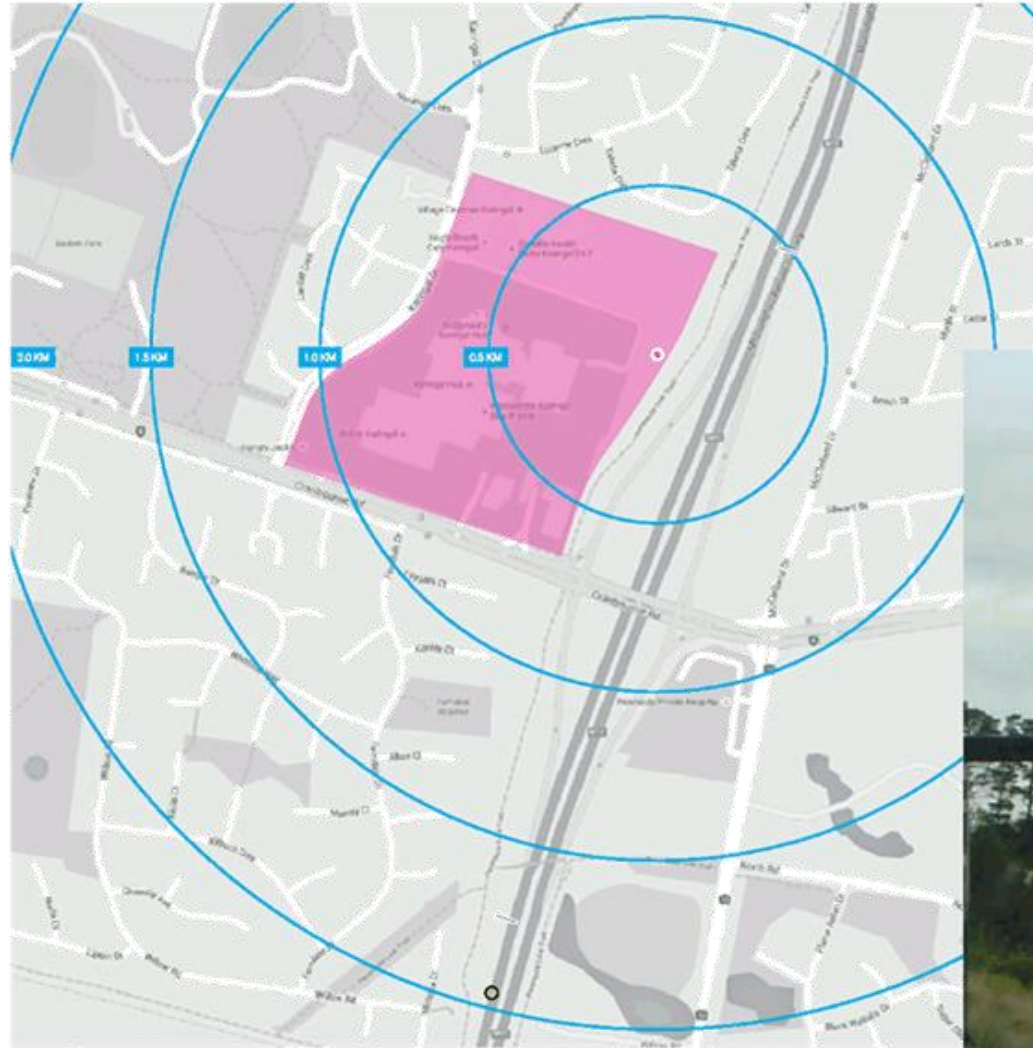
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# Viewing Distance Overlay

Northbound overview.

9  
**ADVERTISED PLAN**



NORTHBOUND VIEW

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
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**STAGE**  
Preliminary Concept Design

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# Viewing Distance Overlay

Northbound viewpoints.

**ADVERTISED PLAN**

10

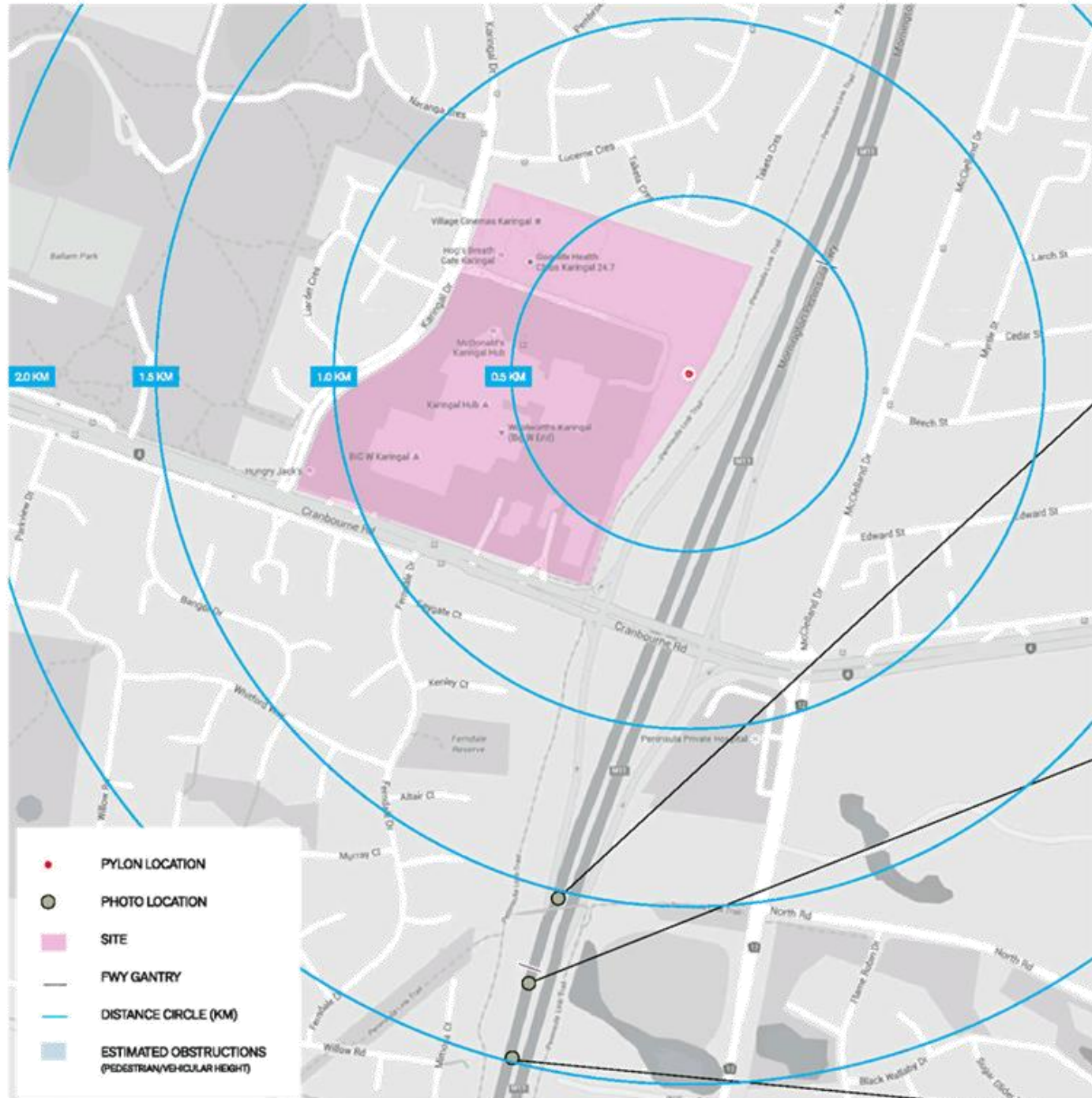


PHOTO 06



PHOTO 05



PHOTO 04

SITE DETAIL - PHOTO LOCATIONS  
SCALE: 1:7500

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Preliminary Concept Design

**DATE**  
21.11.16

**Studio  
at Large.**

# Viewing Distance Overlay

Existing Site Conditions

3  
**ADVERTISED PLAN**



**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

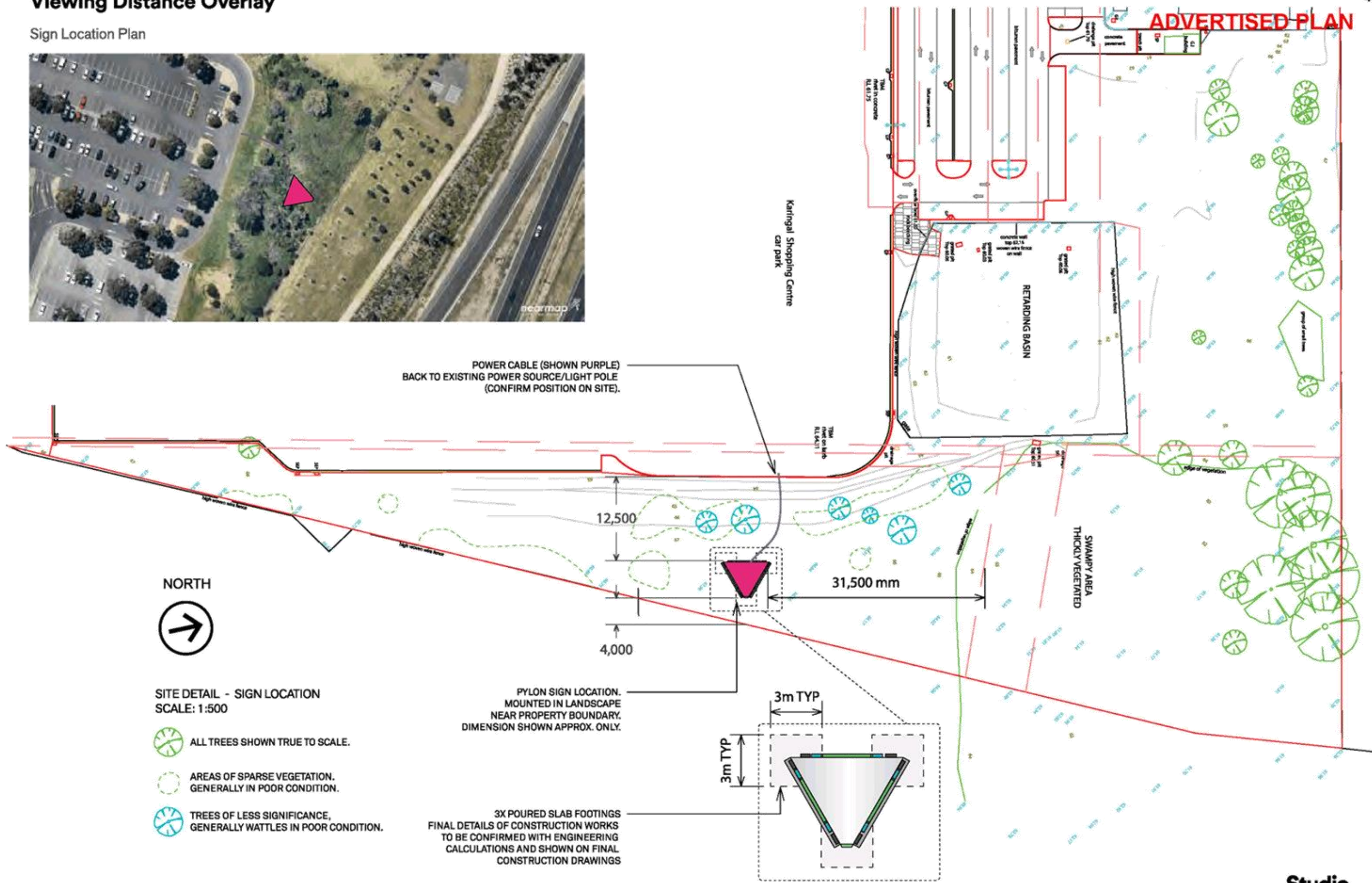
**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**

# Viewing Distance Overlay

## Sign Location Plan



ADVERTISED PLAN

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio at Large.**

# Viewing Distance Overlay

Site & Car Park Section views

**ADVERTISED PLAN**

5



**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**



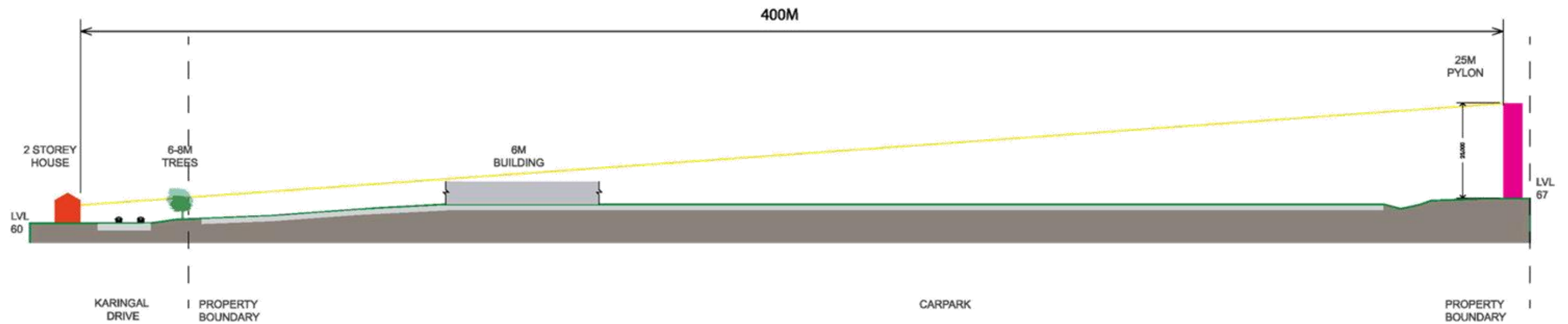
## Viewing Distance Overlay

View from 202 Karingal Drive (400M)

Section view shown is typical and prepared from general topographical information provided by Council.



6  
**ADVERTISED PLAN**



**A** SECTION A  
1:1000

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**

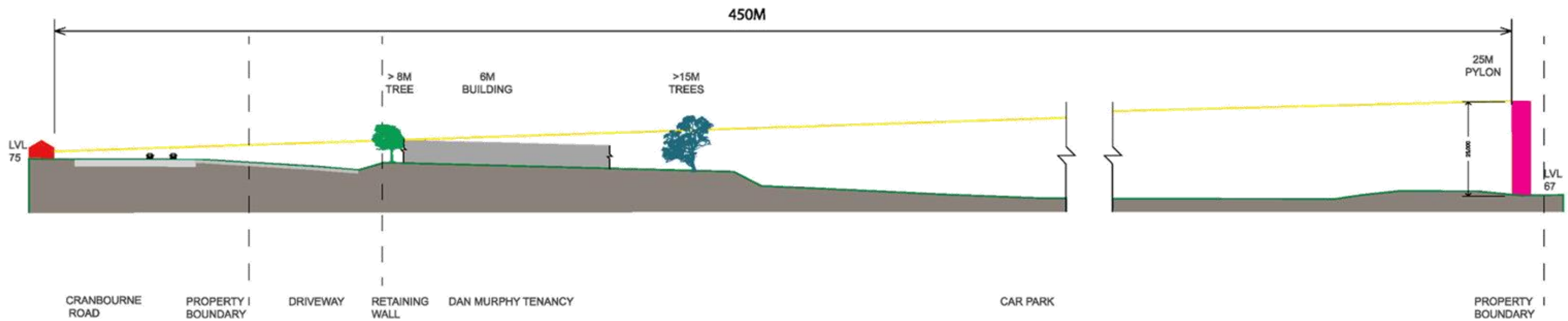
### Viewing Distance Overlay

View north from 3 Faygate Court (450M)

Section view shown is typical and prepared from general topographical information provided by Council.



7  
**ADVERTISED PLAN**



**B** SECTION B  
1:1000

**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**

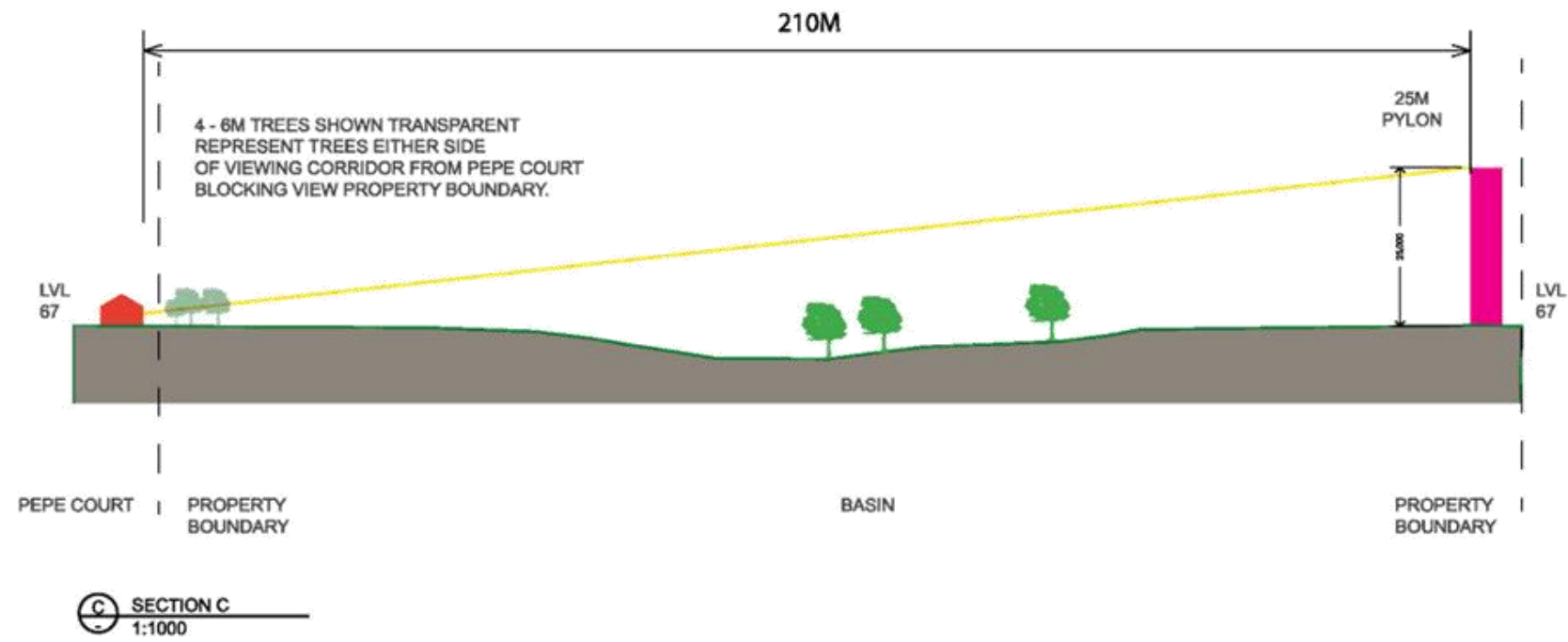
## Viewing Distance Overlay

View from 2 Pepe Court (210M)

Section view shown is typical and prepared from general topographical information provided by Council.



8  
**ADVERTISED PLAN**



**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**

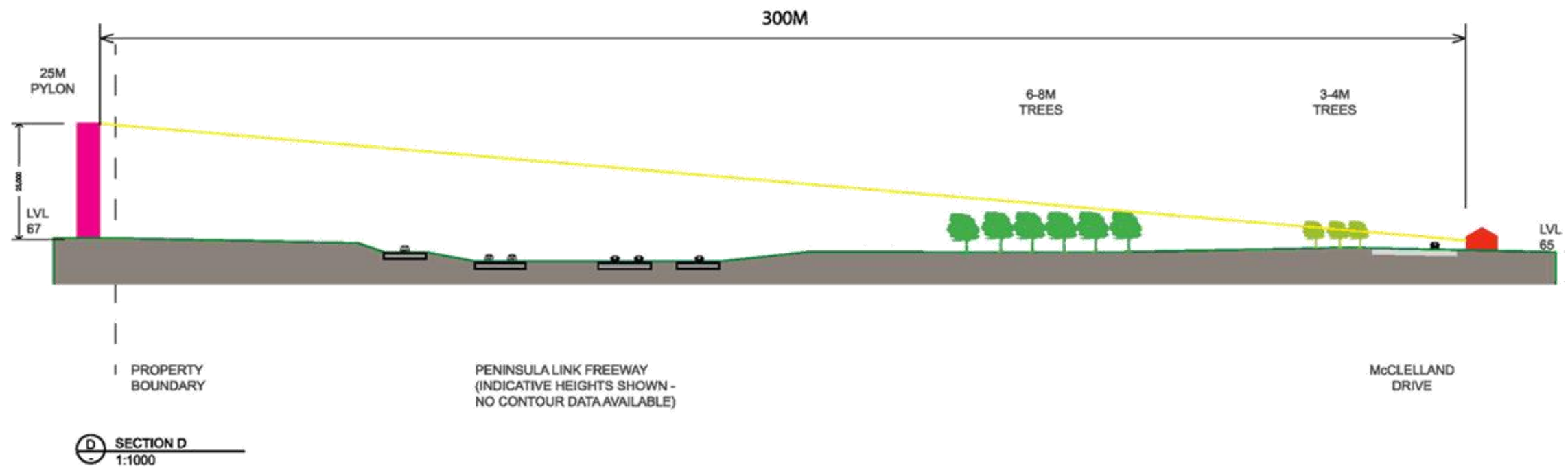
## Viewing Distance Overlay

View from 484 McClelland Drive (300M)

Section view shown is typical and prepared from general topographical information provided by Council.



9  
**ADVERTISED PLAN**



**PROJECT**  
Karingal Hub Pylon Sign

**CLIENT**  
ISPT

**STAGE**  
Response to further information request.

**DATE**  
07.02.17

**Studio  
at Large.**

**ADVERTISED PLAN**

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## **For further information:**

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0410 459 941

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Signage  
Wayfinding  
Branding & Identity  
Environmental Branding  
Exhibition Design  
Digital Design

**Studio  
at Large.**

**Executive Summary****11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.2 Development and Housing
Priority Action	1.2.3 Ensure built form, displays architectural excellence and embodies creative urban design

**Purpose**

This report considers the merits of the planning application to construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement).

**Recommendation (Director Community Development)**

That a Notice of Decision to Grant a Planning Permit be issued to construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope at 3 McLean Court, Frankston South , subject to the conditions contained in the officers' assessment.

**Key Points / Issues**

- The proposal is to construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement).
- All three (3) structures are located in flat areas cleared of vegetation.
- Eight (8) objections have been received from surrounding property owners concerning the size and location of the structures, building outside the building envelope, over development of the site, loss of vegetated areas, concern over impact on property values, and the use and amenity of the outbuilding.

For further information, please refer to the officer's assessment contained within this report.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Council's ability to fund both new facilities and the ongoing renewal of existing facilities.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Executive Summary**

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

The permit application fee paid to Council is \$881.40. The average cost to process a planning application is \$1,729.

**Consultation****1. External Referrals**

No external referrals were required for the application.

**2. Internal Referrals**

No internal referrals were required for the application.

**Notification of Proposal**

Notification of the planning application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*.

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- One (1) sign erected on the site frontage

As a result of the public notification, eight (8) objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

**Analysis (Environmental / Economic / Social Implications)**

The proposal will have a positive environmental impact as it does not remove or impact any vegetation.

The proposal will have a beneficial economic impact. In the short-term it will create employment opportunities during the construction phase.

The proposal will have a net social benefit to the community. It adds to the City's diversity of housing stock to meet housing demands in an area that is accessible to a wide range of community facilities, services and transport networks.

**Legal / Policy / Council Plan Impact****Charter of Human Rights and Responsibilities**

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

**Legal**

Council has complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987* in processing the planning permit application.

**Policy Impacts**

Council has assessed the planning permit application in accordance with the relevant State and Local Planning provisions, zones, particular and general provisions of the Frankston Planning Scheme.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)**

### **Executive Summary**

#### Officer's Declaration of Interests

Under Section 80C of the *Local Government Act 1989*, officers providing advice or a report to Council must disclose any direct or indirect interest they have in a matter.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

#### **Risk Mitigation**

There are no relevant risk implications.

#### **Conclusion**

Overall, it is considered that the proposal is satisfactory subject to conditions and should be supported as discussed throughout this report.

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#### **ATTACHMENTS**

- Attachment A: [↓](#) Locality Map
- Attachment B: [↓](#) Locality Map - Aerial
- Attachment C: [↓](#) Neighbourhood Character Brochure
- Attachment D: [↓](#) Development Plans



**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)**

### Officers' Assessment

#### Summary

<b>Existing Use</b>	Dwelling
<b>Site Area</b>	2,799.89 square metres
<b>Proposal</b>	To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement).
<b>Site Cover</b>	18%
<b>Permeability</b>	77%
<b>Zoning</b>	General Residential Zone
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Significant Landscape Overlay – Schedule 3;</li> <li>• Design and Development Overlay – Schedule 1;</li> <li>• Environmental Significance Overlay – Schedule 1; and</li> <li>• Bushfire Management Overlay – Schedule 1 (part of the front (western) section of the site only).</li> </ul>
<b>Neighbourhood Character Precinct</b>	Frankston South 1
<b>Reason for Reporting to Council</b>	Councillor call in

#### Background

##### **Subject Site**

The subject site is triangular in shape, with a frontage to McLean Court of 14.14 metres, a north-western boundary of 46.56 metres, a north-eastern boundary of 98.33 metres, a southern boundary of 99.55 metres and total site area of 2799.89 square metres.

No easements exist on the site.

The subject site contains a dwelling with an adjoining pool and decking, an informal car park covered with shade sails and a small paved area containing a basketball ring. A cleared area is located below the informal car parking area and the eastern half of the land contains vegetation.

The subject site contains a building envelope. The building envelope is located to the west of the site at the site frontage to McLean Court.

Access to the site is via an existing crossover to McLean Court.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment*****Locality***

The subject site is located on the eastern side of McLean Court in Frankston South. The surrounding area is characterised by large blocks with dwellings, outbuildings and extensive vegetation.

***Restrictions on Title***

The submitted copy of title shows the site is affected by a Section 173 Agreement No. W395393G. The agreement requires that no buildings are to be constructed, erected or built outside the building envelope without written consent of Council, and that any vegetation on the Subject Land which is outside any Building Envelope or Road Alignment must not be destroyed, felled, lopped, ringbarked or uprooted without the written consent of Council.

***Site History***

Previous planning permit applications for the site include:

- Planning Permit 454/2016/P was refused on the 15 September 2016 for the construction of three (3) outbuildings. It is noted that at the time this application was considered the entire site was covered by the Bushfire Management Overlay. One of the grounds of refusal related to the defendable space requirements imposed by the CFA and the loss of vegetation to achieve the 2 metre canopy separation.
- Secondary Consent was approved on the 28 August 2009 to amend the plans associated with Planning Permit 263/1998/P to extend the building envelope to allow for a swimming pool.
- Planning Permit 397/2002/P was refused on the 6 May 2005 for a carport.
- Planning Permit 729/2011/P was approved on the 14 November 2001 for a dwelling in the ES01 and tree removal.
- Planning Permit 263/1998/P was approved on the 25 September 1998 for an eight (8) lot subdivision in two (2) stages.

***Proposal***

The proposal is to construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement).

All three (3) structures are located in flat areas cleared of vegetation.

The garage is located to the east of the dwelling in an existing informal open car park area, with shade sails above. The garage has dimensions of 6 metres by 6 metres, with a floor area of 36 square metres, incorporating a pitched roof with a maximum height of 3.612 metres. It is located east of the dwelling, setback 8 metres from the southern side boundary and approximately 25-30 metres from the McLean Court street frontage. Access to the garage is proposed via the existing 3.5 metre driveway.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**

The shed is located approximately 3 metres below the proposed garage in an area that has been cleared previously. The shed has dimensions of 9 metres by 12 metres with a floor area of 108 square metres, incorporating a gabled roof form with a maximum height of 4.506 metres. The shed is setback 4.2 metres from the southern side boundary at its closest point. The use of the shed is for the storage of the property owners personally owned collector cars.

The alfresco area is located to the east of the dwelling and north of the proposed garage over an existing paved area, with portable basketball ring. The alfresco area has dimensions of 6 metres by 4.4 metres with a maximum height of 3.612 metres. The proposed structure comprises a concrete floor, corrugated pitched roof, an end wall and two side walls, with one side remaining fully open (south east elevation) facing the shed.

**State and Local Planning Policy Frameworks**

The State Planning Policy Framework elements relevant to this application are summarised as follows:

- Clause 11 - Settlement
- Clause 15 – Built Environment and Heritage

The Local Planning Policy Framework elements relevant to this application are summarised as follows:

- Clause 21.04 - Settlement
- Clause 21.07 – Housing
- Clause 22.08 – Neighbourhood Character Policy

**Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 43.02 – Design and Development Overlay - Schedule 1 of the Frankston Planning Scheme to construct or carry out buildings and works with a total floor area of all outbuildings exceeding 100 square metres.
- Written approval is required from Council to build outside of the building envelope in accordance with the Section 173 Agreement.

It is noted that the proposed works are not located within the area covered by the Bushfire Management Overlay and therefore this is not a planning permit trigger.

The proposed buildings and works are not located within the tree protection zone of a substantial tree or native tree and therefore do not trigger a planning permit under the SL03 and ES01 respectively.

***Notification of Proposal***

The grounds of objection are summarised as follows:

- Use of large shed for commercial/industrial purposes.
- Potential noise and light emission impact on neighbouring properties.
- Large shed is out of character for the area.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**

- Buildings outside of building envelope would create over development of the site and impact on the flora and fauna.
- Not respecting the neighbourhood character and objectives of Overlays (SLO3 and ESO1).
- Large shed too close to neighbouring dwellings.
- Loss of vegetated areas.
- Not respecting the intent of S173 to minimize the built up area and protect the vegetated area.
- Impact on property value.

A Residents Discussion Meeting was held. The meeting was attended by the applicant, the owner, a number of objectors, and planning officers. The meeting provided an opportunity to discuss the key concerns of the objectors and provide clarification of the proposal.

No resolution between parties was achieved; however following the meeting the applicant offered the following changes:

- Maximum height of the proposed shed reduced from 4.506 metres to 3.47 metres.
- Double row planting of native vegetation in the form of Lilly Pillys along the southern and northern property boundaries where no vegetation currently exists.

**Discussion*****State and Local Planning Policy***

The proposal is consistent with State and Local Planning Policy which seeks to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure as the proposal is in association with existing low density residential zoned land.

It is considered that this proposal will appropriately respond to State and Local Planning Policies.

**Design and Development Overlay Schedule 1**

The proposed outbuilding triggers the requirement for a planning permit in the Design and Development Overlay Schedule 1. The objectives of the overlay are:

- To maintain and enhance the low density treed character of Frankston South in recognition of its contribution to the housing diversity and its landscape quality.
- To ensure that development densities are consistent with the landscape character of the Frankston South area.
- To ensure that development responds to the physical characteristics and landscape qualities of the Sweetwater Creek and its environs.
- To ensure that new development responds to established and preferred streetscape and neighbourhood character and built form in terms of building height, scale, siting and landscape setting.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**

- To ensure that development is compatible with the environmental and infrastructure capacities of the area, including the capacity of local streets, drainage systems and sewerage systems.

Given the proposed buildings and works have a total floor area greater than 100 square metres (garage - 36 sq.m.; shed – 108 sq.m.; and alfresco 26.4 sq.m.) a Planning Permit is required under the Design and Development Overlay Schedule 1.

Garage

The garage is located east of the dwelling, setback 8 metres from the southern side boundary and approximately 25-30 metres from the McLean Court street frontage and is in an area already being used to park vehicles. The garage will provide a formal permanent shelter for vehicles which currently is not provided on site and will utilise the existing driveway. The garage will be partially obscured from McLean Court as it sits behind the existing dwelling. For these reasons, the garage is considered acceptable.

Shed

The proposed shed is located in an already cleared area, void of any vegetation. Further, there is no significant vegetation located in close proximity to the proposed shed.

The setback of the shed from McLean Court combined with the topography of the land (the shed is located approximately 3 metres below the proposed garage) will mean that the shed will be barely visible from McLean Court.

The size of the shed is comparable to other sheds/outbuildings in the area. Specifically, it is noted that a shed is located at the property to the north-east of the subject site at 16 Kilmiston Court of similar dimensions. However, it is considered that the height of the shed (4.506 metres) is above what is necessary for its purpose. The shed will be visible from adjoining properties to the north and south however will be screened partially due to existing vegetation both within the subject site and on the adjoining properties. Several objectors have raised concern regarding the size of the shed and location of the shed too close to neighbouring dwellings. It is proposed that Conditions of the permit can require the height of the shed to be reduced to 3.47 metres to reduce the visibility of the shed from neighbouring properties and for a row of planting of native vegetation in the form of Lilly Pillies along the southern and northern property boundaries be provided where no vegetation currently exists. These changes were offered by the applicant following the Resident Discussion Meeting.

The plans do not clearly indicate on which elevation the access to the shed will occur. A condition of permit will require this to be clarified, noting that the most logical elevation is to the north where access can be provided from the existing driveway.

In respect to the use of the shed, several objectors raised concern regarding the use of the shed for commercial/industrial purposes. The shed is to be used for the storage of the owner's personally owned collector cars. A condition could be placed on the permit to restrict the use to domestic purposes only.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**Alfresco

The alfresco area is proposed over an existing paved area that will not be visible from McLean Court; however will be visible from the adjoining property to the north. It is noted that it is setback 6 metres from the northern side boundary. The alfresco is open on one side (south east elevation) facing the shed. Given an alfresco is for outdoor entertaining and the concerns raised from objectors in relation to the use of the area, it is proposed that a condition of the permit could require the alfresco to be open on either the south west or north west elevations where it will open up into the centre of the site or onto the dwelling and existing pool area. Given the modest scale of the alfresco and its location in an already cleared area it is considered acceptable.

The proposal is consistent with the objectives of the DDO as it seeks to maintain the existing pattern of development in the area by positioning all three (3) structures close to the existing dwelling while taking into consideration the topography of the land, minimizing the need for earthworks and vegetation removal.

**Neighbourhood Character**

The subject site is located within the Frankston South 1 Neighbourhood Character Precinct. Objectives of the precinct relevant to the application include:

- To maintain and strengthen the vegetation dominated landscape and the relationship to the vegetation qualities of the Sweetwater Creek environs.
- To reflect the existing rhythm of dwelling spacing.
- To ensure that buildings and extensions do not dominate the streetscape and wider landscape setting.

All three (3) structures are located on already cleared land with no impact on vegetation, positioned towards the front half of the site, with adequate setbacks from boundaries and therefore still leaving large areas for retention of vegetation in keeping with the neighbourhood character. The shed is the largest structure and subject to conditions reducing the height of the shed, its size is comparable to other sheds/outbuildings in the area. A further condition will require for planting along the side boundaries to limit its visibility from adjoining properties. For these reasons, the proposal is considered in keeping with the neighbourhood character.

**Building Envelope**

Planning Permit No. 263/1998/P was approved on the 25 September 1998 for an eight (8) lot subdivision in two (2) stages which included the provision of building envelopes.

The intent of the building envelope was to protect native vegetation and to provide large setbacks for development. As discussed there is provision in the Section 173 Agreement on the site to build outside of the building envelope with the prior written consent of Council. It is noted that previous approval has been granted to extend the existing building envelope to accommodate a swimming pool.

It is noted that the plan submitted with the application shows a new enlarged building envelope. The application is seeking approval to build outside the registered building envelope and is not seeking approval to enlarge the building envelope and therefore a condition of permit will require the plan to be modified to show the existing approved building envelope.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**

The siting of the three (3) structures outside of the building envelope is considered acceptable given the large setbacks from adjoining properties and that no vegetation is being impacted on the site as the location of all structures is completely cleared of vegetation. The development will still leave large areas for retention of vegetation in keeping with the intent of the original subdivision and areas for landscaping.

**Consultation**

A number of the grounds of objection have been considered and discussed previously within this report. Other concerns raised are discussed below:

*Loss of property values*

This is not a matter that can be considered when assessing a Planning Permit Application.

**Conclusion**

Overall it is considered that the proposal satisfies the requirements of:

- The State and Local Planning Policy Framework, including the Municipal Strategic Statement and Clause 22.08 – Neighbourhood Character Policy;
- The Design and Development Overlay Schedule 1 and Decision Guidelines.

On balance the proposal is considered to be reasonable subject to conditions and should be supported by Council.

**Recommendation (Director Community Development)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 481/2017/P to construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (Section 173 agreement) at 3 McLean Court, Frankston South, subject to the following conditions:

**Plans**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
  - (a) Proposed site plan to show the existing approved building envelope under Planning Permit 263/1998/P and delete the enlarged building envelope.
  - (b) The maximum height of the shed reduced to 3.47 metres.
  - (c) Elevation plans of all three (3) structures to include clear information about which elevation they relate to.
  - (d) Alfresco area to be open on either the south west or north west elevations and enclosed on the south east elevation.
  - (e) A landscape plan in accordance with Condition 3.

**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)**

**Officers' Assessment**

**No Alterations**

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

**Landscaping**

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

**Use**

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

**Amenity**

5. The amenity of the area must not be detrimentally affected by the development and/or use through the:-
- (a) Transport of materials, goods or commodities to or from the land;
  - (b) Appearance of any building, works or materials;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) Presence of vermin;
  - (e) Others as appropriate; or
  - (f) In any other way.
6. The external finishes to the three (3) structures (garage, shed and alfresco) must be of muted natural colours and tones that are consistent with the surrounding landscape to the satisfaction of the Responsible Authority.

**Satisfactorily Completed**

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

**Permit Expiry**

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



**11.3 Planning Permit Application 481/2017/P - 3 McLean Court, Frankston South - To construct three (3) structures ancillary to the existing dwelling (garage, shed and alfresco area) and to build outside the registered building envelope (section 173 agreement)****Officers' Assessment**

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

**Notes**

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

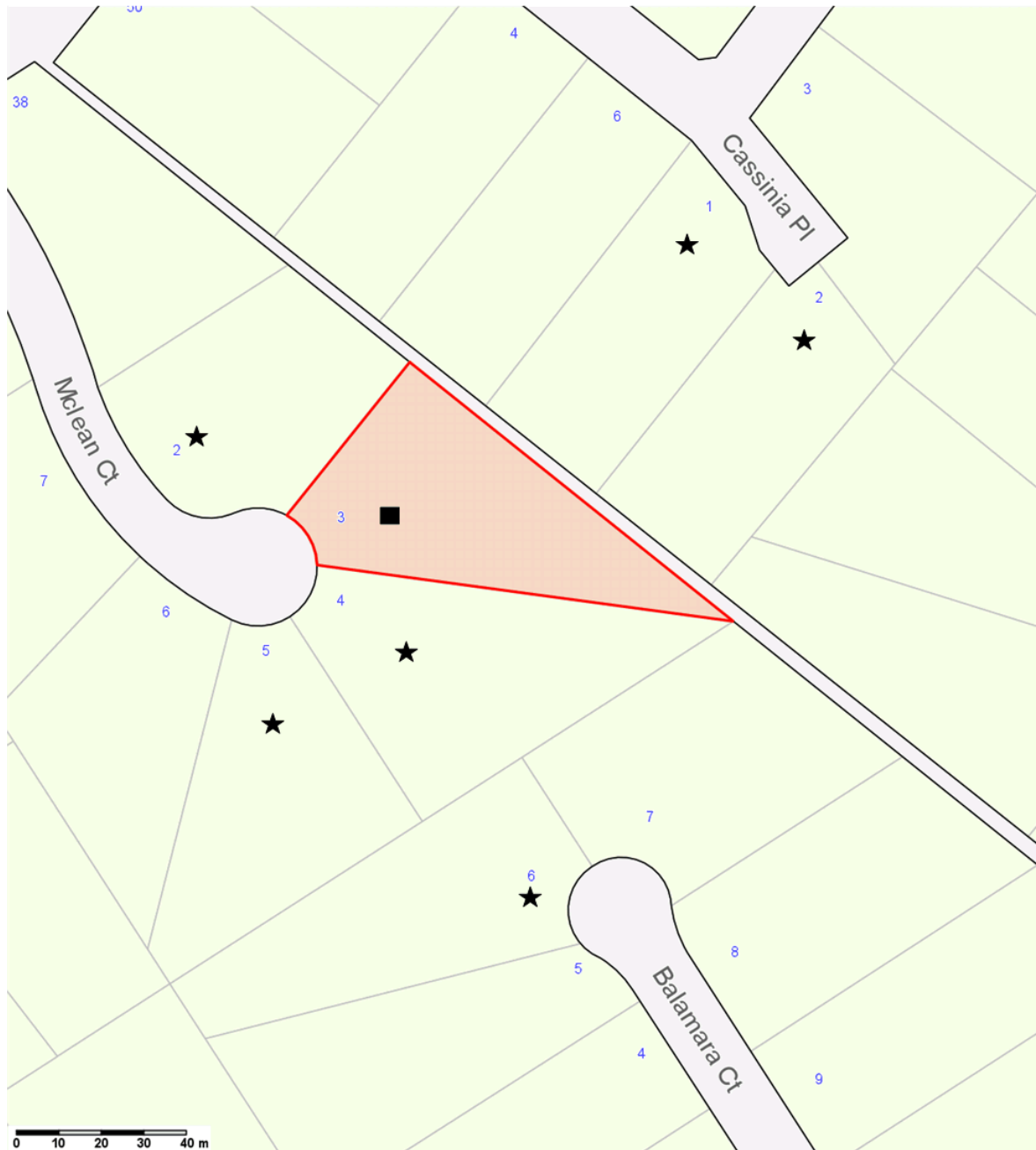
If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

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

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

Town Planning Application 481/2017/P – 3 McLean Court Frankston South

Subject site ■ Objectors (6 Tetragona Way & 50 Rosedale Gv not shown) ★



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Projection: GDA94 / MGA zone 55

Scale: 1:1236

Date Printed: 19/03/2018

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Town Planning Application 481/2017/P – 3 McLean Court Frankston South

Subject site  Objectors (6 Tetragona Way & 50 Rosedale Gv not shown) 



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Scale: 1:1545

Date Printed: 19/03/2018

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# FRANKSTON SOUTH 1

## Character Statement

### Neighbourhood Character Precinct Brochure



#### DESCRIPTION

An area of large houses in extensive grounds, in a rural bush setting. There is extensive remnant bush vegetation in public reserves, roadside reserves and private gardens. House and garden designs and front boundary treatments are individualistic, but it is the rural bush landscape that unifies the character of the area. Open or farm fence style front boundary treatments assist in allowing the vegetation to 'flow' across individual properties. Some roads have an informal, country lane character because they are narrow and either lack kerbs or have asphalt kerbs.

#### Key Existing Characteristics

- Architecture is predominantly 1980s to present with large dwellings of a grand urban style - often two storey
- Materials are brick with tile roofs
- Buildings are set in grounds with large front and side setbacks
- Gardens are predominantly native and often low level with exotics
- Generally no front fences with side fences forward of the dwelling; some mixed fencing
- Sealed roads with a kerb and no footpath
- Street trees range in size from small to large

#### COMMUNITY VALUES

The following aspects of the area are valued by the community:

- The native treed environment and lack of formal footpaths
- A range of sympathetic architectural styles and materials
- Spaciousness of the area maintained through measures such as appropriate setbacks
- The dominant use of native vegetation

#### PREFERRED NEIGHBOURHOOD CHARACTER STATEMENT

The rural, remnant bush landscape and country lane character are to be maintained, and strengthened by:

- Protecting remnant indigenous vegetation
- Encouraging planting of indigenous vegetation in private gardens in areas visible from the public domain
- Ensuring buildings are set in the grounds of the site with substantial setbacks from all boundaries
- Encouraging dwellings that sit within the landscape and vegetation
- Limiting the proportion of site coverage by buildings and hard surfaces
- Maintaining open or farm fence style front boundary treatments
- Strengthening informal planting of indigenous vegetation on roadside reserves

#### Issues / Threats

- Clearance of vegetation
- Extensive hard surfaced area
- Buildings with high site coverage
- Development from boundary to boundary
- High, solid or semi-solid front fences or entrance gateway 'features'





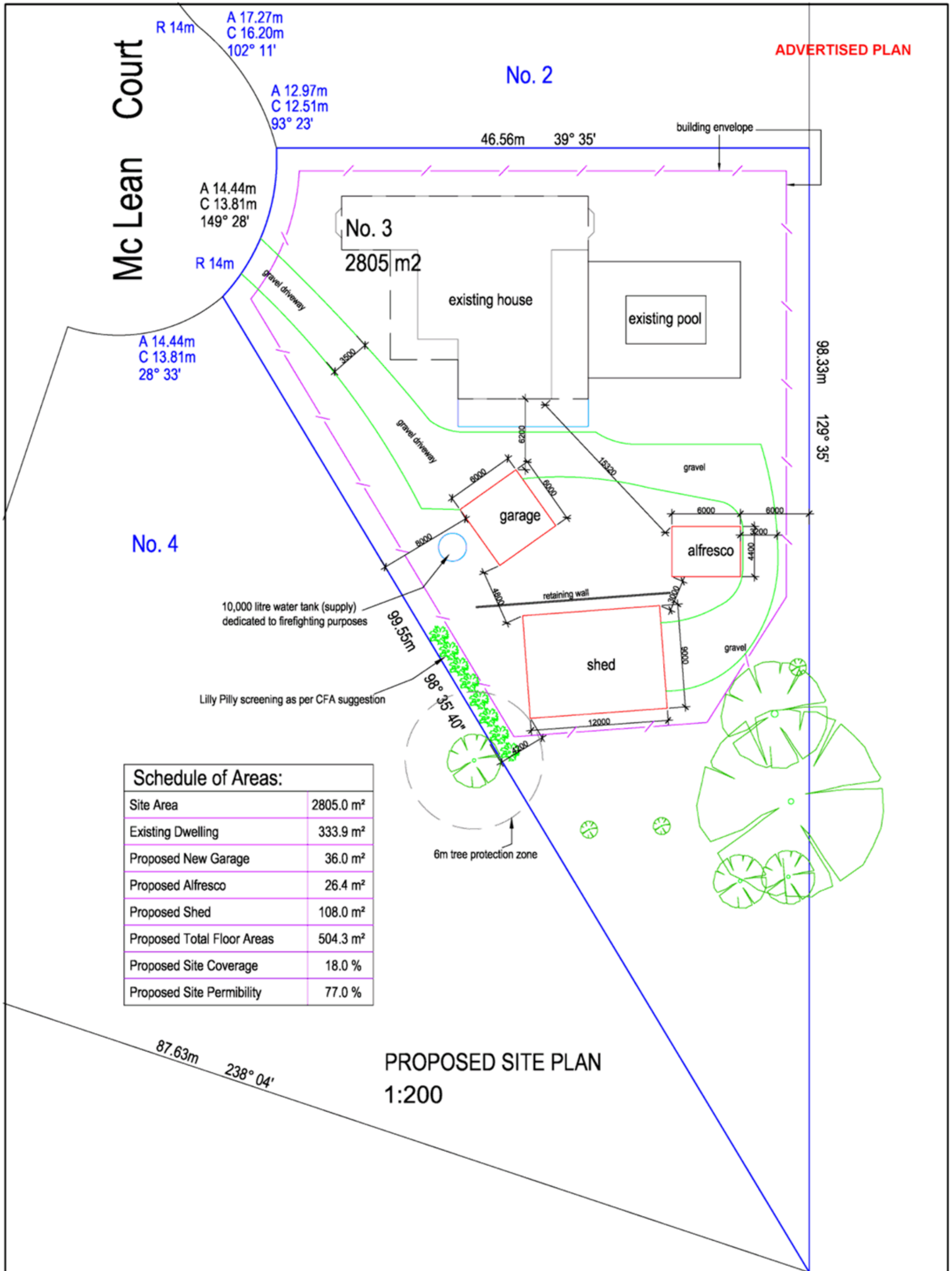
# FRANKSTON SOUTH 1

## Design Guidelines

### Neighbourhood Character Precinct Brochure


Character Element	Objective	Design Response	Avoid
<b>Vegetation</b>	To maintain and strengthen the vegetation dominated landscape and the relationship to the vegetation qualities of the Sweetwater Creek environs.	<p>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial native trees and shrubs.</p> <p>Retain large, established native trees and understorey and provide for the planting of new native trees wherever possible.</p> <p>Buildings should be sited and designed to incorporate space for the planting of substantial vegetation (locate footings outside root zone).</p>	<p>Lack of landscaping and substantial vegetation.</p> <p>Removal of high canopy native trees.</p> <p>Exclusive use of exotic species.</p> <p>Dwellings that do not provide sufficient setback from all boundaries to accommodate trees.</p>
<b>Topography/landform</b>	To minimise site disturbance and impact of the building on the landscape.	Buildings should be designed to follow the contours of the site or step down the site.	Major excavation works to accommodate dwellings or associated buildings and works.
<b>Siting</b>	To reflect the existing rhythm of dwelling spacing.	Buildings should be sited to create the appearance of space by providing setbacks on all boundaries and to reflect the existing spacing of buildings in the street.	Buildings that do not allow sufficient setbacks from all boundaries to accommodate trees or substantial vegetation.
<b>Site Coverage</b>	To ensure that adequate space is available on site for the retention and planting of vegetation.	Minimise building site coverage and areas covered by impervious surfaces.	Total hard surface site coverage that exceeds the site coverage by more than 5%.
<b>Height &amp; building form</b>	To ensure that buildings and extensions do not dominate the streetscape and the wider landscape setting.	Only architectural features that contribute to the achievement of other objectives may exceed the relevant building height limit.	<p>Buildings that protrude above the tree canopy height.</p> <p>Buildings must not exceed 9 metres in height.</p>
<b>Front boundary treatment</b>	To maintain and enhance the continuous flow of vegetation across the landscape.	Provide open front fencing or post and wire style fencing, other than along heavily trafficked roads.	Solid front fencing.

The Objectives define the intention of each Character Element. The Design Responses are assumed to satisfy the relevant Objective. Other Design Responses that meet the Objective may be considered. Refer to the Frankston Planning Scheme for other requirements.



Schedule of Areas:	
Site Area	2805.0 m <sup>2</sup>
Existing Dwelling	333.9 m <sup>2</sup>
Proposed New Garage	36.0 m <sup>2</sup>
Proposed Alfresco	26.4 m <sup>2</sup>
Proposed Shed	108.0 m <sup>2</sup>
Proposed Total Floor Areas	504.3 m <sup>2</sup>
Proposed Site Coverage	18.0 %
Proposed Site Permeability	77.0 %

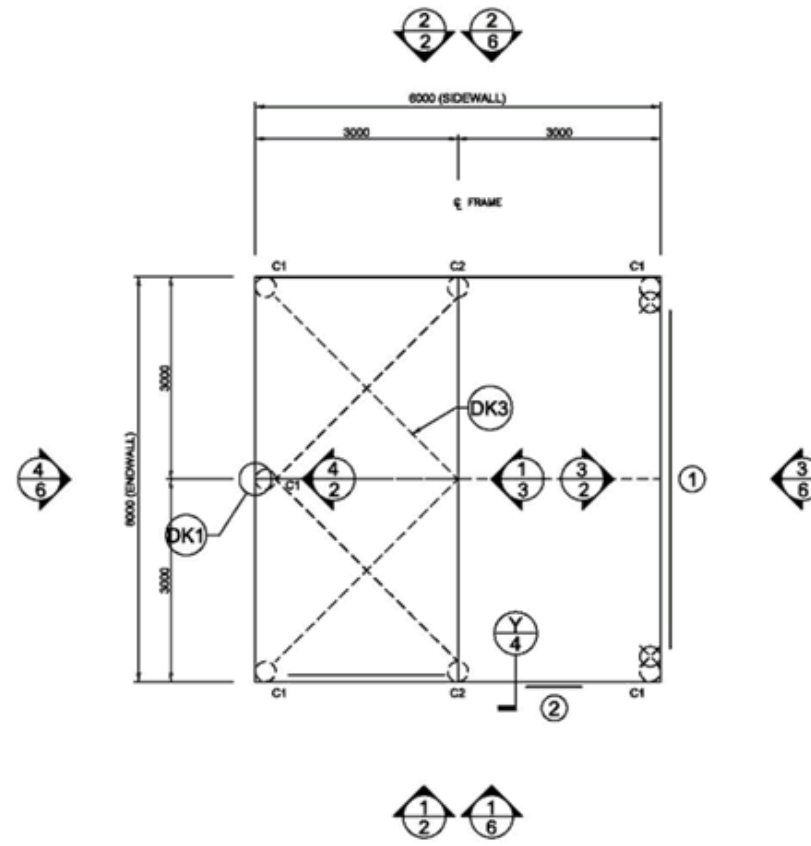
**PROPOSED SITE PLAN**  
1:200

 <p><b>INNOVATION ONE</b> design group</p> <p>Factory 19, 94 - 102 Keys road Moonbin Victoria 3189 ph: 9553 3337 f: 9553 3387 e: innovationone@optusnet.com.au</p>	<p>Project: <b>PROPOSED GARAGE, SHED AND ALFRESCO</b> 3 MC LEAN COURT FRANKSTON SOUTH</p> <p>Title: SITE PLAN</p>	Issue	Issue Description	Date	Scale	Date
					1:200 @ A2	JUL 2016
					Drawn	Project No.
					JK/GD	
					Drawing No.	Issue
					WD 01	

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 SCALE: 1 = 100

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ROOF STRAP BRACING TO BE CONNECTED TO THE PURLIN CLOSEST TO THE LINE OF THE END WALL MULLION

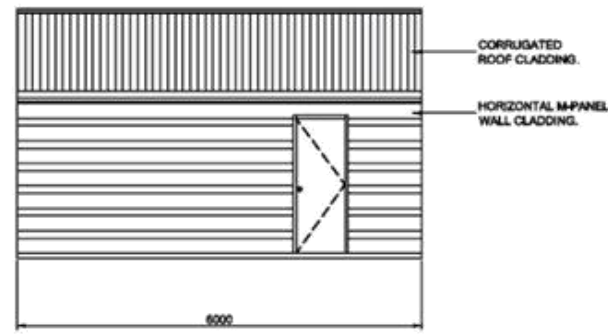
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 COLUMN LEGEND

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C2	C15015

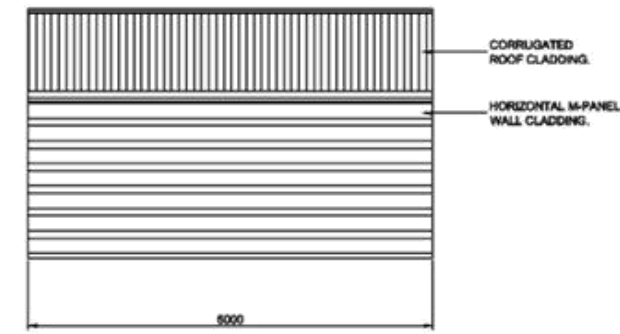
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Registered Chartered Professional Engineer Registered Professional Engineer (Civil & Structural) QLD Registered Certifying Engineer (Structural) N.T. Registered Engineer - (Civil) VIC Registered Engineer - (Civil) TAS					Regn. No. 2558980 Regn. No. 2285 Regn. No. 118373ES Regn. No. EC36692 Regn. No. CC6548M				

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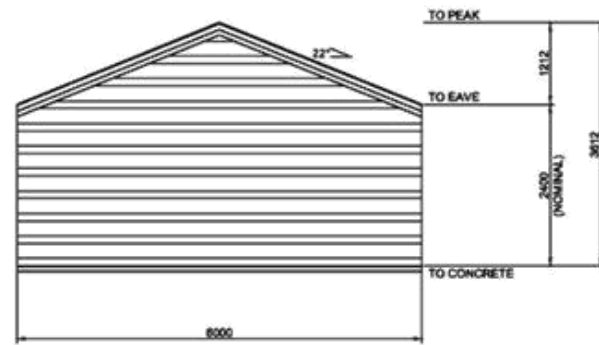
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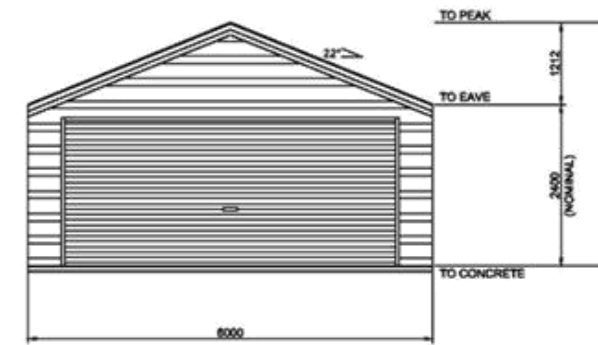
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SCALE: 1 + 100



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SIDEWALL EXTERIOR ELEVATION  
SCALE: 1 + 100



4  
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ENDWALL EXTERIOR ELEVATION  
SCALE: 1 + 100



3  
6  
ENDWALL EXTERIOR ELEVATION  
SCALE: 1 + 100

BUILDING COLOURS	
WALL	COLOURBOND
ROOF	COLOURBOND
ROLLER DOOR	COLOURBOND
P.A. DOOR	COLOURBOND
DOWNPIPE	COLOURBOND
GUTTER	COLOURBOND
CORNER FLASHING	COLOURBOND
BARGE FLASHING	COLOURBOND
OPENING FLASHING	COLOURBOND

6 OF 6  
 SHEET  
 JOB NO. WBEE12787  
 DATE 7/9/2016  
 CHECKED TM  
 DRAWN FDS  
 STEEL BUILDING BY  
 FOR AT

(CONTACT)  
**ELITE GARAGES**  
 03 93697060  
**ROB ALLSOPP**  
 3 MC LEAN CRT  
 FRANKSTON STH



**NORTHERN CONSULTING** engineers  
 Civil & Structural Engineers  
 50 Punari Street  
 Curralong, Qld 4812  
 Fax: 07 4725 5850  
 Email: design@nceng.com.au  
 ABN 341 008 173 56  
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 Registered Certifying Engineer (Structure) N.T.  
 Registered Engineer - (Civil) VIC  
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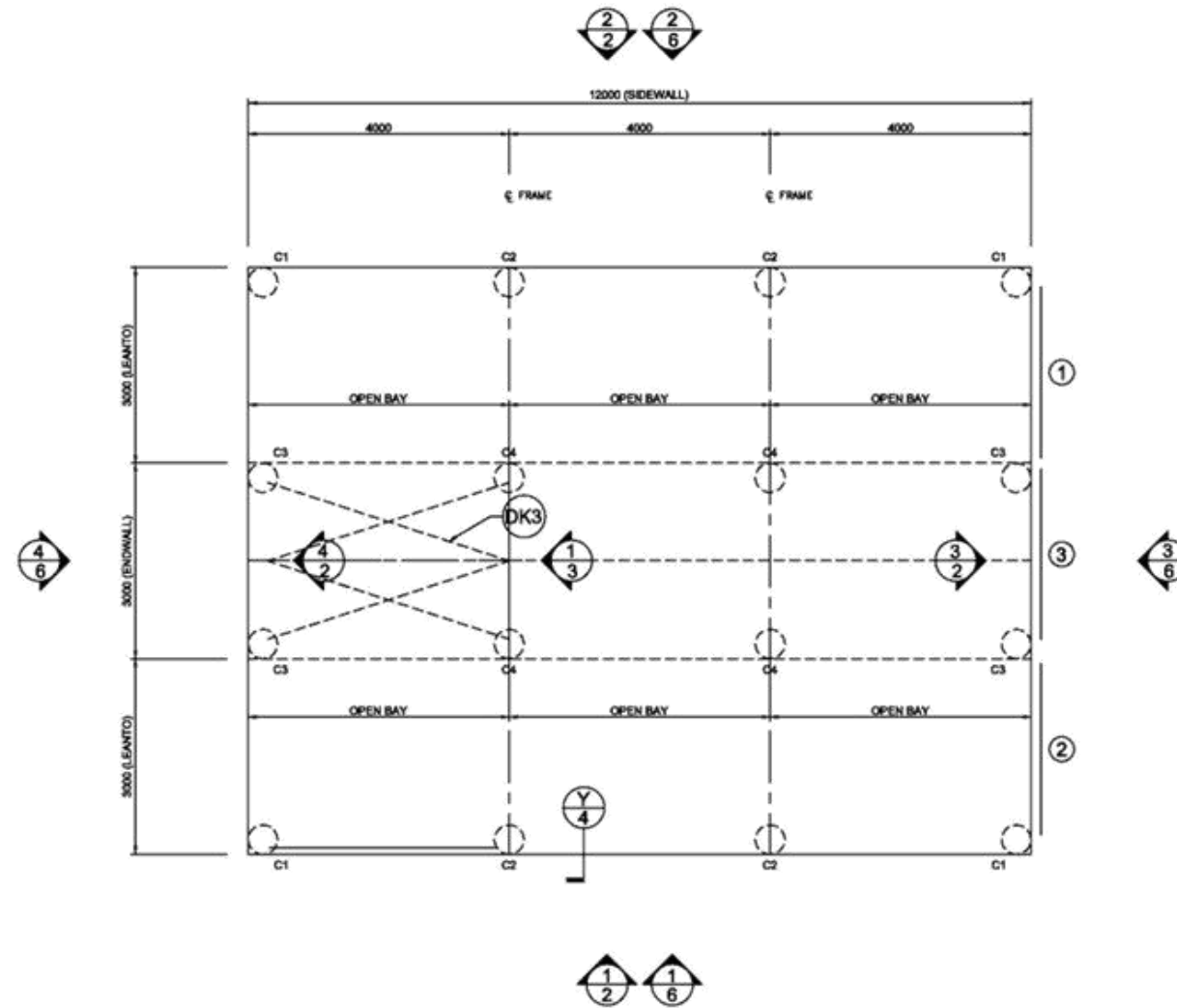
Mr Timothy Roy Messer BE MIEAust RPEQ  
 Registered Professional Engineer 2558980  
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ROOF STRAP BRACING TO BE CONNECTED TO THE PURLIN CLOSEST TO THE LINE OF THE END WALL MULLION

MAIN FRAME COLUMN LEGEND

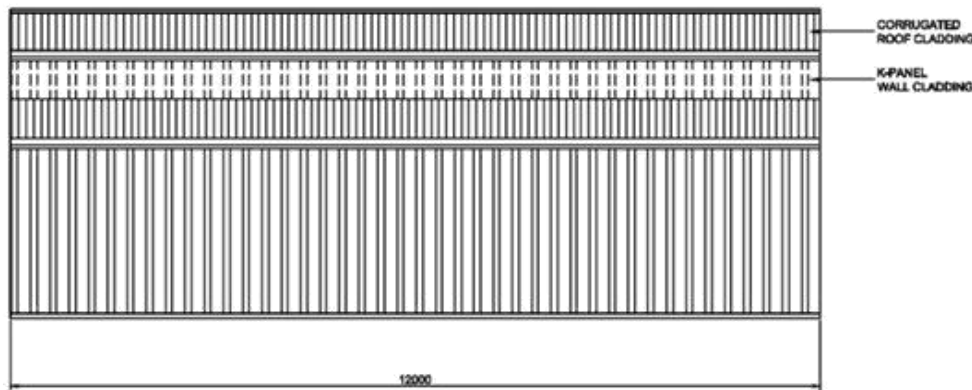
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C4	C20019

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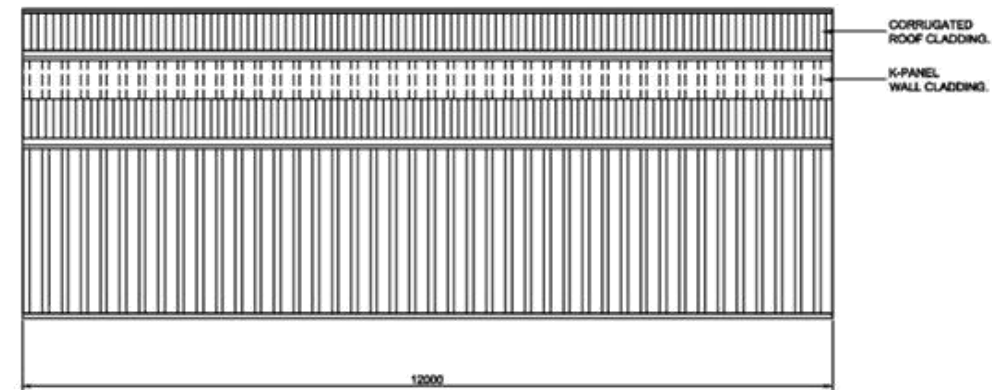
SHEET <b>1</b> OF <b>6</b>	JOB NO. WBEEN/2791 DATE 7/9/2016 CHECKED TM DRAWN FDS	STEEL BUILDING BY (CONTACT) <b>ELITE GARAGES</b> 03 93697060 <b>ROB ALLSOPP</b> 3 MC LEAN CRT FRANKSTON STH			Civil & Structural Engineers 50 Punari Street Currajong, Qld 4812 Fax: 07 4725 5850 Email: design@nceng.com.au ABN 341 008 173 56 Registered Chartered Professional Engineer Registered Professional Engineer (Civil & Structural) QLD Registered Certifying Engineer (Structure) N.T. Registered Engineer - (CIVIL) VIC Registered Engineer - (CIVIL) TAS	Mr Timothy Roy Messer BE MIEAust RPEQ Registered Professional Engineer 2558980 Signature <i>T. Messer</i> Date <u>7/9/2016</u> Registered on the NPER in the areas of practice of Civil & Structural National Professional Engineers Register
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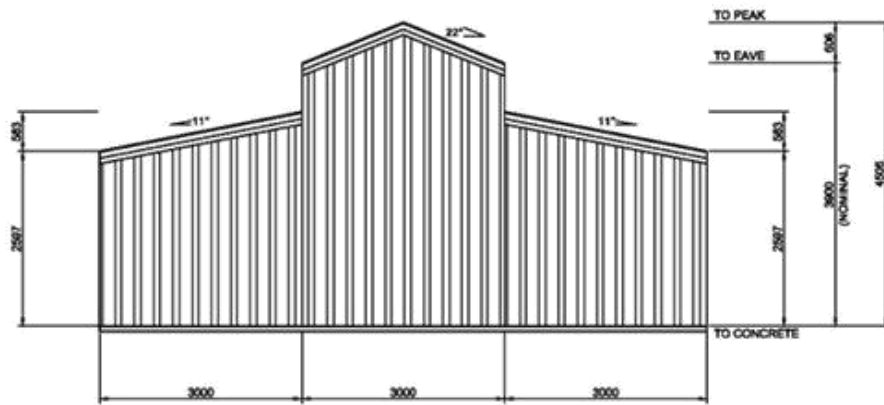
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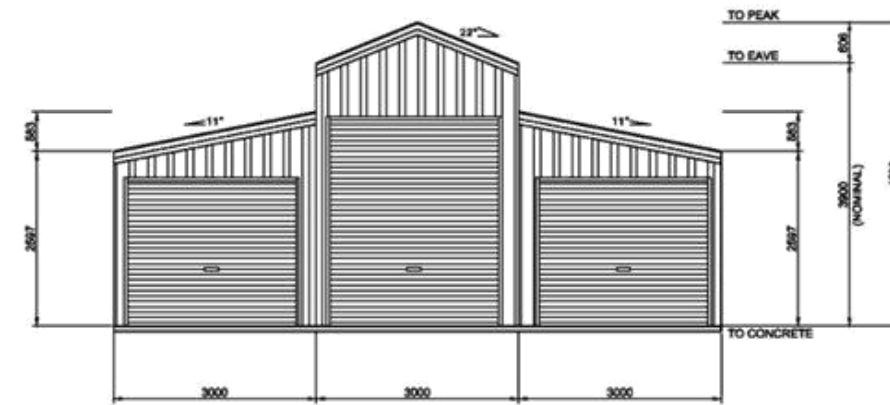
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SIDEWALL EXTERIOR ELEVATION  
SCALE: 1 + 100



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SCALE: 1 + 100



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ENDWALL EXTERIOR ELEVATION  
SCALE: 1 + 100



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ENDWALL EXTERIOR ELEVATION  
SCALE: 1 + 100

BUILDING COLOURS	
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BARGE FLASHING	COLOURBOND
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6 OF 6  
 SHEET  
 JOB NO. WBEE12791  
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 CHECKED TM  
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 STEEL BUILDING BY  
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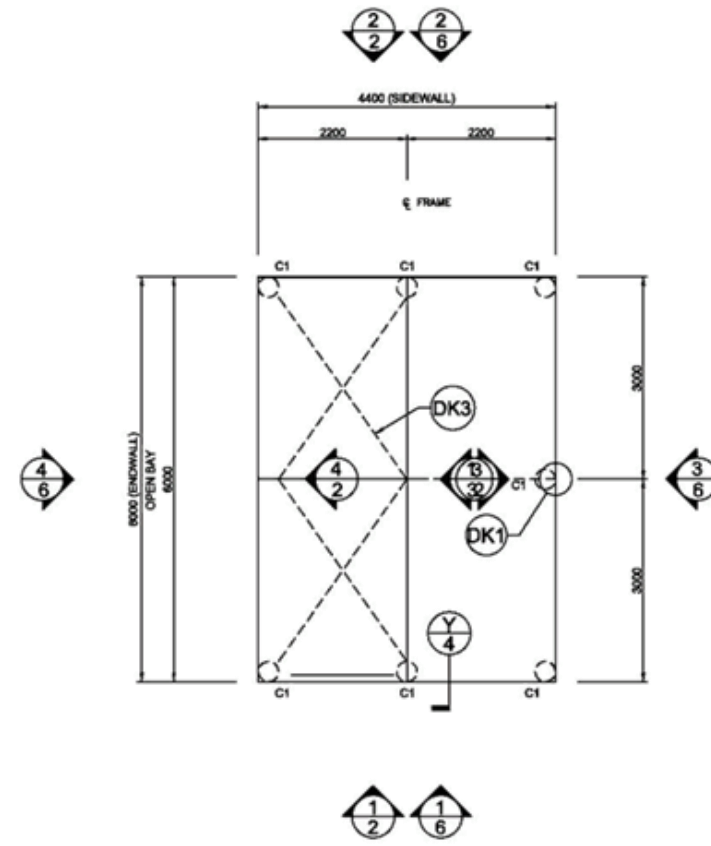
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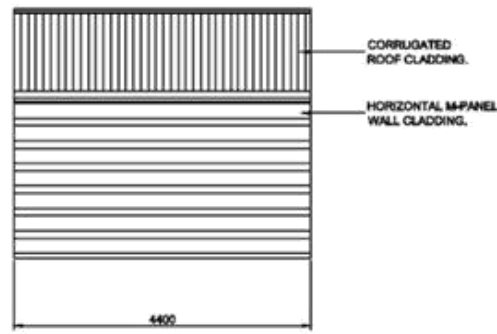
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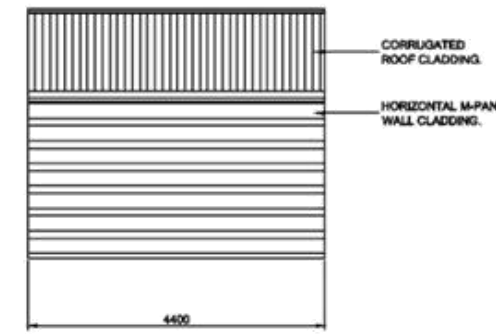
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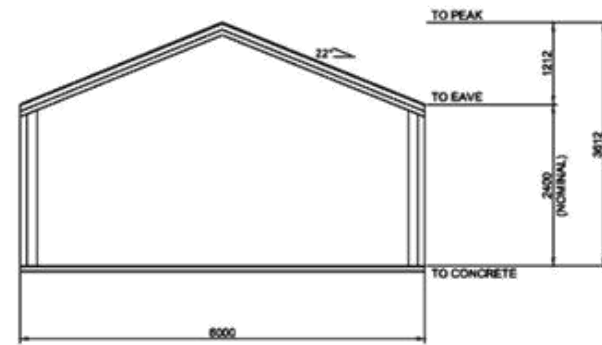
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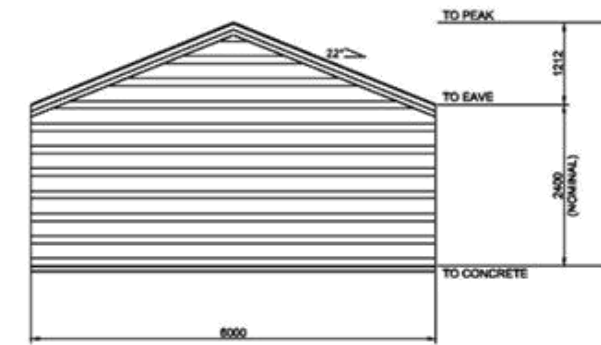
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SCALE: 1 + 100

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CORNER FLASHING	COLOURBOND
BARGE FLASHING	COLOURBOND
OPENING FLASHING	COLOURBOND

6 OF 6  
 SHEET  
 JOB NO. WBEE12790  
 DATE 7/9/2016  
 CHECKED TM  
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 STEEL BUILDING BY  
 FOR AT

(CONTACT)  
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 3 MC LEAN CRT  
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**Executive Summary****11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.2 Development and Housing
Priority Action	1.2.3 Ensure built form, displays architectural excellence and embodies creative urban design

**Purpose**

This report considers the merits of the planning application to construct six (6) dwellings (three (3) single storey and three (3) double storey)

**Recommendation (Director Community Development)**

That a Notice of Decision to Grant a Planning Permit be issued to construct six (6) dwellings (three (3) single storey and three (3) double storey at 21 Edward St, Langwarrin, subject to the conditions contained in the officer's assessment.

**Key Points / Issues**

- It is proposed to construct six (6) dwellings (three (3) single storey and three (3) double storey).
- The proposal is consistent with the State and Local Planning Policy Frameworks, including the Municipal Strategic Statement, the Zone and ResCode requirements (Clause 55).
- The proposal is consistent with the Neighbourhood Character Policy and the objectives for the Langwarrin 1 Character Precinct and is sympathetic to the streetscape.
- The car parking and visitor parking requirements of the Frankston Planning Scheme and Council's Multi Dwelling Visitor Car Parking Guidelines are met.
- Seven (7) objections to the proposal have been received raising concerns regarding neighbourhood character, over development of the site, inconsistency with State and Local Planning Policy, local traffic management and car parking, and amenity.
- The proposal has been called in to Council by Cr. Hampton for a decision.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)****Executive Summary**

Over time this trend may lead to a reduction in the levels of service provided to the community and in Council's ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

The permit application fee paid to Council is \$3,277.70. The average cost to process a planning application is \$1,729.

**Consultation****1. External Referrals**

No external referrals were required for the application.

**2. Internal Referrals**

The application was referred internally to Traffic, Drainage and Environment work units.

**Notification of Proposal**

Notification of the planning application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*.

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- One (1) sign erected on the site frontage.

As a result of the public notification, seven (7) objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

**Analysis (Environmental / Economic / Social Implications)**

The proposal will have a beneficial environmental impact as it allow opportunity for appropriate replanting with native species on site.

The proposal will have a beneficial economic impact. In the short-term it will create employment opportunities during the construction phase. In the longer term the future residents will help support local business.

The proposal will have a net social benefit to the community. It adds to the City's diversity of housing stock to meet housing demands in an area that is accessible to a wide range of community facilities, services and transport networks.

**Legal / Policy / Council Plan Impact****Charter of Human Rights and Responsibilities**

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

**Legal**

Council has complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987* in processing the planning permit application.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)****Executive Summary**Policy Impacts

Council has assessed the planning permit application in accordance with the relevant State and Local Planning provisions, zones, particular and general provisions of the Frankston Planning Scheme.

Officer's Declaration of Interests

Under Section 80C of the *Local Government Act 1989*, officers providing advice or a report to Council must disclose any direct or indirect interest they have in a matter.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

There are no relevant risk implications

**Conclusion**

Overall, it is considered that the proposal is satisfactory subject to conditions and should be supported as discussed throughout this report.

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**ATTACHMENTS**

- Attachment A: [↓](#) Locality Map
- Attachment B: [↓](#) Locality Map - Aerial
- Attachment C: [↓](#) Neighbourhood Character Brochure
- Attachment D: [↓](#) Development Plans

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)**  
**Officers' Assessment**

### Summary

<b>Existing Use</b>	Residential
<b>Site Area</b>	2001 square metres
<b>Proposal</b>	To construct six (6) dwellings (three (3) single storey and three (3) double storey)
<b>Site Cover</b>	914 square metres (46%)
<b>Permeability</b>	773 square metres (39%)
<b>Zoning</b>	General Residential Zone
<b>Overlays</b>	Nil
<b>Neighbourhood Character Precinct</b>	Langwarrin 1 (LW1)
<b>Reason for Reporting to Council</b>	Councillor call in

### Background

#### **Subject Site**

The subject site is a large regular shaped allotment located on the north side of Edward Street in Langwarrin. It is approximately 190 metres east of the McClelland Drive intersection. The front and rear boundaries measure 36.23 metres, the side boundaries measure 55.22 metres and the total site area is 2001 square metres.

The land dips down at the front of the site and then rises towards the rear. A drainage and sewerage easement traverses the property across the low point.

Access is provided via a single crossover located at the western end of the frontage. There is a single storey dwelling located centrally on the site and a garage within the rear north-west corner. There are some canopy trees within the frontage area, some which will be affected by the proposal.

#### **Locality**

Surrounding residential development is characterised by predominantly single and double storey detached dwellings. There are also some multi-dwelling developments emerging in the neighbourhood, most notably within the vicinity of McClelland Drive.

Edward Street is characterised by a distinct semi-bushland feel and openness of the streetscape. Contributing factors include generous frontage areas and garden surrounds, a canopy tree skyline, a lack of front fencing and footpaths creating wide roadside verges.

#### **Site History**

Previous planning permit applications for the site include:

- No previous planning permit applications relate to this site.



**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey)****Officers' Assessment****Proposal**

The proposal is summarised as:

Dwelling	Storeys	No. of Bedrooms	Secluded Private Open Space	Car Parking
1	Single	3	40m <sup>2</sup>	Double garage
2	Single	2	69.6m <sup>2</sup>	Single garage & tandem space
3	Double	3	40m <sup>2</sup>	Single garage & tandem space
4	Double	3	40m <sup>2</sup>	Double garage
5	Double	3	40m <sup>2</sup>	Double garage
6	Single	3	69.6m <sup>2</sup>	Double garage

Dwellings 1 and 6 are located at the front of the site and Dwellings 2 – 5 are to the rear.

Dwelling 1 proposes direct vehicle access off Edward Street.

A new crossover is located centrally along the frontage leading to a shared driveway providing vehicle access to all other dwellings.

**State and Local Planning Policy Frameworks**

State Planning Policy Framework relevant to this application are summarised as follows:

- *Clause 11 – Settlement*
- *Clause 15 – Built Environment and Heritage; and*
- *Clause 16.01-4 – Housing Diversity.*

Local Planning Policy Framework relevant to this application are summarised as follows:

- *Clause 21.04 - Settlement*
- *Clause 21.07 – Housing; and*
- *Clause 22.08 – Neighbourhood Character Policy*

**Planning Scheme Controls**

A Planning Permit is required pursuant to:

- *Clause 32.01-4 – Residential 1 Zone of the Frankston Planning Scheme for the construction of 2 or more dwellings on the lot.*

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment****Notification of Proposal**

As a result of the public notification, seven (7) objections were received. The grounds of objection are summarised as follows:

- Over development, visual bulk and built form.
- Inconsistency with neighbourhood character.
- Inconsistency with State and Local Planning Policy.
- Local traffic management and car parking issues.
- Impact on amenity.

A Residents Discussion Meeting (RDM) was held on 8 February 2018. The meeting was attended by one (1) Councillor, the applicant's representative, a number of objectors, and two (2) planning officers. The meeting provided an opportunity to discuss the key concerns of the objectors and provide clarifications of the proposal. There was no resolution achieved between the parties.

Amended plans to address some of the objectors' concerns were submitted by the applicant on 21 February 2018. These will be discussed in detail below.

**Referrals****External Referrals**

There were no external referrals for the application.

**Internal Referrals**

The application has been referred to the following Council departments and the following comments were made:

**Traffic Engineer**

- No objections subject to the proposal being subject to standard conditions.

**Drainage Engineer**

- The legal point of discharge for the site is to the existing 375mm diameter pipe that runs along the valley of the property. This pipe is approximately 750mm in depth.
- No objections subject to applying standard storm water management conditions on any permit issued.

**Environment Officer**

- No objections subject to the inclusion of tree protection conditions for the trees to be retained and trees on adjoining properties.
- There are four native and three exotic tree species of which the *Eucalyptus elata* will be retained.
- The street tree is a *Melaleuca linariifolia* that will require Tree Protection Zone fencing.
- Neighbouring trees consist of a single canopy tree and two rows of exotics.
- Tree 2 is proposed to be removed however, it is healthy and worthy of retention. The driveway is to move closer to Dwelling 1, further outside of the Structural Root Zone of Tree 2.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

- >10% encroachment for Tree 9, requires that Dwelling 3 be moved forward or an Arborist is to be on site to oversee works that occur.

**Discussion*****State and Local Planning Policy***

The development will provide for an appropriately designed medium density infill development that meets the urban consolidation objectives for Melbourne. It is located in an area suitable for infill development as it is close to a range of community facilities and services and has access to good transport networks.

The proposal achieves these policies by providing a varying house type which meets the increasing and diverse needs of the community. The proposal also provides for medium density housing which makes better use of existing infrastructure and is appropriately energy efficient.

**Neighbourhood Character and Design Response**

Council's Neighbourhood Character Policy (Clause 22.08) seeks to ensure that development is responsive to the key characteristics that make up the preferred character of each precinct. The site is located within the Langwarrin 1 Neighbourhood Character Precinct. The preferred character of the precinct is:

*"The well treed garden settings and the horizontality of the dwellings will be maintained".*

The design objectives of the precinct are addressed below:

- *To maintain and strengthen the garden settings.*

The proposal provides for some vegetation retention. It also provides opportunity for landscaping of private open space areas of dwellings, the front setback and throughout the site.

Council's Environment Officer has made recommendations for further tree retention and some adjustment of the design footprint to ensure there is minimal impact on existing vegetation. Conditions of approval will address these matters and require a landscape plan be prepared.

- *To reflect the rhythm of existing dwelling spacing.*

In this area dwellings are sited well within allotments within a garden setting. The proposed design is generally respectful of this except for the rear wall garages to Dwellings 1, 2, 3 and 4 which are located on the shared side or rear boundaries.

It is considered that a condition should require that the garage of Dwelling 1 be setback from the western side boundary by at least 1.2 metres. Setting the garage back from the side boundary would allow for landscaping and visual softening of the building when viewed from the street. It would also achieve a consistent dwelling spacing within the streetscape.

It is considered there would be no added benefit by setting back the garage walls of the remaining dwellings from the shared boundaries in terms of achieving the neighbourhood character objective.

- *To ensure that buildings and extensions do not dominate the streetscape.*

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

The proposal comprises single storey dwellings at the front of the site and double storey dwelling to the rear. Dwellings are articulated and have a pitched roof form. The upper floor levels of dwellings are generally recessed back from the ground floor level.

It is however considered there is scope to increase the upper level setback of Dwelling 3 on the northern elevation (Bedroom 2 and ensuite) and the southern elevation (Master bedroom and walk in robe) and for Dwelling 5 on the eastern elevation (Bedroom 3 and sitting room) by no less than 500mm so as to address any potential visual bulk when viewed from the neighbouring properties.

With these small changes made as a condition of approval it is considered that the proposal would not be visually dominant within the street.

- *To maintain the openness of the streetscape.*

There is no front fence proposed and the front dwellings are well setback from the street frontage. This means the openness of the streetscape will be maintained.

**Clause 52.06 – Car Parking**

The purpose of Clause 52.06 is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The following table sets out the number of car parking spaces required by Clause 52.06-5 and the proposed car parking.

<b>Clause 52.06-5 rate for dwelling</b>	<b>Proposed No. of Dwellings</b>	<b>Car spaces required by Clause 52.06-5</b>	<b>Proposed Car Parking</b>
1 car parking space to each one and two bedroom dwelling.	2	2 spaces	4 spaces (Single garages and tandem)
2 car parking spaces to each three or more bedroom dwelling.	4	8 spaces	8 spaces (Double garages)
Visitor Car parking	6	1 space for every 5 dwellings	2 spaces

The proposal complies with the requirements of Clause 52.06-5.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment****Clause 55 (ResCode)**

In accordance with the requirements of the General Residential Zone, the application has been assessed against the objectives and standards of Clause 55 as follows:

**Site Layout and Building Massing**

Dwelling 1 proposes a 9 metre frontage setback and Dwelling 6 proposes an 8.79 metre frontage setback. This meets the front setback requirement and is respectful of the existing and preferred neighbourhood character. The proposal will integrate well within the streetscape.

The site is in an area that supports infill development. The proposal makes efficient use of the site and has ready access to infrastructure.

**Amenity Impacts**

The proposal complies with Standard B17 (Side and Rear setbacks). As outlined earlier, it is considered the upper level of some dwellings should be recessed back from the ground floor building footprint. This would help achieve a development that respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings from visual bulk.

The walls on boundary technical requirements of Standard B18 are satisfied. As outlined earlier, the Dwelling 1 garage is to be setback from the western side boundary to achieve a development that respects the existing and preferred neighbourhood character and also meets the respective ResCode objective.

The proposal meets the daylight to existing windows and north facing windows objectives and technical standards B19 and B20. Additionally, there would be no significant overshadowing of existing secluded private open space.

The proposed dwellings have incorporated various measures to address any potential for overlooking or internal views. This is either through window placement or the use of obscure glazing. The only exception is to the upper level master bedroom window in the west elevation to Dwelling 3. A condition of approval can require that this window meet the requirement of the Clause 55.04-6 Overlooking objective.

Due to the land form, dwellings are generally sited to sit into the landscape. However, there are some instances where there is potential for overlooking of the neighbouring properties at ground level. In these instances a condition of approval can require that separate screening be provided along the shared boundary to address potential overlooking. This is applicable along the western boundary of Dwellings 2 and 3 adjacent to the main living area windows, the northern boundary of Dwellings 3 and 4 adjacent to the main living area windows, and the eastern boundary of Dwelling 4 adjacent to the main living area and master bedroom windows.

**On-Site Amenity and Facilities**

The dwelling entries are visible from the street and internal driveway and designed with a porch to provide adequate transitional space.

All dwellings have at least 40 square metres of secluded private open space (SPOS) which will be readily access from the main habitable rooms. Plans do not show the finished surface levels of the SPOS areas which will be required as a condition of approval. The plans will also need to demonstrate that there would be no overlooking of neighbouring properties from the SPOS areas.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

Dwellings show storage located within each of the garages. A condition of approval will require notation of the storage areas on the plans.

**Detailed Design**

The proposed design response includes façade articulation with appropriate window proportions, pitched roof form and the use of a mixture of external claddings generally found within the area. Furthermore the use of muted natural colours will complement the vegetated character of the area.

**Minimum Garden area requirement**

The site area is 2,001 square metres and approximately 700.35 square metres is required as the garden area. The plans show that 700.8 square metres is available for garden area and this complies with the requirement.

**Car Parking and Council's Multi Dwelling Visitor Car Parking Guidelines.**

The proposal complies with the car parking requirements of Clause 52.06 as one car space is provided for each two bedroom dwelling and two car spaces are provided for each three (3) bedroom dwelling. Additionally, two (2) visitor car spaces are provided for, whereas Clause 52.06 of the Frankston Planning Scheme requires that one space be provided.

The proposed development has been reviewed against the Council's Visitor Car Parking Guidelines. The 2 visitor spaces now provided comply with this Council policy. Originally, the proposal provided for one visitor car space, however, this was increased to two visitor car spaces on the amended plans as a response to concerns raised at the residents discussion meeting and to comply with the Council Guidelines.

**Response to Grounds of Objection**

- Over development, visual bulk and built form.

The intensity and scale of the development is considered to be appropriate for the site. The proposal meets the planning requirements in terms of ResCode, car parking and the garden area under the General Residential Zone.

The proposed dwellings are well articulated with recessed upper levels and use a combination of complementary external finishes and neutral colours. There is also opportunity for meaningful canopy planting to take place throughout the site.

- Inconsistency with neighbourhood character.

As outlined in the above report the proposal addresses the objectives of the Langwarrin 1 Neighbourhood Character Precinct policy with generous setbacks, vegetation retention and opportunities for landscaping.

- Inconsistency with State and Local Planning Policy.

A concern of objectors is that this is not an appropriate site for increased housing density. In this regard the subject site is in a General Residential Zone with no overlays so infill development can be considered. The site is located within an established residential area in close proximity to the Karingal Hub Shopping Centre, a range of community facilities and services and good transport networks. The site is considered to be suitable for appropriate infill development and the assessment indicates that the proposal meets with the relevant planning policies.

- Local traffic management and car parking issues.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

The proposal has been reviewed by Council's Traffic Engineer who offers no objection subject to standard conditions to be included on the approval. The proposal provides an adequate number of car spaces and visitor spaces as required by Clause 52.06 of the Frankston Planning Scheme and also Council's Multi Dwelling Visitor Car Parking Guidelines.

The concerns of residents in relation to local traffic issues are acknowledged. The proposed development is not likely to cause traffic generation which is beyond the capacity of the local road network or other traffic related amenity impacts. Council is undertaking traffic management measures to manage speed and use of Edward Street as a separate process to this application.

- Impact on amenity.

The ResCode assessment above has considered potential amenity loss as a result of overlooking and has required conditions on the approval to address this matter.

**Conclusion**

The proposal is considered to be consistent with the State and Local Planning Policy, the neighbourhood character, ResCode (Clause 55) and the car parking requirements (Clause 52.06). The proposal will provide for appropriate medium density housing in an established residential area.

The proposal underwent public notice which resulted in seven objections being received. A resident discussion meeting was held to get a better understanding of the proposal and the objectors concerns. These matters have been thoroughly considered in the planning assessment. It is considered that the proposal would not result in any amenity issues with the inclusion of conditions as outlined in this report and will provide for appropriate infill development.

**Recommendation (Director Community Development Community Development)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 424/2017/P for the construction of six (6) dwellings (three (3) single storey and three (3) double storey) at 21 Edward Street, Langwarrin, subject to the following conditions:

**Plans**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) All trees growing on the site and on the adjoining properties within 3m of the boundaries to demonstrate canopy width, trunk location and clearly labelled in accordance with the Tree Assessment Report prepared by Adam Hamilton dated Oct 2017, and is to state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.
  - (b) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all trees to be retained and the tree protection fence locations to the satisfaction of the Responsible Authority.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

- (c) The retention of Tree No 2 (*Eucalyptus elata*).
- (d) Dwelling 3 has no more than a 10% encroachment of the Tree Protection Zone of Tree No 9 (located on the neighbouring property to the north).
- (e) Reconfiguration of the central driveway and visitor car space so that it is clear of the structural root zone of Tree No 2 (*Eucalyptus elata*).
- (f) The west wall of the garage to Dwelling 1 setback 1.2m minimum from the shared boundary.
- (g) Dwelling 3 – upper level north elevation wall to bedroom 2 and ensuite, and the south elevation wall to the master bedroom and walk-in-robe, recessed back no less than 500mm from the ground floor building footprint.
- (h) Dwelling 5 – upper level east elevation wall to bedroom 3 and the sitting room to be recessed back no less than 500mm from the ground floor building footprint.
- (i) Dwelling 3 - upper level master bedroom window in the west elevation to comply with the requirements of Clause 55.04-6, Overlooking objective, to the Frankston Planning Scheme.
- (j) A Freestanding Trellis in accordance with Condition 25.
- (k) A Tree Protection Plan, including the existing street tree, in accordance with Condition 3.
- (l) A Landscaping Plan in accordance with Condition 9.

**No Alterations**

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

**Tree Protection Management Plan**

- 3. A Tree Protection Management Plan prepared in accordance with Frankston City Council's '*Arboricultural Report Writing Guide*' must be submitted by a suitably qualified and experienced Arborist in relation to the management and maintenance of the trees, and must be approved by the Responsible Authority prior to the commencement of any works (including any demolition, levelling of the site, excavations, tree removal, delivery of building/construction materials and/or temporary buildings). The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following (where relevant) ensuring that the trees remain healthy and viable during and following construction:
  - a) A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations (any relocations required) and any areas where ground protection systems will be used;
  - b) Restricted activities in the TPZ;
  - c) Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages;
  - d) Details of any TPZ encroachments including ;
    - Details of exploratory root investigation



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- Alternative construction techniques
  - Root pruning
  - Supervision
  - Details of any root pruning
- e) Methods for installation of services e.g.; sewerage, storm water, telecommunications, electricity etc;
- f) Remedial works as required including a detailed photographic diagram specifying what pruning will occur;
- g) Final Certification of Tree protection template. The Final Certification Report Template as required in the Tree Protection Management Plan must be completed and submitted to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

**Tree Protection**

4. Tree protection must be carried out in accordance with the Australian Standard AS4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.
5. Prior to the commencement of the development (including vegetation removal), a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at a radius of 5.88m (tree 1), 7.1m (tree 2), 5.28m (tree 9) from the trunk numbered to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- a) Coarse mulch laid to a depth of 50-100 mm (excluding street trees).
- b) No vehicular or pedestrian access.
- c) The existing soil level must not be altered either by fill or excavation.
- d) The soil must not be compacted or the soil's drainage changed.
- e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- f) No storage of equipment, machinery or material is to occur.
- g) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible authority to tunnel beneath.
- h) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.
- i) Tree roots must not be severed or injured.

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- j) Machinery must not be used to remove any existing concrete, bricks or other materials.

The tree protection fence must remain in place for the duration of building and works to the satisfaction of the Responsible Authority.

**Ground Protection**

- 6. Prior to the commencement of construction the following tree protection conditions apply within the identified Tree Protection Zones for trees being retained 1, 2, 9, 10 and 11 as identified in the arborist report prepared by Adam Hamilton dated October 2017. All tree protection conditions must be undertaken to the satisfaction of the Responsible Authority.
  - a) No excavation works are permitted for the construction of the driveway.
  - b) The existing driveway is to be removed by hand with works overseen by a suitably qualified and experienced Arborist.
  - c) To avoid compaction and damage to the tree trees a layer of organic mulch 200 mm thick must be laid with rumble planks/ crossing planks laid above the mulch prior to any construction vehicles accessing the site. This ground protection is to be maintained until the construction of the new driveway is completed.
  - d) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
  - e) No storage of equipment, machinery or material is to occur.
  - f) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the responsible authority to tunnel beneath.
  - g) a tree protection fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at the closest point appropriate to the tree / at the property fence line if the existing property boundary fencing is to be removed. If no fencing can be safety erected than trunk and limb protection must be installed as per the Australian Standard AS 4970-2009 Protection of trees on development sites
  - h) If machinery is used to remove existing structures, concrete, bricks or other materials it must be located outside of the defined Tree Protection Zones with ONLY the main arm of the machine reaching into this Zone. Tree Pruning

**Tree Pruning**

- 7. All tree pruning is to be carried out by a qualified and experienced Arborist who has thorough knowledge of tree physiology and pruning methods. Pruning must be carried out in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees. Any pruning works required are to be undertaken prior to any construction works beginning on site. Any pruning of trees located on a neighbouring property should be undertaken in consultation with the property owner.

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

**Landscape Plans**

9. Before the commencement of buildings and works, a landscape plan in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- a) a survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed;
  - b) The tree number, Tree Protection Zone, Structural Root Zone and notations regarding protection methods during construction of retained trees;
  - c) buildings on neighbouring properties within three metres of the boundary;
  - d) the delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site;
  - e) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
  - f) a range of plant types from ground covers to large shrubs and trees;
  - g) landscaping and planting within all open areas of the site
  - h) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
  - i) the provision of screen planting (minimum mature height of 1.5m) within a landscape strip of 60cm at the interface of the property boundary and driveway
  - j) A planting theme of a minimum 20% indigenous and 40% native within each plant group;
  - k) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.
  - l) the provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority;
    - i. Two (2) within the front setback minimum mature height of 10m
    - ii. One (1) within the private open space of (all) dwellings minimum mature height 6m

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- m) the provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- n) All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use

**Prior to Occupation**

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

**Landscape Maintenance**

11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged trees are to be replaced.

**Drainage**

12. The legal point of discharge for a site is to the existing 375mm diameter pipe that runs along the valley of the property at a depth of approximately 750mm.
13. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
14. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
15. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
  - On-site stormwater detention
  - Rainwater tanks for harvesting and re-use of stormwater for laundry, toilet flushing, landscape irrigation, etc.
  - Soil percolation
  - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
16. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
17. Existing vehicle layback to be removed, then kerb & channel to be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
18. Prior to occupation of the dwellings hereby permitted by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be :

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment**

- Constructed to the satisfaction of the Responsible Authority;
  - Properly formed to such levels that they can be used in accordance with the plans;
  - Surfaced with an all-weather sealcoat; and
  - Drained and maintained to the satisfaction of the Responsible Authority.
19. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
20. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

**Urban Design**

21. 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.
22. Mailboxes shall be provided to the proposed dwelling/s to the satisfaction of the Responsible Authority and Australia Post.
23. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new dwelling shall be concealed from general view.
24. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

**Freestanding Trellis**

25. Prior to the occupation of the development, a freestanding trellis (maximum 25% openings) must be erected 500mm above the existing fences in the following locations:
- a) The western property boundary of Dwellings 2 and 3, adjacent to the main living area windows.
  - b) The northern property boundary of Dwellings 3 and 4, adjacent to the main living area windows.
  - c) The eastern property boundary of Dwelling 4, adjacent to the main living area and master bedroom windows.

**11.4 Planning Permit Application 424/2017/P - 21 Edward Street, Langwarrin - To construct six (6) dwellings (three (3) single storey and three (3) double storey) Officers' Assessment****Satisfactorily Completed**

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

**Permit Expiry**

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

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

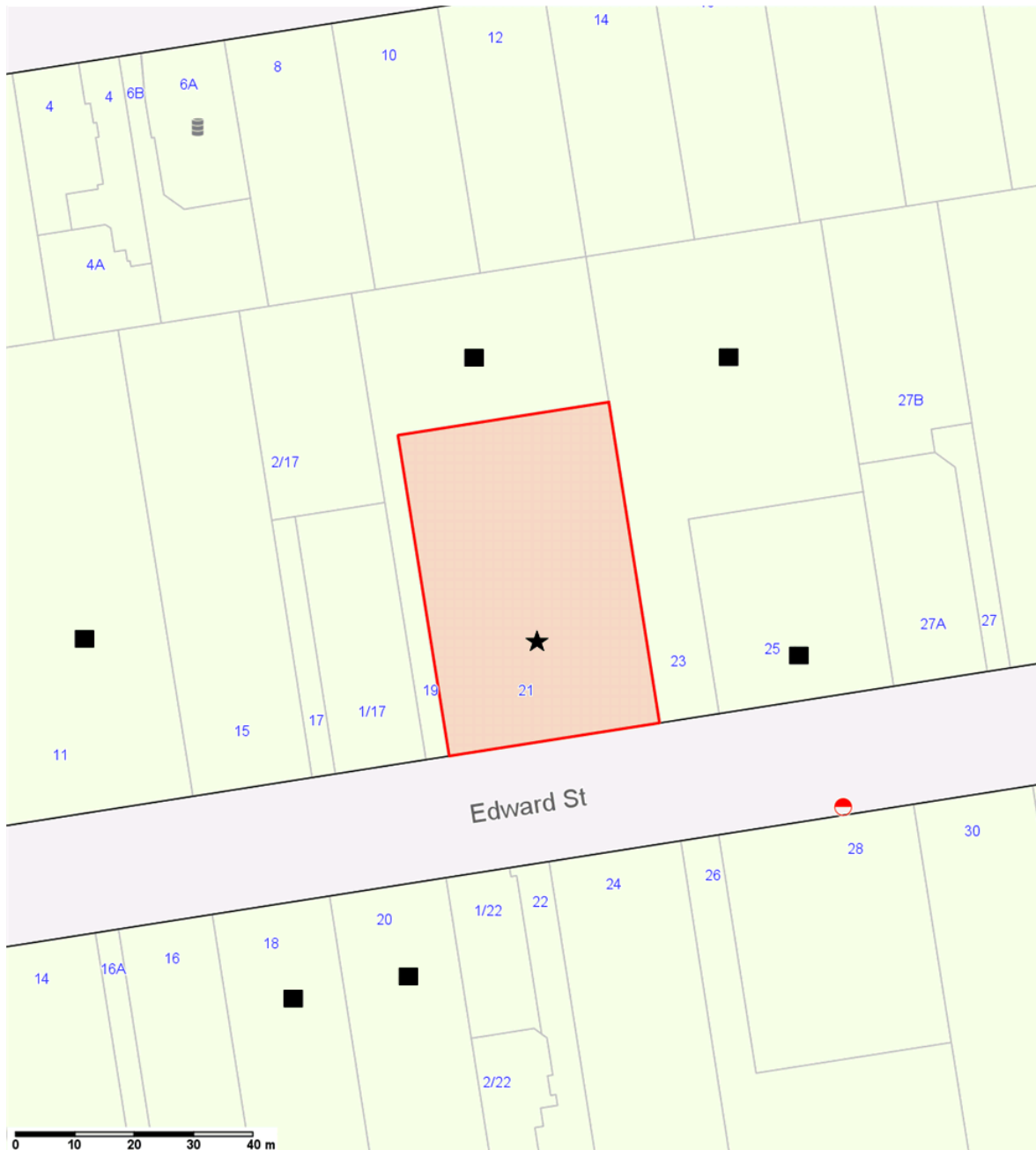
**Notes**

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

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

Town Planning Application 424/2017/P - 21 Edward St Langwarrin

Subject site ★ Objectors (58 Edward St not shown) ■



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Projection: GDA94 / MGA zone 55

Scale: 1:888



Date Printed: 19/03/2018

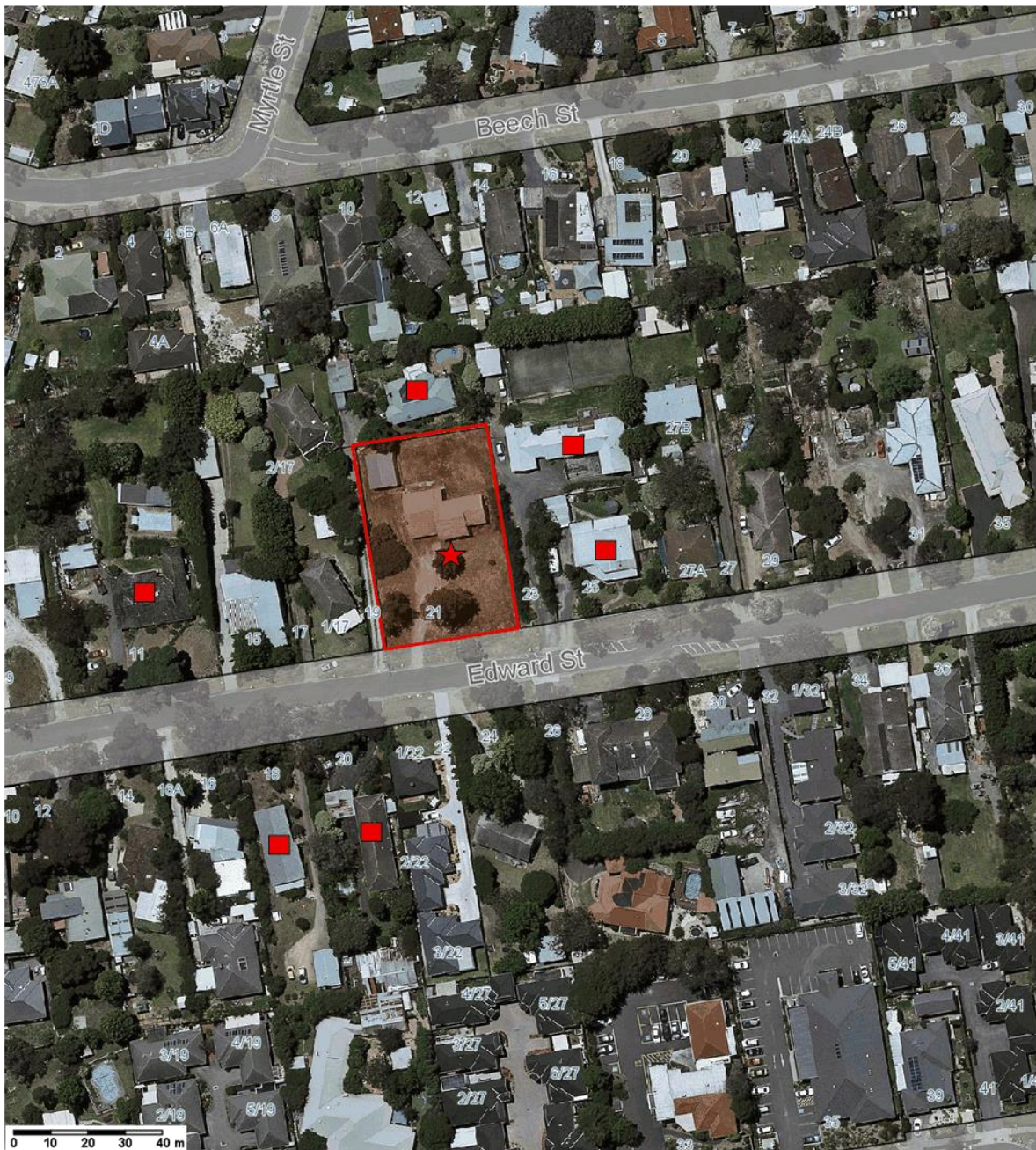
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Town Planning Application 424/2017/P - 21 Edward St Langwarrin

Subject site  Objectors (58 Edward St not shown) 



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Scale: 1:1393

Date Printed: 19/03/2018

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# FRANKSTON 10

## Character Statement

### Neighbourhood Character Precinct Brochure



#### DESCRIPTION

The Long Island area of Frankston is a distinctive 'suburb by the sea' enclave. It occupies a narrow spit of land between the Kananook Creek and the sea, and has a secluded 'beach holiday' character, due to the presence of some unmade roads and paths, a mixture of remnant vegetation and informal plantings on nature strips and the style of some dwellings, despite being only minutes from the centre of Frankston. Some houses date back to the 1920s, but most are post war. The modest original dwellings are being replaced by two and three storey houses, designed to exploit the coastal views, particularly on the west side of Gould Street. These newer dwellings are both taller and bulkier than the older dwellings, covering a much larger proportion of the site. There are frequent access points to the beach, which introduce coastal vegetation and views into Gould Street. However, the predominant character of Gould Street is of a narrow private drive, to which the dwellings on the west side increasingly turn their backs.

#### Key Existing Characteristics

- Variety of architectural styles from the Interwar through to the present
- Mix of single and 2 storeys
- Setbacks vary with houses often oriented to the beach not the street (on the west side of Gould Street)
- Variety of building materials
- Fences are mixed though often high; generally in timber or open style
- Gardens are established with a mixture of both native and exotic plantings and some mature trees
- Gould Street is sealed with some footpaths and no kerb; most cross streets are unsealed and have no kerbs or footpaths
- Irregular plantings of medium sized street trees

#### COMMUNITY VALUES

The following aspects of the area are valued by the community:

- Variety of housing designs and styles
- Development respectful to the beachside atmosphere
- The streetscape
- The seaside holiday atmosphere created by the unmade roads, and footpaths, large established trees and the island feel created by the beach and the Kananook Creek
- The creekside atmosphere
- Quality new development that respects and is sympathetic to the unique qualities of the area
- Trees in the public and private domain
- Access to the beach, the creek & walking tracks

#### PREFERRED NEIGHBOURHOOD CHARACTER STATEMENT

The informal seaside character of the area and settings of the dwellings is to be maintained and the area's relationship to the adjacent coastal and creek environments, spaciousness and coastal planting are to be strengthened by:

- Encouraging retention and planting of indigenous and exotic species traditional to the coastal environment
- Siting development in a way that minimises its impact on the landscape and provides for a reasonable sharing of views
- Ensuring building height is limited and respects the 1-2 storey scale to minimise impact on the streetscapes and wider landscape setting
- Ensuring buildings respect neighbouring front setbacks
- Minimising the dominance of car storage facilities and driveway crossings
- Encouraging innovative coastal architecture and lightness of design style
- Encouraging 1-1.2 metre, open style front fencing
- Maintain the informal street treatments such as lack of sealed roads, kerbs and paths and increase street planting of coastal species
- Encourage development that sensitively addresses the street frontage

#### Issues / Threats

- Loss of indigenous coastal vegetation
- Large, bulky buildings that emphasise the vertical or appear 'box' like
- Boundary to boundary development above ground level
- Use of 'heavy' design detailing (eg masonry columns and piers)
- Creation of new cross overs and driveways
- High, solid front fences
- Buildings that do not address the street



This brochure provides guidelines for the design of new dwellings and dwelling extensions to ensure that proposals assist in achieving the preferred neighbourhood character for the Precinct. The guidelines will be used to assess planning applications. They will also be used to assess applications for a report and consent to vary the Building Regulations. Frankston City Council P.O. Box 490 Frankston Victoria 3199 Telephone 1300 322 322 Facsimile 03 9784 1094 [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)



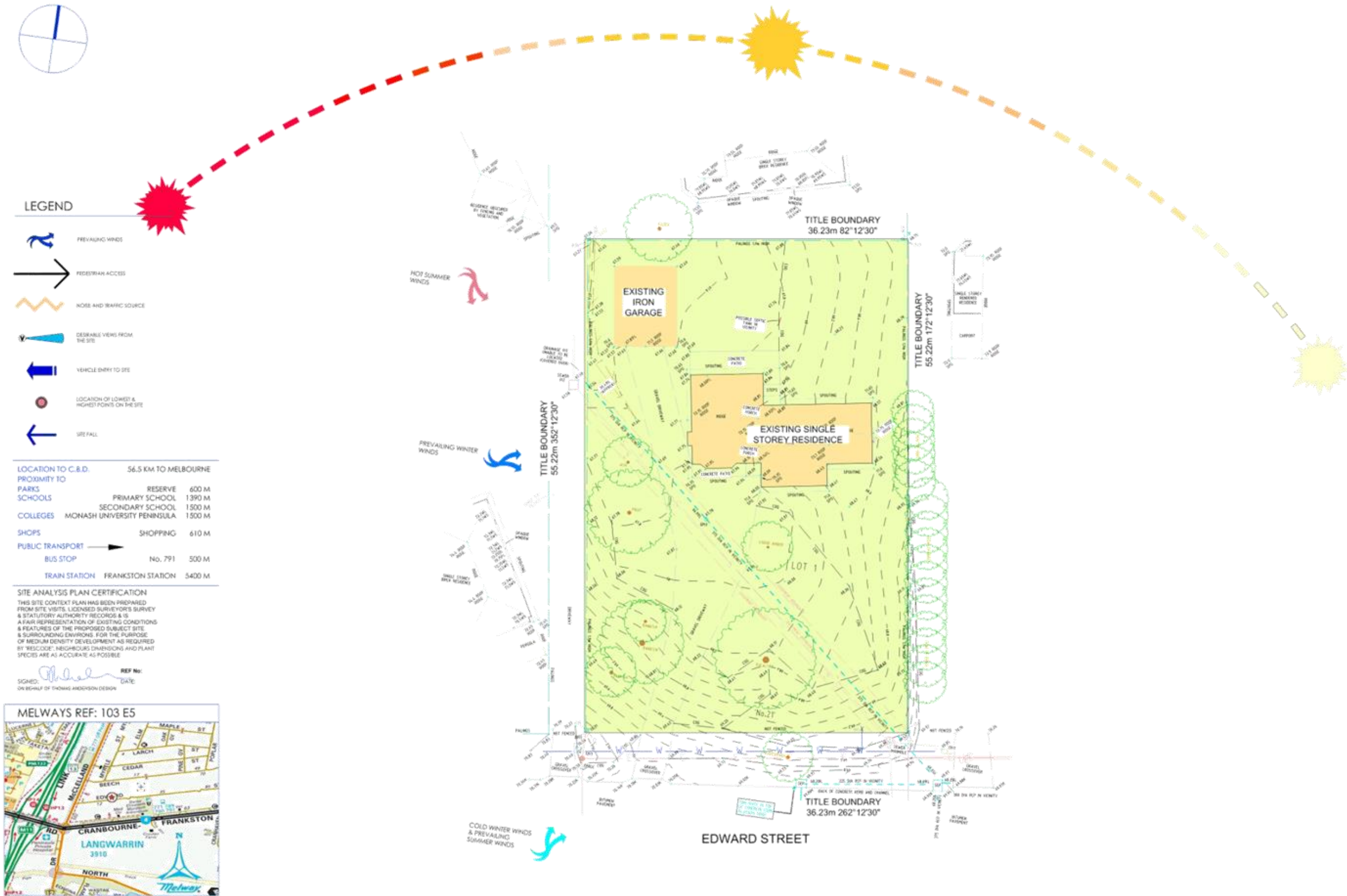
# FRANKSTON 10

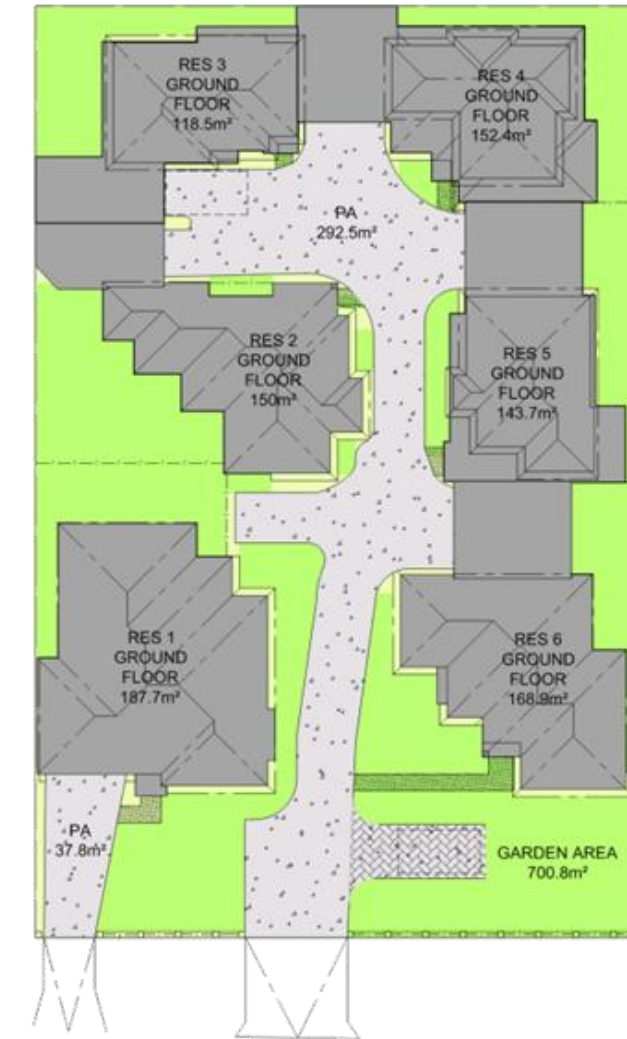
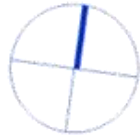
## Design Guidelines

### Neighbourhood Character Precinct Brochure

Character Element	Objective	Design Response	Avoid
<b>Vegetation</b>	To strengthen the coastal character of the area by planting of appropriate coastal species.	Retain existing traditional coastal trees, native and indigenous trees and understorey wherever possible (Locate footings outside root zone.) Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate coastal species.	Lack of landscaping and substantial vegetation. Removal of high canopy trees and vegetation.
<b>Siting</b>	To provide for reasonable sharing of views to the ocean, creek or coast and to reflect the rhythm of existing dwelling spacing.  To minimise loss of front garden space and the dominance of car storage facilities.	Buildings should be sited to take into account the view corridors to the ocean, creek or coast from adjacent and nearby properties. At ground level, buildings should be setback from at least one side boundary to allow for views through to the ocean, creek or coast.  Locate garages and car ports behind the line of the dwelling. Minimise paving in front garden areas including driveways and cross overs. Use permeable driveway materials.	Buildings that completely obscure views from public areas. Boundary to boundary development.  Creation of new cross overs and driveways or wide cross overs. Garages or roller doors that dominate the façade or view of the dwelling.
<b>Height &amp; building form</b>	To ensure that buildings and extensions do not dominate the streetscape and more distant views of the area.  To encourage innovative architecture that respects the coastal setting.	Only architectural features that contribute to the achievement of other objectives may exceed the relevant building height limit.  New buildings should be individually designed to respond to the dominant characteristics of the area and the site. Incorporate building elements and details that contribute to a lightness of structure including balconies, verandas, open or light transparent balustrading and gable ends.	Buildings must not exceed 9 metres in height.  Large bulky buildings with unarticulated front and side wall surfaces. Heavy design detailing (eg. masonry columns and piers)
<b>Materials &amp; design detail</b>	To use lighter looking building materials and finishes that complement the coastal vegetation and setting.	Use timber or other non-masonry sheeting or cladding materials or natural materials such as stone. Use subdued colours on external finishes.	Exposed red or orange brick. Period reproduction styles and detailing.
<b>Front boundary treatment</b>	To maintain and improve the openness of the streetscape.	Provide low, open style, or brush fencing front fences, other than along heavily trafficked roads.	High, solid front fencing.
<b>Beach &amp; creek environs</b>	To enhance the residential interface with the beach and creek environment on adjoining sites.	Where a site adjoins the beach or Kananook Creek: Building mass should be located on that part of the lot away from the beach or creek. The second storey component of any building should be set back from the ground floor beach or creek elevation a distance of at least the ground floor building height. Minimise hard surfaces on sites adjoining the beach and creek environment. Encourage low or no fences on creek boundary. High fences should be transparent or mesh.	Buildings located on the beach or creek boundaries. Large bulky buildings with unarticulated walls facing the beach or creek. High fences adjoining the creekside environment.

The Objectives define the intention of each Character Element. The Design Responses are assumed to satisfy the relevant Objective. Other Design Responses that meet the Objective may be considered. Refer to the Frankston Planning Scheme for other requirements.





SITE AREA:	2001 M2
G.F. BUILDING AREA:	914.8 M2 45.7%
PAVED AREAS:	330.3 M2 16.5%
GARDEN AREAS:	700.8M2 35%

PURSUANT TO CLAUSE 32.08-4, A MINIMUM PERCENTAGE OF A LOT MUST BE SET ASIDE FOR 'GARDEN AREA' AT GROUND LEVEL, BASED ON THE FOLLOWING TABLE

LOT SIZE;	MINIMUM PERCENTAGE OF A LOT SET ASIDE AS GARDEN AREA
400-500m <sup>2</sup>	25
501-650m <sup>2</sup>	30
ABOVE 650m <sup>2</sup>	35

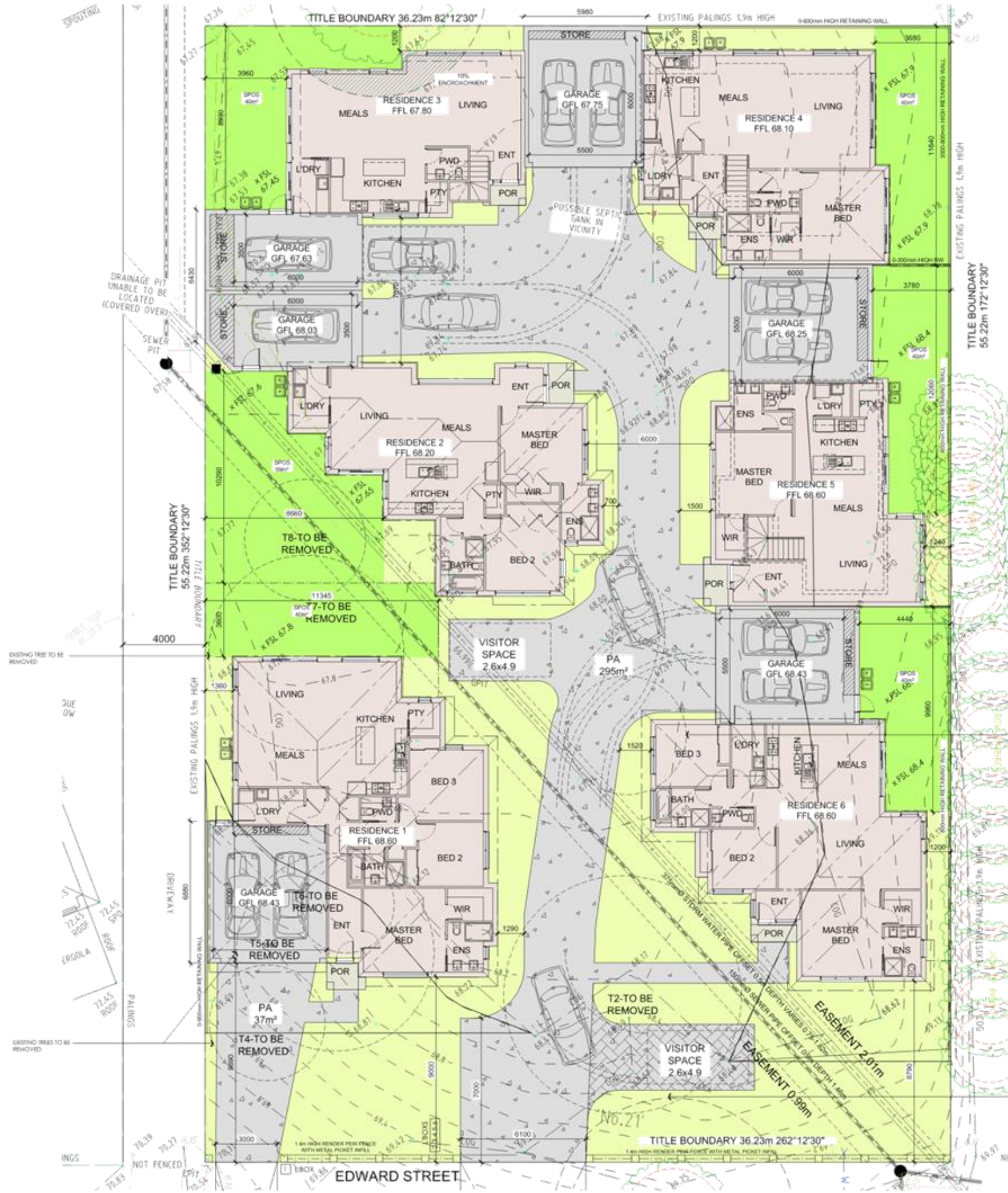
**SITE STATISTICS**

Total Site Area	2001m <sup>2</sup>
Total Site Cover	914m <sup>2</sup>
Total Site Cover Ratio	46 %
Driveway Area	314 m <sup>2</sup>
Total Hard Cover Area	1228 m <sup>2</sup>
Total Hard Cover Ratio	61 %
Permeable Area	773 m <sup>2</sup>
Permeable Area Ratio	39 %
Carparking Required	-
Carparking Provided	-
Visitor Carparking	1

**SITE PLAN**  
 SCALE 1:200

**GARDEN PLAN**

SCALE 1:200



Residence	Ground Floor Area	Garage	Porch	TOTAL	Private Open Space
RESIDENCE 1 - Single Storey	146.4 m <sup>2</sup>	38.5 m <sup>2</sup>	2.8 m <sup>2</sup>	187.7 m <sup>2</sup>	40.0 m <sup>2</sup>
RESIDENCE 2 - Single Storey	116.2 m <sup>2</sup>	28.5 m <sup>2</sup>	2.4 m <sup>2</sup>	147.1 m <sup>2</sup>	69.6 m <sup>2</sup>
RESIDENCE 3 - Double Storey	84.0 m <sup>2</sup>	37.7 m <sup>2</sup>	1.6 m <sup>2</sup>	123.3 m <sup>2</sup>	40.0 m <sup>2</sup>
RESIDENCE 4 - Double Storey	110.8 m <sup>2</sup>	65.3 m <sup>2</sup>	1.8 m <sup>2</sup>	177.9 m <sup>2</sup>	40.0 m <sup>2</sup>
RESIDENCE 5 - Double Storey	100.9 m <sup>2</sup>	72.5 m <sup>2</sup>	2.5 m <sup>2</sup>	175.9 m <sup>2</sup>	40.0 m <sup>2</sup>
RESIDENCE 6 - Single Storey	126.7 m <sup>2</sup>	40.3 m <sup>2</sup>	1.9 m <sup>2</sup>	168.9 m <sup>2</sup>	69.6 m <sup>2</sup>

LEGEND

- SPOS - DIMENSION OVER 3.0m
- POS - DIMENSION UNDER 3.0m POS
- COMMON PROPERTY
- SEALED REINFORCED CONCRETE DRIVEWAY
- PERMEABLE PAVING ON SAND BASE
- PERMEABLE TIMBER DECKING
- 1.8m HIGH TIMBER PALING FENCE
- EXTENT OF 800mm HIGH LATICES EXTENSION
- FINISHED FLOOR LEVEL
- FINISHED SURFACE LEVEL (CVT - FFL LEVEL)
- CLOTHES LINE
- SECURITY LIGHT: 'SENSOR LIGHT'
- SOLLARD LIGHT
- TAP
- LETTER BOX
- OPTIONAL WATER TANK LOCATION
- REARWATER METER
- RUBBER AND RECYCLE BIN LOCATION
- RETAINING WALLS
- RETAINING WALL AS PER PLAN
- TREATED PINE SLEEPER WITH AGG. DRAIN - OR REFER ENG. DESIGN
- COLLAPSIBLE COLDWATER SHED IN RAILED TONES OR DOWN CONC. SLAB
- (S.P.O.S.) SECURED PRIVATE OPEN SPACE

FLOOR PLAN  
 SCALE 1:100

21 Edward Street  
 Langwarrin



Proposed Unit Development  
 Sunline Bay P/L

3  
 ISSUE E  
 17-0405  
 AUG 17  
 GL



LEGEND

- SPOS - DIMENSION OVER 3.0M
- POS - DIMENSION UNDER 3.0M POS
- COMMON PROPERTY
- SEALED REINFORCED CONCRETE DRIVEWAY
- PERMEABLE PAVING ON SAND BASE
- PERMEABLE TIMBER DECKING
- 1.8M HIGH TIMBER PALING FENCE
- EXTENT OF 800MM HIGH LATHS EXTENSION
- FINISHED FLOOR LEVEL
- FINISHED SURFACE LEVEL (CVT - FLL LEVEL)
- CLOTHES LINE
- SECURITY LIGHTS 'SENSOR LIGHT'
- SOLAR LIGHT
- TAP
- LETTER BOX
- OPTIONAL WATER TANK LOCATION
- WASHO' METER
- RUBBER AND RECYCLE BIN LOCATION
- RETAINING WALLS
- RETAINING WALL AS PER PLAN
- TREATED PINE SLEEPER WITH AGGL. DRAIN - OR REFER ENG. DESIGN
- COLLAPSIBLE COLDWIND SHED IN RAISED TONES OR 100MM CONC. SLAB
- SECURED PRIVATE OPEN SPACE

FLOOR PLAN  
 SCALE 1:100



RESIDENCE 1 - Single Storey	RESIDENCE 2 - Single Storey	RESIDENCE 3 - Double Storey	RESIDENCE 4 - Double Storey	RESIDENCE 5 - Double Storey	RESIDENCE 6 - Single Storey
Ground Floor Area	116.2 m <sup>2</sup>	84.0 m <sup>2</sup>	110.8 m <sup>2</sup>	100.9 m <sup>2</sup>	126.7 m <sup>2</sup>
Garage	28.5 m <sup>2</sup>	29.4 m <sup>2</sup>	39.9 m <sup>2</sup>	40.3 m <sup>2</sup>	40.3 m <sup>2</sup>
Porch	2.4 m <sup>2</sup>	1.6 m <sup>2</sup>	1.8 m <sup>2</sup>	2.5 m <sup>2</sup>	1.9 m <sup>2</sup>
TOTAL	147.1 m <sup>2</sup>	188.7 m <sup>2</sup>	217.7 m <sup>2</sup>	216.2 m <sup>2</sup>	168.9 m <sup>2</sup>
Private Open Space	69.6 m <sup>2</sup>	40.0 m <sup>2</sup>	40.0 m <sup>2</sup>	40.0 m <sup>2</sup>	69.6 m <sup>2</sup>

21 Edward Street  
 Langwarrin



Proposed Unit Development  
 Sunline Bay P/L

4  
 ISSUE E  
 17-0405  
 AUG 17  
 GL

**SUSTAINABLE DESIGN STATEMENT  
 GREEN SPECIFICATION**

**ENERGY**

- \* ENERGY RATING OF BUILDING ENVELOPE ACHIEVES A MINIMUM 5 STARS INCLUDING:
  - R13 BULK INSULATION TO CEILING
  - R13 BATTS TO WALLS PLUS G.S. BRILLATION
  - ALUMINIUM IMPROVED WINDOW FRAMES
  - WEATHER STRIPS TO ALL EXTERNAL DOORS
  - GAPS & CRACKS SEALED WITH IMPERMEABLE BARRIER (AP'S TAP SEALANT AT ALL JOINTS, OPENINGS AND PENETRATIONS)
- \* HOT WATER SYSTEM TO HAVE ENERGY EFFICIENCY OF AT LEAST 4 STAR
- \* ALL HEATING AND COOLING UNITS ARE CERTIFIED UNDER MEPS, AND ALL ELECTRICITY WILL COMPLY WITH THE BCA GUIDELINES FOR SERVICES
- \* FLUORESCENT LOW ENERGY DOWNLIGHTS AND/OR BATTEN HOLDERS WITH LOW ENERGY GLOBES

**WATER**

- \* WATER EFFICIENCY RATING OF TAPS TO BE 4 STARS WELS
- \* WATER EFFICIENCY RATING OF CISTERNS TO BE 4 STARS WELS
- \* WATER EFFICIENCY OF SHOWER HEADS TO BE 3 STARS WELS

**STORMWATER**

- \* MINIMUM 2000L RAINWATER TANK TO BE INSTALLED IN SUCH A WAY TO RECEIVE A MINIMUM SOME OF ROOF AREA. TANKS TO BE PROVIDED WITH AN AUTOMATIC OR MANUAL INTERCHANGE DEVICE TO PROVIDE A CONTINUAL SUPPLY OF WATER FOR SANITARY FLUSHING OR LISTERED AS PER ENGINEER'S DRAINAGE DESIGN.

**MATERIALS**

- \* THE SELECTION OF NEW MATERIALS TO BE ENVIRONMENTALLY FRIENDLY
- \* REUSABILITY AND RECYCLABILITY OF MATERIALS WHERE PRACTICAL

**TRANSPORT**

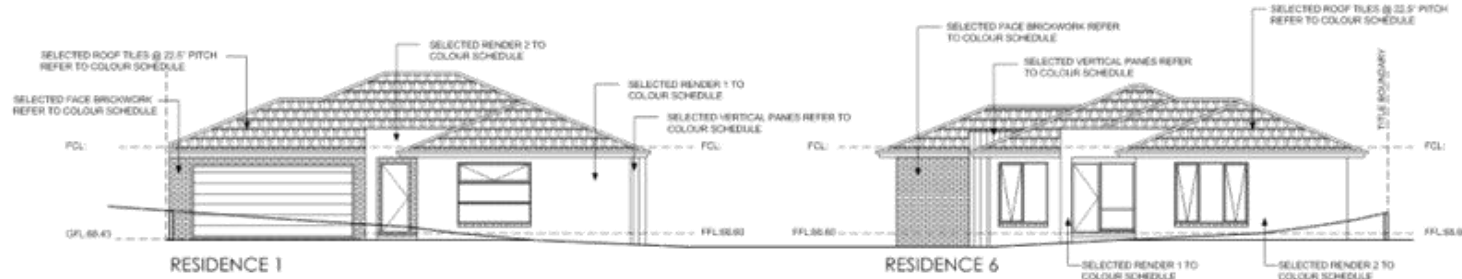
- \* ALLOCATED BICYCLE PARKING SPACES IN ACCORDANCE WITH EXTERNAL SECURE PARKING (SCHEJ) OR INTERNAL SPACE ALLOCATED IN GARAGES / SHEDS.

**WASTE**

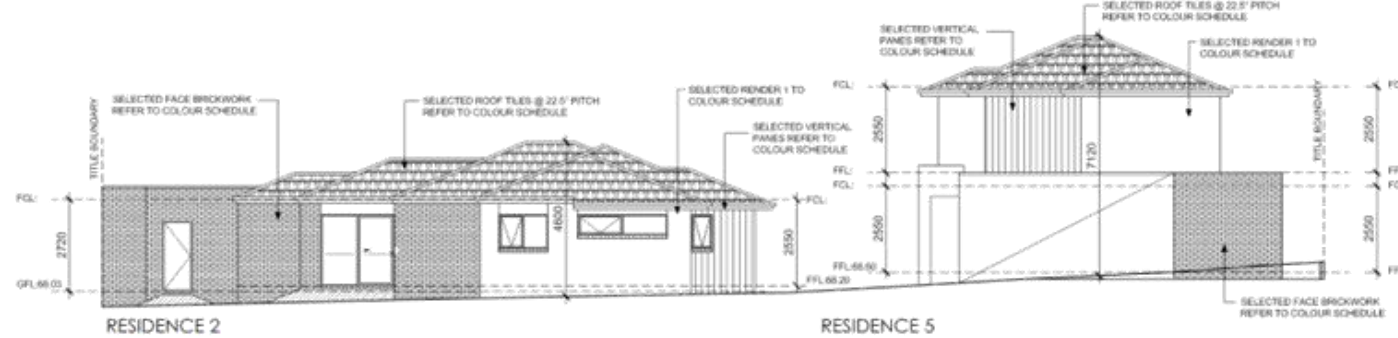
- \* ALLOCATED SPACE FOR WASTE MANAGEMENT NOMINATED (EG. GENERAL WASTE, RECYCLING, GREEN WASTE AND COMPOSTING BINS)

**LANDSCAPING**

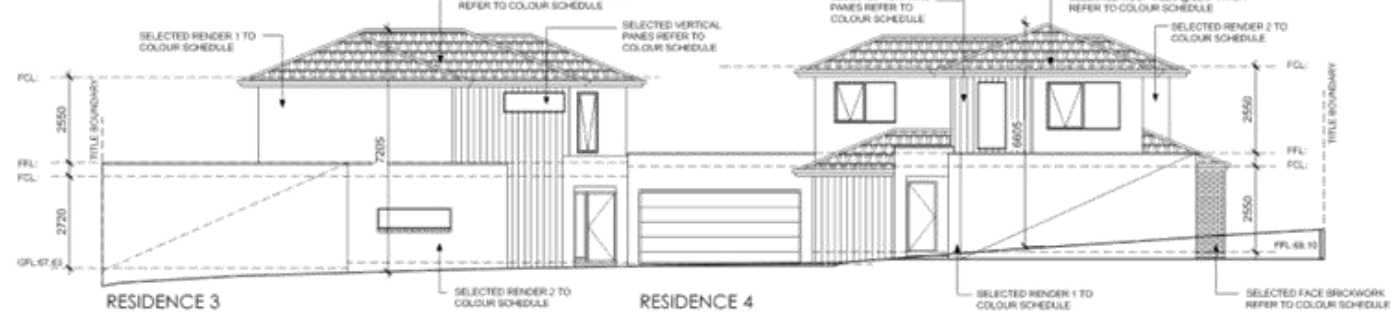
- \* THE PLANTING PALETTE SELECTED SHOULD CONSIST OF PROVEN DROUGHT TOLERANT, NATIVE AND / OR LOCALLY INDIGENOUS PLANT SPECIES. THESE SPECIES ARE SUITABLE FOR USE IN THE LOCAL CLIMATE AND SOIL CONDITIONS AND DO NOT REQUIRE EXCESSIVE WATERING TO ENSURE SURVIVAL.
- \* ALL TIMBER PRODUCTS TO BE TREATED PINE, RECYCLED OR PLANTATION GROWN. JARRAH, RED OAK OR NATIVE WHITE-CYPRESS PINE (CALLITRIS COLUMNARIS) SHOULD NOT BE USED UNLESS DEMONSTRATES THEY ARE A RECYCLED PRODUCT.



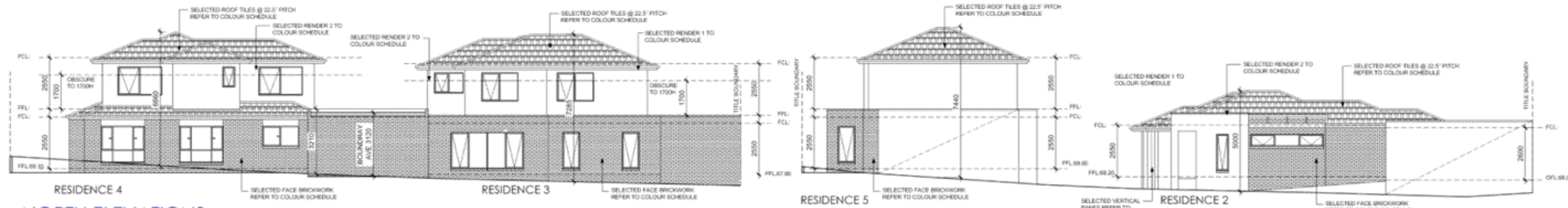
**SOUTH ELEVATIONS  
 SCALE 1:100**



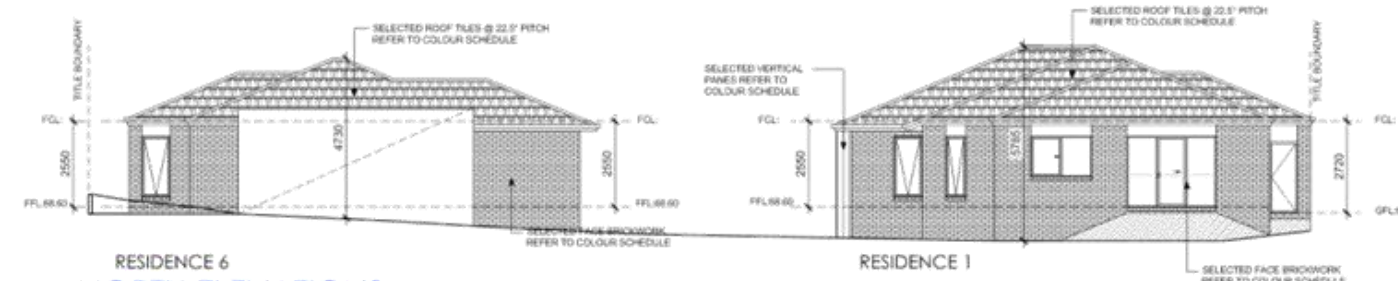
**SOUTH ELEVATIONS  
 SCALE 1:100**



**SOUTH ELEVATIONS  
 SCALE 1:100**



**NORTH ELEVATIONS  
 SCALE 1:100**



**NORTH ELEVATIONS  
 SCALE 1:100**

**SUSTAINABLE DESIGN STATEMENT  
 GREEN SPECIFICATION**

**ENERGY**

- \* ENERGY RATING OF BUILDING ENVELOPE ACHIEVES A MINIMUM 5 STARS INCLUDING:
  - R3.5 BULK INSULATION TO CEILING
  - R1.5 BATTIS TO WALLS PLUS G.S. BRILLATION
  - ALUMINIUM IMPROVED WINDOW FRAMES
  - WEATHER STRIPS TO ALL EXTERNAL DOORS
  - GAPS & CRACKS SEALED WITH IMPERMEABLE BARRIER CLAP'S TAP SEALATION AT ALL JOINTS, OPENINGS AND PENETRATIONS
- \* HOT WATER SYSTEM TO HAVE ENERGY EFFICIENCY OF AT LEAST 4 STAR
- \* ALL HEATING AND COOLING UNITS ARE CERTIFIED UNDER MEPS, AND ALL DUCTWORK WILL COMPLY WITH THE BCA GUIDELINES FOR SERVICES
- \* FLUORESCENT LOW ENERGY DOWN LIGHTS AND/OR BATTEN HOLDERS WITH LOW ENERGY GLOBES

**WATER**

- \* WATER EFFICIENCY RATING OF TAPS TO BE 4 STARS WELS
- \* WATER EFFICIENCY RATING OF CISTERNS TO BE 4 STARS WELS
- \* WATER EFFICIENCY OF SHOWER HEADS TO BE 3 STARS WELS

**STORMWATER**

- \* MINIMUM 2000L RAINWATER TANK TO BE INSTALLED IN SUCH A WAY TO RECEIVE A MINIMUM 50% OF ROOF AREA. TANKS TO BE PROVIDED WITH AN AUTOMATIC OR MANUAL INTERCHANGE DEVICE TO PROVIDE A CONTINUAL SUPPLY OF WATER FOR SANITARY FLUSHING OR LPOURAGED AS PER ENGINEER'S DRAINAGE DESIGN.

**MATERIALS**

- \* THE SELECTION OF NEW MATERIALS TO BE ENVIRONMENTALLY FRIENDLY
- \* REUSABILITY AND RECYCLABILITY OF MATERIALS WHERE PRACTICAL

**TRANSPORT**

- \* ALLOCATED BICYCLE PARKING SPACES IN ACCORDANCE WITH EXTERNAL SECURE PARKING (ASCL.2) OR INTERNAL SPACE ALLOCATED IN GARAGES / SHEDS.

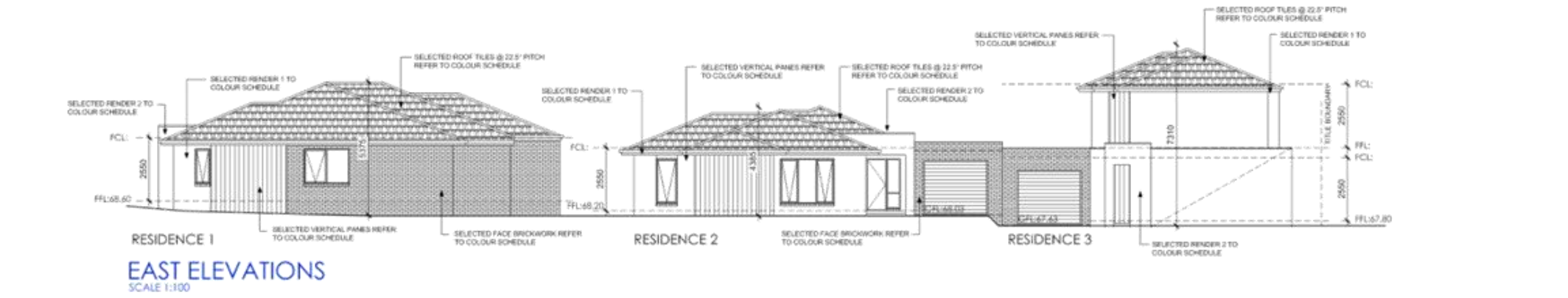
**WASTE**

- \* ALLOCATED SPACE FOR WASTE MANAGEMENT NOMINATED (EG. GENERAL WASTE, RECYCLING, GREEN WASTE AND COMPOSTING BINS)

**LANDSCAPING**

- \* THE PLANTING PALETTE SELECTED SHOULD CONSIST OF PROVEN DROUGHT TOLERANT, NATIVE AND / OR LOCALLY INDIGENOUS PLANT SPECIES. THESE SPECIES ARE SUITABLE FOR USE IN THE LOCAL CLIMATE AND SOIL CONDITIONS AND DO NOT REQUIRE EXCESSIVE WATERING TO ENSURE SURVIVAL.

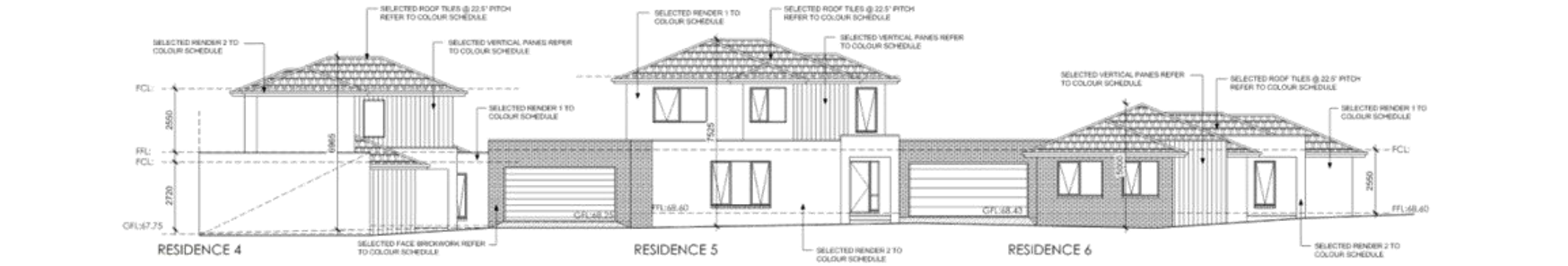
- \* ALL TIMBER PRODUCTS TO BE TREATED PINE, RECYCLED OR PLANTATION GROUND. JARRAH, RED OAK OR NATIVE WHITE-CYPRESS PINE (CALLITRIS COLUMNARIS) SHOULD NOT BE USED UNLESS DEMONSTRATES THEY ARE A RECYCLED PRODUCT.



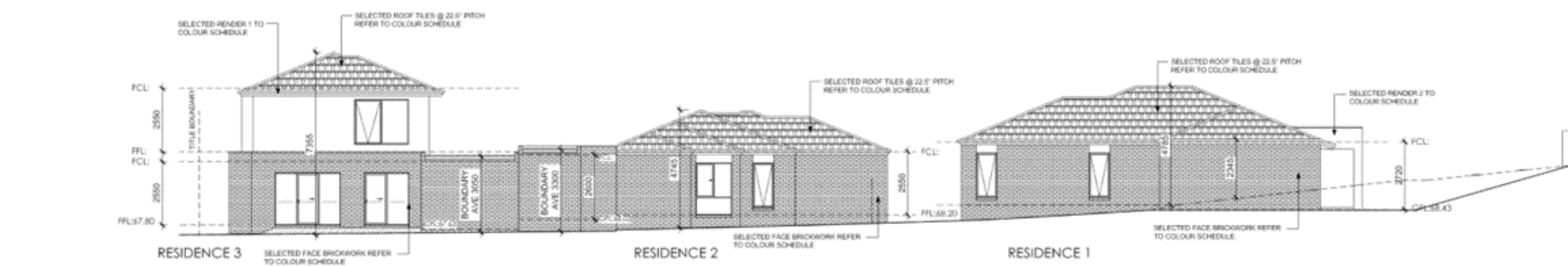
**EAST ELEVATIONS**  
 SCALE 1:100



**EAST ELEVATIONS**  
 SCALE 1:100



**WEST ELEVATIONS**  
 SCALE 1:100



**WEST ELEVATIONS**  
 SCALE 1:100

**ELEVATIONS**  
 SCALE 1:100



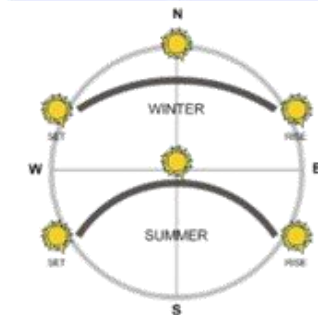


SHADOW DIAGRAM FOR 9 A.M.  
 22 SEPTEMBER (EQUINOX)



SHADOW DIAGRAM FOR 12 P.M.  
 22 SEPTEMBER (EQUINOX)

SUN PATH DIAGRAM



EQUINOX DATUM: 22 SEPTEMBER  
 MELBOURNE, VICTORIA



SUNLIGHT TO PRIVATE OPEN SPACE

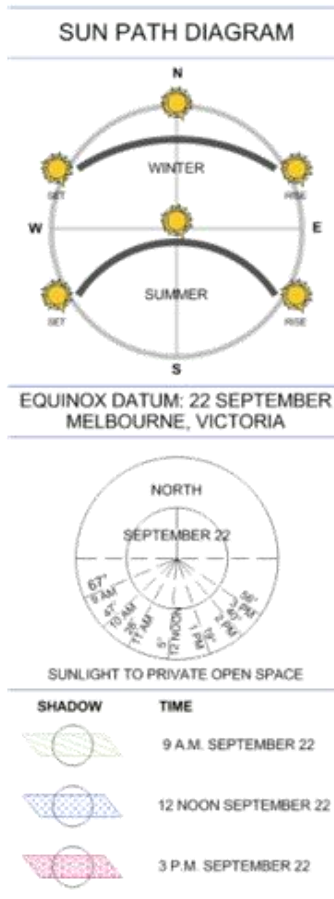
SHADOW	TIME
	9 A.M. SEPTEMBER 22
	12 NOON SEPTEMBER 22
	3 P.M. SEPTEMBER 22

SHADOW DIAGRAMS  
 SCALE 1:200

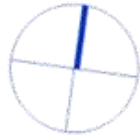


**SHADOW DIAGRAMS**  
 SCALE 1:200

SHADOW DIAGRAM FOR 3 P.M.  
 22 SEPTEMBER (EQUINOX)



**STREET SCAPE**  
 SCALE 1:150

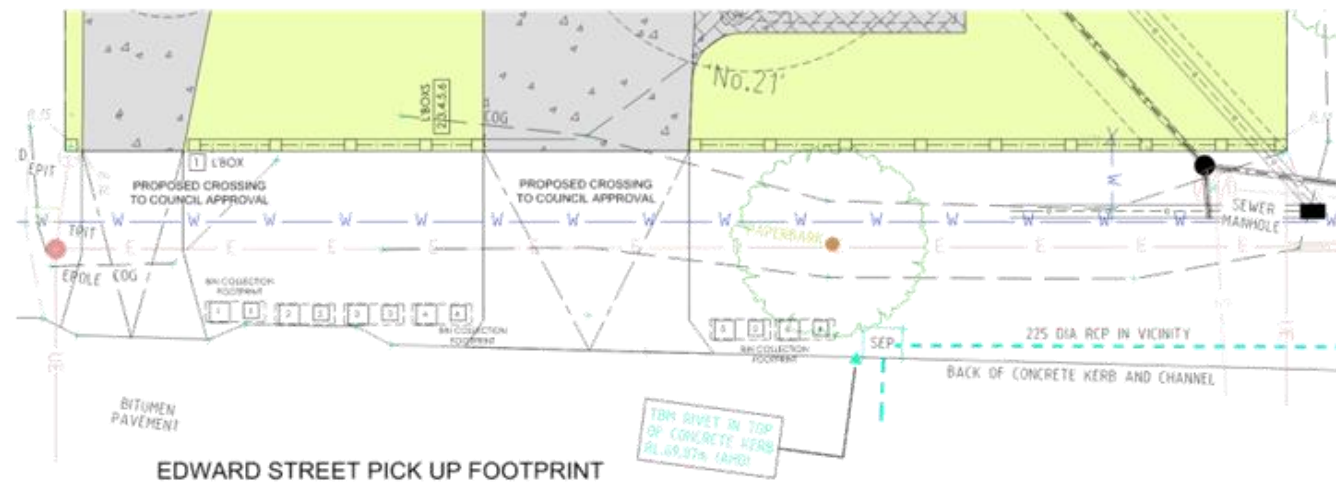


**WASTE MANAGEMENT NOTES**

1. WASTE COLLECTION FOR DWELLINGS 1-6 IS TO OCCUR FROM EDWARD STREET, AS SHOWN.
2. WASTE COLLECTION IS TO OCCUR BY COUNCIL.
3. GENERAL WASTE IS TO BE COLLECTED WEEKLY AND RECYCLABLE WASTE IT TO OCCUR FORTNIGHTLY.
4. WASTE COLLECTION MUST OCCUR ON A WEEKDAY.
5. EACH DWELLING IS TO BE PROVIDED WITH A 120L GENERAL WASTE BIN AND 240L RECYCLABLE BIN WITH SEPARATE IDENTIFYING COLOURED LIDS.
6. WASTE COLLECTION IS TO OCCUR FROM THE WASTE COLLECTION FOOTPRINTS SHOWN ON THE PLAN.
7. TRANSPORTATION OF THE BINS FROM THE STORAGE AREAS TO THE COLLECTION FOOTPRINT IS THE RESPONSIBILITY OF EACH OCCUPANT OF THE DWELLING. AFTER COLLECTION THE BINS MUST BE RETURNED TO THE BIN STORAGE AREA AS SOON AS IS PRACTICAL BY THE OCCUPANT OF EACH RESPECTIVE DWELLING.

**WASTE MANAGEMENT PLAN**

SCALE 1:200



**EDWARD STREET COLLECTION PLAN**

SCALE 1:100

21 Edward Street  
 Langwarrin



Proposed Unit Development  
 Sunline Bay P/L

9

ISSUE E  
 17-0405  
 AUG 17  
 GL

# COLOUR BOARD



**Executive Summary****11.5 February 2018 Town Planning Progress Report**

*Enquiries: (Michael Papageorgiou: Community Development)*

**Council Plan**

Community Outcome:	4. A Well Managed City
Strategy:	4.2 Systems
Priority Action	4.2.3 Facilitate informed decision making through informed reporting and data management

**Purpose**

To provide Council with an update on the exercise of planning delegations by Council officers for the month of February 2018.

**Recommendation (Director Community Development)**

That Council receives and notes the February 2018 Town Planning Progress Report.

**Key Points / Issues**

This report provides Council with an update on the exercise of planning delegations by Council officers on the following items:

- Planning applications received;
- Planning decisions;
- Subdivision applications received;
- Subdivision decisions;
- Planning scheme amendments;
- VCAT appeal register; and
- VCAT decisions.

In February 2018, 77 applications for planning permits or amendments to permits were received, and 84 applications determined. A total of 30% of permit decisions were made within 60 days. This is a lower proportion than usual – although the results can vary significantly from month to month. (*February is a shorter month with a smaller number of applications completed – so the total may have been partly skewed by a group of ‘long in the tooth’ applications being decided*).

15 decisions related to multi-dwelling applications. 14 of these applications complied with the Multi-Dwelling Visitor Car Parking Guidelines.

3 VCAT decisions were handed down in December 2017. Two set aside Council’s decision, and one outcome was agreed by consent.

**Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

**11.5 February 2018 Town Planning Progress Report****Executive Summary**

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

**Consultation**

This report provides details of all planning applications and decisions that are required to be considered in accordance with the Frankston Planning Scheme and the Planning and Environment Act (1987).

Consultation occurs with the community as part of the planning process of each application that requires public advertising.

**Analysis (Environmental / Economic / Social Implications)**

This report will not result in any identified environmental, economic or social impacts.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Officer's Declaration of Interests

Under Section 80C of the *Local Government Act 1989*, officers providing advice or a report to Council must disclose any direct or indirect interest they have in a matter.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

There are no identified risks noted in relation to the preparation of this report.

**Conclusion**

This report provides Council with an overview of the activities and decisions made on planning applications.

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**ATTACHMENTS**

Attachment A:[↓](#) Town Planning Progress Report - February 2018

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
49/2018/P	North-East	74 Southgateway, Langwarrin 3910	To construct two (2) single storey dwellings	1/02/2018
70/2018/P	North-East	13 Titan Drive, Carrum Downs 3201	Extension to existing building	5/02/2018
69/2018/P	North-East	4 Enterprise Circuit, CARRUM DOWNS 3201	Alteration and addition to internal office space	7/02/2018
62/2018/P	North-East	Wilton Bushland & Aboriginal Memorial Reserve 195R McCormick	Native Vegetation Removal (twenty nine (29) trees)	12/02/2018
64/2018/P	North-East	31 Edward Street, Langwarrin 3910	Three (3) lot subdivision	12/02/2018
59/2018/P	North-East	15/2 Barton Drive, Sandhurst 3977	To construct a outdoor spa	12/02/2018
65/2018/P	North-East	1 Broderick Road, Carrum Downs 3201	Two (2) lot subdivision	13/02/2018
66/2018/P	North-East	87 Clifton Grove, Carrum Downs 3201	To subdivide the land into twenty seven (27) lots and removal of drainage easement	14/02/2018
72/2018/P	North-East	185 North Road, Langwarrin 3910	Storage shed for clothing	16/02/2018
75/2018/P	North-East	7 Honeyeater Place, Carrum Downs 3201	To construct one (1) dwelling to the rear of the existing dwelling ( two (2) dwellings)	19/02/2018
74/2018/P	North-East	54A Anthony Street, Langwarrin 3910	Alterations to the building envelope and construction of one (1) single storey dwelling	20/02/2018
81/2018/P	North-East	58 Luscombe Avenue, Carrum Downs 3201	To construct one (1) single story dwelling to the rear of the existing dwelling (two (2) dwellings)	23/02/2018
90/2018/P	North-East	8 Lemnian Court, Langwarrin 3910	To construct one (1) single storey dwelling	26/02/2018
85/2018/P	North-East	7 Cicala Court, Langwarrin 3910	To construct one (1) single story dwelling	26/02/2018
87/2018/P	North-East	Factory 14/684-700 Frankston-Dandenong Road, Carrum Downs 3	Change of use	27/02/2018
89/2018/P	North-East	24 Barnett Avenue, CARRUM DOWNS 3201	To remove one (1) tree	27/02/2018
<b>North-East Ward Total - 16</b>				
52/2018/P	North-West	3/3 New Street, Frankston 3199	Change of use	2/02/2018
53/2018/P	North-West	1/151-153 Beach Street, Frankston 3199	To use land to sell and consume liquor (Restaurant and Cafe Liquor Licence)	6/02/2018
55/2018/P	North-West	1 & 2/39 Lorna Street, SEAFORD 3198	Two (2) lot subdivision	6/02/2018

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
60/2018/P	North-West	40 Karingal Drive, Frankston 3199	To construct two (2) double storey dwellings	8/02/2018
68/2018/P	North-West	25 Nepean Highway, Seaford 3198	To construct two (2) triple storey dwellings with basement carpark	13/02/2018
73/2018/P	North-West	8 Belvedere Road, Seaford 3198	To construct two (2) dwellings	15/02/2018
77/2018/P	North-West	43 Galway Street, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	20/02/2018
80/2018/P	North-West	112 Austin Road, Seaford 3198	Two (2) lot subdivision	20/02/2018
82/2018/P	North-West	20 Stephenson Road, Seaford 3198	Change of use	21/02/2018
13/2018/VS	North-West	18 McKenzie Street, Seaford 3198	Two (2) lot subdivision	21/02/2018
79/2018/P	North-West	11 Bouvardia Crescent, Frankston North 3200	Two (2) lot subdivision	21/02/2018
15/2018/VS	North-West	12-14 Rutherford Road, Seaford 3198	Additions to storage unit	27/02/2018
<b>North-West Ward Total - 12</b>				
10/2018/VS	South	61 Humphries Road, Frankston South 3199	To construct a front fence	1/02/2018
63/2018/P	South	6 Rosedale Grove, Frankston South 3199	Two (2) lot subdivision	6/02/2018
61/2018/P	South	31-33 Chetwyn Court, Frankston South 3199	To remove vegetation within the Significant Landscape Overlay (Schedule 3)	7/02/2018
56/2018/P	South	70 Blaxland Avenue, Frankston South 3199	Extension to an existing dwelling	8/02/2018
57/2018/P	South	3 Banool Court, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	12/02/2018
58/2018/P	South	Frankston Waterfront and Foreshore 3N Pier Promenade, Frankston	To remove vegetation in a Environmental Significance Overlay (to facilitate demolition of existing Public Toilet and to construct a new Public toilet)	12/02/2018
67/2018/P	South	38 Playne Street, Frankston 3199	Business Identification Signage	14/02/2018
71/2018/P	South	14 Bangalay Avenue, Frankston South 3199	Extension to an existing dwelling	15/02/2018
14/2018/VS	South	4 Kite Place, Langwarrin 3910	To remove one (1) tree	19/02/2018



<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
12/2018/VS	South	1 Kirkby Court, Frankston South 3199	To construct a detached outbuilding and extensions to the existing dwelling	20/02/2018
76/2018/P	South	24 Foot Street, Frankston 3199	To construct three (3) double storey dwellings	20/02/2018
84/2018/P	South	10 Milne Court, Langwarrin 3910	To construct one (1) single story dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	22/02/2018
83/2018/P	South	17 Fenton Crescent, Frankston South 3199	Extension to an existing dwelling	23/02/2018
88/2018/P	South	23 Hastings Road, Frankston 3199 25 Hastings Road, Frankston 3199 3/22 Clarendon Street, Frankston 3199	Re-subdivision of three (3) lots into two(2) lots	27/02/2018
86/2018/P	South	11 Peter Chance Crescent, Langwarrin 3910	To construct one (1) double storey dwelling	27/02/2018
<b>South Ward Total – 15</b>				

<b>Progress Report – Amendments to Planning Permits - Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
646/2015/P/E	North-East	81 Boundary Road, Carrum Downs 3201	Section 72 - To construct buildings and works in association with industry and a reduction in car parking requirements	2/02/2018
243/2017/P/B	North-East	23 Capital Place, Carrum Downs 3201	Secondary Consent - The construction of six (6) warehouses and a reduction in car parking	8/02/2018
376/2016/P/B	North-East	6 Eucalyptus Walk, Carrum Downs 3201	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings.)	12/02/2018
388/2014/P/B	North-East	281 Cranbourne-Frankston Road, Langwarrin 3910	Secondary consent - To construct eleven (11 ) dwellings (six (6) double storey dwellings and five (5) single storey dwellings)	13/02/2018
729/2011/P/B	North-East	Factory 18/684-700 Frankston-Dandenong Road, Carrum Downs 3	Section 72 - Food and Drink premises (cafe) and convenience shop and a reduction in the associated car parking spaces	13/02/2018
129/2015/P/A	North-East	10 Glazebury Court, Langwarrin 3910	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	14/02/2018
378/2012/P/G	North-East	11 Cedar Street, Langwarrin 3910	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (Two (2) dwellings)	18/02/2018
402/1998/P/C	North-East	20 Concord Crescent, Carrum Downs 3201	Secondary consent - Concrete panel manufacturing and storage	21/02/2018
667/2012/P/F	North-East	2, 4 & 6 Malibu Circuit, Carrum Downs 3201 43, 45 & 47 Yazaki Way, Carrum Downs 3201	Section 72 - Use as a store (fifty-seven (57) storage units) and to construct buildings and carry out works	23/02/2018
<b>North-East Ward Total – 9</b>				
99/2011/P/E	North-West	295 Frankston-Dandenong Road, Frankston North 3200	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling.	8/02/2018
313/2011/P/D	North-West	115 Rosemary Crescent, Frankston North 3200	Extension of time - Construction of a two storey dwelling to the rear of the existing dwelling (two (2) dwellings)	12/02/2018
583/2016/P/B	North-West	116 Austin Road, Seaford 3198	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	12/02/2018
708/2014/P/C	North-West	4 Gladwyn Avenue, Frankston 3199	Extension of time - To construct three (3) double storey dwellings	13/02/2018
132/2016/P/B	North-West	16 Chevron Court, Seaford 3198	Secondary consent - To construct two (2) double storey dwellings	20/02/2018

<b>Progress Report – Amendments to Planning Permits - Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
498/2010/P/G	North-West	171 & 171A Austin Road, Seaford 3198	Secondary consent - To construct internal rearrangement of the existing dwelling to create two (2) single storey dwellings.	21/02/2018
487/2014/P/B	North-West	9 & 11 Ebdale Street, Frankston 3199	Secondary consent - To construct one (1) double storey residential building (community care facility) containing twenty (20) lodging rooms	21/02/2018
532/2015/P/C	North-West	29 Lorna Street, Seaford 3198	Section 72 - To construct three (3) double storey dwellings	26/02/2018
376/2017/P/A	North-West	5 Margaret Avenue, Seaford 3198	Section 72 - Two (2) lot subdivision	26/02/2018
<b>North-West Ward Total - 9</b>				
416/2010/P/C	South	270 Robinsons Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and associated vegetation removal	1/02/2018
204/2015/P/C	South	92 Cranhaven Road, Langwarrin 3910	Secondary consent - To construct one (1) single storey dwelling to the side of the existing dwelling (two (2) dwellings)	2/02/2018
667/2014/P/C	South	20 Norman Avenue, Frankston South 3199	Secondary consent - To construct a double storey dwelling to the rear of the existing dwelling in a Design and Development Overlay (Do) (Two (2) dwellings) and removal of vegetation	5/02/2018
717/2011/P/E	South	1 Clyde Court, Frankston South 3199	Extension of time - The removal of vegetation and to construct a double storey dwelling	7/02/2018
616/2015/P/D	South	69 Coogee Avenue, Frankston 3199	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) & a two (2) lot subdivision	7/02/2018
680/2013/P/E	South	126 Williams Street, Frankston 3199	Section 72 - To construct four (4) double storey dwellings	7/02/2018
170/2015/P/C	South	16 Gweno Avenue, Frankston 3199	Extension of time - To construct three (3) double storey dwellings and subdivision of the land into three (3) lots	8/02/2018
55/2016/P/B	South	55 Humphries Road, Frankston South 3199	Secondary consent - To construct one (1) double carport, front fence and vegetation removal	8/02/2018
564/2015/P/A	South	39 Frome Avenue, Frankston 3199	Extension of time - Two (2) lot subdivision	12/02/2018
408/2016/P/B	South	1-3 Vera Street, Frankston 3199	Secondary consent - To use and develop the land for a Child Care Centre	12/02/2018

<b>Progress Report – Amendments to Planning Permits - Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
671/2011/P/F	South	4 Orchard Grove, Frankston South 3199	Extension of time - To construct four (4) double storey dwellings and the removal of vegetation	13/02/2018
604/2012/P/B	South	95 Cranhaven Road, Langwarrin 3910	Extension of time - To subdivide the land into eleven (11) lots, in two stages, associated works and removal of native vegetation	14/02/2018
98/2012/P/C	South	8 Culcairn Drive, FRANKSTON SOUTH 3199	Section 72 Amendment - The construction of two (2) double storey dwellings	15/02/2018
494/2012/P/F	South	44 Seaview Road, Frankston South 3199	Section 72 - The construction of a single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and buildings and works to the existing dwelling	20/02/2018
17/2016/P/A	South	515 Robinsons Road, Langwarrin 3910	Secondary consent - To construct a shed exceeding 100 square metres of total floor area	23/02/2018
394/2007/P/A	South	6 Leisureland Drive, Langwarrin 3910	Section 72 - Alterations and additions to an existing building and use of the building as a place of worship and community centre (place of assembly), and includes a caretaker's house, associated car parking and works in accordance with the submitted plans and supporting information	26/02/2018
<b>South Ward Total - 16</b>				

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>					
<b>Application</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
345/2017/P	North-East	469 North Road, Langwarrin 3910	To construct an outbuilding (shed) outside of the building envelope and to vary the boundary setback under the Design and Development Overlay Schedule 4 (DDO4).	Notice of Decision	2/02/2018
189/2016/P	North-East	1 Edward Street, Langwarrin 3910	To construct six (6) double storey dwellings	Permit Approved	6/02/2018
503/2017/P	North-East	6 Kingston Road, Langwarrin 3910	To construct an outbuilding	Permit Approved	6/02/2018
405/2017/P	North-East	6/14B Capital Place, Carrum Downs 3201	To use part of the existing building as a caretaker's house, associated works and reduction of car parking requirements	Application Refused	7/02/2018
118/2015/P/B	North-East	36 Lily Way, SKYE 3977	Section 72 - Nineteen (19) lot subdivision	Permit Approved	8/02/2018
331/2017/P	North-East	52 Edward Street, Langwarrin 3910	To construct two (2) dwelling to the rear of the existing dwelling (three (3) dwellings)	Notice of Decision	8/02/2018
359/2017/P/A	North-East	31 Boundary Road, Carrum Downs 3201	Section 72 To construct a warehouse and ancillary office - Delete conditions 1(a), 1(b) and modify 4(k)	Permit Approved	8/02/2018
360/2017/P/A	North-East	31 Boundary Road, Carrum Downs 3201	The construction of one warehouse with associated office and a reduction in car parking requirements at Clause 52.06	Permit Approved	8/02/2018
563/2017/P	North-East	12 Quarrion Drive, Carrum Downs 3201	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	FI Requested	8/02/2018
381/2017/P	North-East	16 William Road, Carrum Downs 3201	To construct two (2) single storey dwellings to the rear of the existing dwelling (three (3) dwellings)	Permit Approved	14/02/2018
367/2017/P	North-East	3 Kirribilli Close, Langwarrin 3910	Two (2) lot subdivision	Permit Approved	16/02/2018
488/2017/P	North-East	82 Southgateway, Langwarrin 3910	The construction of a single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	16/02/2018
327/2017/P	North-East	31 Boundary Road, Carrum Downs 3201	Use and development of the land for the purpose of 36 warehouses; Reduction in statutory car parking requirements; Removal of native vegetation; and Removal of an easement	Permit Approved	19/02/2018

Progress Report – Planning Application Decisions					
For The Application Date: From 1/02/2018 To 28/02/2018					
Application	Ward	Property Address	Application Description	Status	Date
376/2016/P/B	North-East	6 Eucalyptus Walk, Carrum Downs 3201	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings.)	Secondary Consent Approved	21/02/2018
527/2016/P/D	North-East	13 Gateway Drive, Carrum Downs 3201	Section 72 - To construct twenty-two (22) warehouses, ancillary offices, and reduction of the car parking requirements of Clause 52.06	Permit Approved	21/02/2018
243/2017/P/B	North-East	23 Capital Place, Carrum Downs 3201	Secondary Consent - The construction of six (6) warehouses and a reduction in car parking	Secondary Consent Approved	22/02/2018
320/2015/P/D	North-East	54 Access Way, Carrum Downs 170 Colemans Road, Carrum Downs	Secondary Consent - To construct, in stages, fifty-two (52) factories (18 factories to be used for warehouse and 34 factories to be used for industry) and a reduction in car parking requirements under Clause 52.06	Secondary Consent Approved	22/02/2018
520/2017/P	North-East	1195B Frankston-Dandenong Road, CARRUM DOWNS 3201	To remove one (1) tree (Tree 604) on lot 85	Permit Approved	22/02/2018
225/2017/P	North-East	McClelland Link 350M Cranbourne Road, Frankston 3199	To construct an Emergency Services Facility (Ambulance Station), vegetation removal, a two (2) lot subdivision and to create access to a Road Zone Category 1	Notice of Decision	23/02/2018
59/2018/P	North-East	15/2 Barton Drive, Sandhurst 3977	To construct an outdoor spa	No Permit Required	23/02/2018
452/2017/P	North-East	125 McKays Road, Langwarrin 3910	To construct an outbuilding to be used for wildlife foster caring and to remove vegetation	Permit Approved	27/02/2018
520/2017/P	North-East	1195B Frankston-Dandenong Road, Carrum Downs 3201	To remove one (1) tree (Tree 604) on lot 85	Permit Approved	27/02/2018
579/2017/P	North-East	8 Blue Wren Rise, Carrum Downs 3201	To construct one (1) single storey dwelling within the Bushfire Management Overlay (BMO)	Permit Approved	27/02/2018
554/2017/P	North-East	15 Lakewood Boulevard, Carrum Downs 3201	Construction of an extension to an existing warehouse	Report with Delegate	28/02/2018
587/2017/P	North-East	20 McKays Road, Langwarrin 3910	The construction of one (1) single storey dwelling	Permit Approved	28/02/2018
<b>North East Ward Total - 25</b>					

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>					
<b>Application</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
271/2017/P	North-West	6 Jolly Street, Frankston 3199	To construct three (3) double storey dwellings	Permit Approved	6/02/2018
329/2017/P	North-West	6 Stawell Street, Seaford 3198	To construct two (2) double storey dwellings to the rear of the existing dwelling (three(3) dwellings)	Under Appeal	6/02/2018
408/2017/P	North-West	1 Kananook Avenue, Seaford 3198	Two (2) lot subdivision	Permit Approved	6/02/2018
8/2018/VS	North-West	10 Mona Street, Seaford 3198	Two (2) lot subdivision	Permit Approved	6/02/2018
415/2017/P	North-West	407 Frankston-Dandenong Road, Frankston North 3200	The construction of two (2) double storey dwellings and alter the access to Road Zone Category 1	Notice of Decision	7/02/2018
531/2016/P	North-West	179 Nepean Highway, Seaford 3198	To construct four (4) triple storey dwellings and to alter access to a Road Zone Category 1	Notice of Decision	7/02/2018
38/2018/P	North-West	1-3 Overton Road, Seaford 3198	To construct a fence	Permit Approved	8/02/2018
20/2017/P	North-West	6-7 Apsley Place, Seaford 3198	An industry (manufacturing) use within 30 metres of a residential zone	Application Refused	9/02/2018
439/2017/P	North-West	7 Skye Road, FRANKSTON 3199	To remove native vegetation (one hundred and fifteen (115) trees)	Permit Approved	9/02/2018
635/2016/P/A	North-West	112 Austin Road, Seaford 3198	Condition 1 plans - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Application Withdrawn	12/02/2018
313/2017/P/A	North-West	8 Beach Grove, Seaford 3198	Secondary consent - To construct one (1) single storey dwelling within the LSIO	Secondary Consent Approved	13/02/2018
162/2017/P	North-West	13 Chicquita Avenue, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	14/02/2018
588/2017/P	North-West	55 Claude Street, Seaford 3198	To construct one (1) outbuilding in a Special Building Overlay	Permit Approved	14/02/2018
612/2016/P/A	North-West	35 Kareela Road, Frankston 3199	Section 72 - To construct one (1) single storey dwelling to the side of the existing dwelling (two (2) dwellings) and two (2) lot subdivision	Permit Approved	14/02/2018
269/2017/P	North-West	5 Lorraine Street, Frankston 3199	To construct three (3) double storey dwellings	Permit Approved	16/02/2018

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>					
<b>Application</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
7/2018/VS	North-West	1 Chevalier Place, Frankston 3199	To reduce the car parking requirement for a Medical Centre pursuant to Clause 52.06-3 of the Frankston Planning Scheme	Application Withdrawn	19/02/2018
334/2017/P	North-West	13 Windoo Street, Frankston North 3200	To construct three (3) double storey dwellings	Permit Approved	20/02/2018
31/2014/P/C	North-West	1 Coolibar Avenue, Seaford 3198	Extension of time - To construct two (2) double storey dwellings	Extension of Time Approved	21/02/2018
708/2014/P/C	North-West	4 Gladwyn Avenue, Frankston 3199	Extension of time - To construct three (3) double storey dwellings	Extension of Time Approved	22/02/2018
508/2017/P	North-West	15 Milne Avenue, Seaford 3198	To undertake buildings and works and to use the land for one (1) warehouse, alterations to an existing warehouse and a reduction in the car parking requirements of Clause 52.06 of the Frankston Planning Scheme.	Application Refused	27/02/2018
99/2011/P/E	North-West	295 Frankston-Dandenong Road, Frankston North 3200	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling.	Secondary Consent Approved	28/02/2018
<b>North-West Ward Total - 21</b>					
238/2017/P	South	1 Quail Place, Langwarrin 3910	Five (5) lot subdivision and vegetation removal	Notice of Decision	2/02/2018
372/2017/P	South	54 Fleetwood Crescent, Frankston South 3199	The construction of extensions to the existing dwelling.	Permit Approved	2/02/2018
248/2015/P/C	South	111 Cranbourne Road, Frankston 3199	Extension of time - Use of part of the existing Food Court building as a Childrens Entertainment Centre, building and works to extend the existing Food Court building, reduction of the car parking requirements for the restricted retail floor increase, installation of illuminated and non-illuminated business identification advertising signage	Extension of Time Approved	5/02/2018



Progress Report – Planning Application Decisions For The Application Date: From 1/02/2018 To 28/02/2018					
Application	Ward	Property Address	Application Description	Status	Date
544/2016/P	South	13 Fleetwood Lane, Frankston South 3199 52 & 54 Norman Avenue, Frankston South 3199	To use the land for three (3) dwellings and construct a three (3) storey building addition, construct additions to an existing shop and take away food premises, reduce the number of car parking spaces required (Clause 52.06-5), waive loading and unloading requirements (Clause 52.07) and bicycle facility requirements (Clause 52.34)	Permit Approved	6/02/2018
552/2017/P	South	30 Jamieson Court, Langwarrin 3910	To construct one (1) double storey dwelling and garage within the Bushfire Management Overlay (BMO)	Permit Approved	6/02/2018
553/2014/P/D	South	21 Warrandyte Road, Langwarrin 3910	Section 72 - To construct twelve (12) single storey dwellings and seventeen (17) double storey dwellings (twenty nine (29) dwellings) and vegetation removal in stages	Permit Approved	6/02/2018
600/2017/P	South	53 Nolan Street, Frankston 3199	Two (2) lot subdivision	Permit Approved	6/02/2018
131/2017/P	South	41 Hillcrest Road, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Report with Delegate	7/02/2018
149/2017/P	South	655 Robinsons Road, Langwarrin 3910	To construct an outbuilding (farm shed), home office (portable building) and pergola	Notice of Decision	8/02/2018
717/2011/P/E	South	1 Clyde Court, Frankston South 3199	Extension of time - The removal of vegetation and to construct a double storey dwelling	Extension of Time Approved	8/02/2018
138/2017/P/C	South	13 Foot Street, Frankston 3199	Condition 1 plans - To construct three (3) double storey dwellings	Application Withdrawn	12/02/2018
10/2018/VS	South	61 Humphries Road, Frankston South 3199	To construct a front fence	Permit Approved	13/02/2018
320/2014/P/E	South	17 Sanders Road, Frankston South 3199	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings), a two (2) lot subdivision, site coverage greater than 40% and the removal of substantial trees	Secondary Consent Approved	13/02/2018

Progress Report – Planning Application Decisions					
For The Application Date: From 1/02/2018 To 28/02/2018					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
535/2017/P	South	21 Jamieson Court, Langwarrin 3910	To construct one (1) single storey dwelling	Permit Approved	13/02/2018
10/2018/VS	South	61 Humphries Road, Frankston South 3199	To construct a front fence	Permit Approved	14/02/2018
120/2017/P	South	4 Golf Links Road, Frankston South 3199	To construct buildings and works for the redevelopment of an existing service station and car wash, display internally illuminated business identification signage, provide a drive through lane and window (cafe) at 4 Golf Links Road, Frankston South 3199	Permit Approved	14/02/2018
68/2014/P/D	South	184 North Road, Langwarrin 3910	Extension of time - Construction of twelve (12) dwellings on a lot in the General Residential Zone	Extension of Time Approved	14/02/2018
82/2016/P	South	46 Ithaca Road, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	14/02/2018
152/2016/P/C	South	3 Beach Street, Frankston 3199	Secondary consent - To use the ground floor level of the existing building on the land as Accommodation (Residential building) and associated buildings and works, and to exceed the 7m building height requirement of Design and Development Overlay Schedule 6	Secondary Consent Approved	16/02/2018
550/2017/P	South	BathingBox 47, Off Palm Court, Frankston 3199	Alterations to an existing boat shed (bathing box)	Permit Approved	16/02/2018
204/2015/P/C	South	92 Cranhaven Road, Langwarrin 3910	Secondary consent - To construct one (1) single storey dwelling to the side of the existing dwelling (two (2) dwellings)	Secondary Consent Approved	19/02/2018
328/2016/P	South	30 High Street, Frankston 3199	To construct five (5) double storey dwellings	Application Refused	20/02/2018
459/2017/P	South	34 Nirvana Close, Langwarrin South 3911	To construct a single dwelling	Application Lapsed	20/02/2018
505/2017/P	South	94 Heatherhill Road, Frankston 3199	Two (2) lot subdivision	Permit Approved	20/02/2018
9/2018/VS	South	291 Humphries Road, Frankston South 3199	To construct a shed within a Design and Development Overlay Schedule 1(DDO1)	Permit Approved	20/02/2018

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>					
<b>Application</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
98/2012/P/C	South	8 Culcairn Drive, Frankston South 3199	Section 72 Amendment - The construction of two (2) double storey dwellings	Permit Approved	20/02/2018
170/2015/P/C	South	16 Gweno Avenue, Frankston 3199	Extension of time - To construct three (3) double storey dwellings and subdivision of the land into three (3) lots	Extension of Time Approved	21/02/2018
616/2015/P/D	South	69 Coogee Avenue, Frankston 3199	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) & a two (2) lot subdivision	Extension of Time Approved	21/02/2018
717/2011/P/D	South	1 Clyde Court, Frankston South 3199	Section 72 Amendment - The removal of vegetation and to construct a double storey dwelling  To amend the permit by: Constructing a different double storey dwelling from the previous approval under the permit	Notice of Decision	21/02/2018
97/2011/P/D	South	108 Kars Street, Frankston South 3199	Section 72 amendment - To construct four (4) double storey dwellings	Permit Approved	21/02/2018
43/2018/P	South	454-472 Nepean Highway, Frankston 3199	Business identification signage	Permit Approved	23/02/2018
54/2013/P/A	South	22 Seaview Road, Frankston South 3199	Section 72 - Construction of a double storey dwelling to the rear of the existing dwelling and extensions to the existing dwelling (two dwellings) in accordance with the endorsed plans	Permit Approved	23/02/2018
573/2017/P	South	3 Rushmere Court, Langwarrin South 3911	To construct a shipping container	Application Lapsed	26/02/2018
486/2017/P	South	19 Altarnun Road, Langwarrin 3910	The construction of one (1) outbuilding	Permit Approved	27/02/2018
511/2013/P/B	South	132 Williams Street, Frankston 3199	Secondary consent - To construct two (2) single storey dwellings to the rear of the existing dwelling (three (3) dwellings)	Secondary Consent Approved	27/02/2018
671/2011/P/F	South	4 Orchard Grove, Frankston South 3199	Extension of time - To construct four (4) double storey dwellings and the removal of vegetation	Extension of Time Approved	27/02/2018

Progress Report – Planning Application Decisions For The Application Date: From 1/02/2018 To 28/02/2018					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
311/2017/P	South	57 Bayview Road, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	28/02/2018
318/2017/P	South	55 Lawson Avenue, Frankston South 3199	Two (2) lot subdivision	Permit Approved	28/02/2018
South Ward Totals – 38					

<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
11/2018/S	North-East	7 Silkwood Rise, Carrum Downs 3201	Re subdivide three (3) lots into two (2) lots	1/02/2018
13/2018/S	North-East	250 Wedge Road, Skye 3977	Two (2) lot subdivision	6/02/2018
19/2018/S	North-East	31 Edward Street, Langwarrin 3910	Three (3) lot subdivision	12/02/2018
20/2018/S	North-East	1 Broderick Road, Carrum Downs 3201	Two (2) lot subdivision	13/02/2018
21/2018/S	North-East	87 Clifton Grove, Carrum Downs 3201	To subdivide the land into twenty seven (27) lots and removal of drainage easement	14/02/2018
17/2018/S	North-West	1/39 Lorna Street, Seaford 3198	Two (2) lot subdivision	5/02/2018
17/2018/S	North-West	2/39 Lorna Street, Seaford 3198	Two (2) lot subdivision	5/02/2018
24/2018/S	North-West	112 Austin Road, Seaford 3198	Two (2) lot subdivision	20/02/2018
22/2018/S	North-West	11 Bouvardia Crescent, Frankston North 3200	Two (2) lot subdivision	21/02/2018
23/2018/S	North-West	18 McKenzie Street, Seaford 3198	Two (2) lot subdivision	22/02/2018
18/2018/S	South	6 Rosedale Grove, Frankston South 3199	Two (2) lot subdivision	6/02/2018
25/2018/S	South	25 Hastings Road, Frankston 3199 3/22 Clarendon Street, Frankston 3199	Three (3) lot subdivision	27/02/2018

Progress Report – Subdivision Decisions					
For The Application Date: From 1/02/2018 To 28/02/2018					
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
147/2016/S	South	30 Violet Street, Frankston South 3199	Two (2) lot subdivision	SOC Issued (M)	28/02/2018
152/2016/S	South	54 Norman Avenue, Frankston South 3199	Two (2) lot subdivision	Certification and SOC Issued	13/02/2018
93/2017/S	North-East	13 Gateway Drive, CARRUM DOWNS 3201	Twenty two (22) lot subdivision	Certification and SOC Issued	20/02/2018
156/2016/S	North-West	23 Brunnings Road, Carrum Downs 3201	Eighteen (18) lot subdivision	SOC Issued (M)	20/02/2018
66/2017/S	North-East	4 Bainbridge Court, Carrum Downs 3201	Two (2) lot subdivision	SOC Issued (M)	13/02/2018
63/2017/S	North-East	7 Ash Grove South, LANGWARRIN 3910	Two (2) lot subdivision	SOC Issued (M)	13/02/2018
41/2014/S	North-West	83 East Road, SEAFORD 3198	Three (3) lot subdivision	SOC Issued (M)	13/02/2018
73/2017/S	North-East	26 Quarrion Drive, Carrum Downs 3201	Two (2) lot subdivision	SOC Issued (M)	13/02/2018

<b>Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2018 To 28/02/2018</b>				
<b><u>Application No</u></b>	<b><u>Property Address</u></b>	<b><u>Ward</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
36/2017/P	5 & 7 Queen Street, Frankston 3199	North-West	To construct four (4) double storey dwellings	5 February 2018 - 22 February 2018
247/2016/P	30 Queen Street, Frankston 3199	North-West	To construct two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings)	5 February 2018 - 22 February 2018
142/2009/P/B	160 Beach Street, Frankston 3199	South	Section 72 - Use of the land as a Food and Drink premises (Restaurant) and associated Liquor License (On Premises License) and a reduction in the Car Parking requirements of the Frankston Planning Scheme to amend the permit by: <ul style="list-style-type: none"> <li>• Increasing the licenced area</li> <li>• Amending Condition 6 of the permit to increase the maximum number of patrons to 120</li> <li>• An additional reduction in the number of car spaces required under Clause 52.06 of the Frankston Planning Scheme</li> </ul>	5 February 2018 - 22 February 2018
585/2017/P	44 Bergman Road, Langwarrin 3910	South	To construct one (1) outbuilding and to use the outbuilding as a store	8 February 2018 - 26 February 2018
477/2017/P	25 Donald Road, Langwarrin 3910	South	To construct a dependent persons unit, the construction of outbuildings, buildings and works under the SLO1 and a Home Occupation (retrospective use/works).	8 February 2018 - 26 February 2018
276/2017/P	18 Yamala Drive, Frankston South 3199	South	To construct a replacement bridge, a 1m high retaining wall and associated works within a carriageway easement to allow access for a light recreation vehicle; and removal of two trees	8 February 2018 - 26 February 2018
533/2017/P	159 Kars Street, Frankston South 3199	South	Extension to an existing dwelling	8 February 2018 - 26 February 2018

Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2018 To 28/02/2018				
420/2017/P	42 Nepean Hwy Seaford	North-West	To construct eight (8) triple storey dwellings	12 February 2018 – 1 March 2018
19/2018/P	18 Dorchester Cres Carrum Downs	North-East	To construct one double storey dwelling to the front of existing dwelling (two (2) dwellings)	15 February 2018 – 5 March 2018
507/2017/P	155 Potts Rd Langwarrin	North-East	Use and building and works to construct one (1) double storey dwelling, bed and breakfast accommodation for maximum of 20 people and one (1) outbuilding (existing) exceeding 100m2 for use of storage.	15 February 2018 – 5 March 2018
425/2017/P	303 Nepean Hwy Frankston 2 Rosella St Frankston	North-West	The Use and Development (Child Care Centre) of a three (3) storey building and alterations to access to a road in a Road Zone Category 1	15 February 2018 – 5 March 2018
21/2018/P	3 Tilia Court Frankston North	North-West	To construct one (1) double storey dwelling to rear of existing dwelling (two (2) dwellings)	15 February 2018 – 5 March 2018
592/2017/P	50 Access Way Carrum Downs	North-East	The use and development of the land for two (2) factories/warehouses and associated offices	15 February 2018 – 5 March 2018
53/2018/P	1/151-153 Beach St Frankston	North-West	To use land to sell and consume liquor (Restaurant and Cafe Liquor Licence)	19 February 2018 – 8 March 2018
565/2017/P	95 Humphries Road Frankston South	South	To construct one (1) double storey dwelling and vegetation removal	19 February 2018 – 8 March 2018
451/2017/P	35 Derinya Drive Frankston South	South	Extension to existing dwelling & removal of vegetation	19 February 2018 – 8 March 2018
362/2017/P	1195B Frankston-Dandenong Rd Carrum Downs	North-East	To construct seven (7) double storey dwellings and the removal of one (1) tree on Lot 217 (Tree No. 627) within Stage 6 of the Wattlewood Estate	22 February 2018 – 12 March 2018
465/2017/P	7 Moresby Ave Seaford 3198	North-West	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	22 February 2018 – 12 March 2018
551/2017/P	30 Parer Street, Frankston 3199	North-West	To construct three (3) double storey dwellings	22 February 2018 – 12 March 2018



<b>Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2018 To 28/02/2018</b>				
589/2017/P	9 Queen Street, Frankston 3199	North-West	To construct three (3) double storey dwellings	26 February 2018 – 15 March 2018
418/2017/P	2 Woodlea Court, Frankston 3199	North-West	Four (4) double storey dwelling	26 February 2018 – 15 March 2018

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1454/2017	586/2016/P	23 Coogee Ave Frankston	To modify the Restrictive Covenant contained in Instrument of Transfer 1306858 dated 3 April 1924 to delete the wording: "and will not at any time hereafter erect or allow to be erected more than one private dwelling on either of the said lots hereby transferred, and the building line of any such dwelling to be erected shall not be less than Thirty five feet distant from the Street or Road facing which it is to be erected" and replace with wording "will not erect or allow to be erected on the said lot works of any kind whatsoever other than three private dwellings on the said lot hereby transferred and the building line of any such dwelling to be erected shall not be less than the local authority approved distance from the street or road facing which it is to be erected"	11-Jul-17	Refusal	Refusal to grant a permit	28-May-18		
P1401/2017	323/2016/P	8 Valley Road Langwarrin	To use and develop the land for one (1) double storey dwelling, garage, outbuilding and native vegetation removal	29-Jun-17	Refusal	Refusal to grant a permit	11-Dec-17		

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1777/2017	109/2017/P	4 Plowman Place Frankston	To use and construct a nine (9) storey building containing fifty six (56) dwellings and to reduce the car parking requirements of Clause 52.06 of the Frankston Planning Scheme by 5 visitor spaces	14-Aug-17	Refusal	Refusal to grant a permit	18-Dec-17		
P1778/2017	630/2016/P	3 Plowman Place Frankston	To use and construct a nine (9) storey building containing fifty six (56) dwellings and to reduce the car parking requirements of Clause 52.06 of the Frankston Planning Scheme by 5 visitor spaces	14-Aug-17	Refusal	Refusal to grant a permit	18-Dec-17		
P1758/2017	202/2017/P	17 Madisson Crescent Carrum Downs	To construct six (6) double storey dwellings and a six (6) lot subdivision	07-Aug-17	NA	Failure to determine	09-Feb-18		
P1343/2017	398/2016/P	22 Rutherford Road Seaford	To carry out works (installing bowsers) to a service station	07-Jul-17	Refusal	Refusal to grant a permit	19-Dec-17	Permit Approved	31-Jan-18
P1662/2017	206/2016/P	4 Dingle Avenue Frankston	Construction of double storey dwellings and waiving of visitor parking	1-Aug-17	NA	Amendment to Planning permit	01-Feb-18		
P1198/2017	156/213/P/B	446-450 Nepean Highway Frankston	To construct four (4) double storey dwellings	16-Aug-17	Refusal	Refusal to Extend Time	09-Feb-18		
P1879/2017	499/2016/P	11 Screen Street Frankston	To construct three (3) double storey dwellings	23-Aug-17	Refusal	Refusal to grant a permit	12-Feb-18	Permit Approved	12-Feb-18

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1876/2017	505/2016/P	67 Lawson Avenue Frankston South	To construct two (2) double storey dwellings	22-Aug-17	Refusal	Refusal to grant a permit	19-Feb-18	Permit Approved	01-Mar-18
P1807/2017	156/2013/P/B	446-450 Nepean Hwy Frankston	Extension of time - To develop an eleven (11) storey office, retail and residential building, alteration of access to a road in a Road Zone Category 1, and reduction of car parking spaces and loading / unloading facilities at 446, 448, 448A and 450 Nepean Highway, Frankston	16-Aug-17	Refusal	Refusal to Extend Time	09-Feb-18		
P2034/2017	76/2017/P	11 Fitzroy Avenue, Frankston 3199	To construct one (1) three storey dwelling	08-Sep-17	NOD	Appeal against conditions	21-Feb-18	Permit Approved	02-Mar-18
P2093/2017	537/2016/P	132 Nepean Highway, Seaford 3198	To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)	21-Aug-17	permit	Appeal against conditions	20-Mar-18		
P2120/2017	171/2017/P	6 Dianella Court, Frankston 3199	To use the site for Home Occupation (swim school) and the erection of Home Occupation signage	22-Sep-17	Refusal	Refusal to grant a permit	26-Mar-18		
P1646/2017	59/2017/P	8 Idon Avenue, Frankston South 3199	Construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and for a two (2) lot subdivision	16-Oct-17	Refusal	Refusal to grant a permit	3-Apr-18		
P2363/2017	99/2017/P	74 Gould Street Frankston	To construct two (2) triple storey dwellings	16-Oct-17	Not yet Determined	Failure to determine	28-May-18		

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1662/2017	206/2016/P/A	4 Dingle Avenue, Frankston 3199	To construct a three (3) storey building containing eight (8) dwellings and reduction of visitor car	16-Oct-17	Not yet Determined	Appeal against conditions	01-Feb-18		
P2438/2017	200/2017/P	57 Alicudi Avenue Frankston South	Seven (7) lot subdivision and vegetation removal	30-Oct-17	Not yet Determined	Failure to determine	05-Apr-18		
P2653/2017	133/2017/P	1 Hall Road Carrum Downs	Use and develop the land for a 24 hour service station incorporating a convenience store, drive through Restaurant, 2 Food and Drink Premises, associated carparking, variation to the crossover widths required by Clause 52.12 and internally illuminated advertising signage	20-Nov-217	Not yet Determined	Failure to determine	30-Apr-18		
P2465/2017	435/2016/P	1 Vinnys Court Langwarrin	To construct fifteen (15) double storey dwellings and retention of the existing dwelling (sixteen (16) dwellings)	30-Nov-17	Refusal	Refusal to grant a permit	08-May-18		
P2707/2017	481/2016/P	634A and 634B Nepean Highway Frankston South	The (re)Subdivision of the Land into 2 Lots and Road	29-Nov-17	Notice of Decision	Decision to grant a permit	28-May-18		
P2716/2017	136/2017/P	24 Lee Street Frankston	To construct nine (9) double storey dwellings	29-Nov-17	Refusal	Refusal to grant a permit	05-Jun-18		

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1401/2017	323/2016/P	8 Valley road Langwarrin	To use and develop the land for one (1) double storey dwelling, garage, outbuilding, and native vegetation removal	21-Jun-17	Refusal	Refusal to grant a permit	8-Apr-18 and 19-Apr-18		
P2868/2017	467/2016/P	28 Screen Street Frankston	To construct eight (8) double storey dwellings and removal of vegetation	18-Dec-17	Not yet Determined	Failure to determine	29-Jun-18		
P2938/2017	301/2017/P	68-74 Potts Road Langwarrin	To construct a residential aged care facility (one hundred and forty four (144) bed), removal of native vegetation and variation of easement	21-Dec-17	Refusal	Refusal to grant a permit	21-May-18		
P3007/2017	228/2017/P	9 Parwan Court Frankston	To construct two (2) double storey dwellings	28-Dec-17	Not yet Determined	Failure to determine	09-Jul-18		
P2973/2017	251/2017/P	4-5 Railway Parade Seaford	To construct four (4) double storey dwellings and four (4) lot subdivision	22-Dec-17	Refusal	Refusal to grant a permit			
P6/2018	327/2017/P	31 Boundary Road Carrum Downs	To construct a warehouse with ancillary offices and removal of easement	2-Jan-18	Not yet Determined	Failure to determine	16-Feb-18	Permit Approved	19-Feb-18
P2928/2017	481/2016/P	634A and 634B Nepean Highway Frankston South	The (re)Subdivision of the Land into 2 Lots and Road	29-Dec-17	Notice of Decision	Decision to grant a permit	28-May-18		
P2929/2017	481/2016/P	616 Nepean Highway Frankston	The (re)Subdivision of the Land into 2 Lots and Road	21-Dec-17	Notice of Decision	Decision to grant a permit	28-May-18		

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P2893/2017	546/2014/P	4 Clyde Street Mall Frankston	To use and develop the land for a five (5) storey building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking	1-Dec-17	Approval	Failure to determine amending plans	05-Mar-18		
P45/2018	226/2017/P	45 Kenilworth Ave Frankston	To construct four (4) double storey dwellings	9/01/2018	Refusal	Refusal to grant a permit	16-Jul-18		
P1614/2017	301/2016/p	200 Karingal Drive Frankston	Building and works to modify the existing building for a Medical centre and reduction of car parking requirement	order date 24 Jan 2018	NOD/Permit	To consider reinstatement of the application for review	02-Feb-18	Refused	5-Feb-18
P179/2018	395/2017/P	100 McMahons Road Frankston	To construct two (2) double storey dwellings	25-Jan-18	Refusal	Refusal to grant a permit	30-Jul-18		
P199/2018	936/2005/P	12 Hi-Tech Place Seaford	Two (2) storey office and warehouse development	26-Jan-18	Approval	Appeal against conditions	07-Aug-18		
P37/2018	513/2017/P	155 Potts Road Langwarrin	Use and development of the land for the purpose of a market (farmer's market) and reduction of car parking spaces.	27-Dec-17	Not yet Determined	Failure to determine	02-Aug-18		
P306/2018	51/2017/P	610 Robinsons Rd Langwarrin South	Use and building and works to construct one (1) single storey dwelling, an outbuilding and removal of vegetation.	16/02/2018	Notice of Decision	Decision to grant a permit	16-Aug-18		

Progress Report – Current VCAT Appeals February 2018									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P271/2018	329/2017/P	6 Stawell Street Seaford	To construct two (2) double storey dwellings to the rear of the existing dwelling (three(3) dwellings)	12-Feb-18	Refusal	Refusal to grant a permit	17-Aug-18		
P298/2018	249/2017/P	24-32 Moorooduc Highway Frankston South	Use and development of a retirement village, alter access to a road in a Road Zone category 1, removal of substantial vegetation and to erect and display advertising signage.	23-Feb-18	Refusal	Refusal to grant a permit	16, 17, 18 and 20 Jul 2018		
P325/2018	358/2017/P	218 Heatherhill Road Frankston	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	19-Feb-18	Notice of Decision	Decision to grant a permit	24-Aug-18		



Progress Report – VCAT Determination – Policy Implications February 2018			
<u>Appeal No</u>	<u>Application No</u>	<u>Address (Ward)</u>	<u>VCAT Determination – Policy Implications</u>  <u>January 2018</u>
<u>P1879/2017</u>	<u>499/2016/P</u>	<u>11 Screen Street, Frankston</u>	The applicant sought permission to construct 3 double storey dwellings. Council refused to grant a permit on grounds relating to neighbourhood character and amenity impacts. The VCAT considered a landscape plan supplied at the hearing and concluded that the proposed development was appropriate for the area and would not unreasonably impact upon neighbours.
<u>P6/2018</u>	<u>327/2017P</u>	<u>31 Boundary Road, Carrum Downs</u>	The applicant had sought permission to construct 36 warehouses. Council and the applicant reached a consent position prior to the hearing, enabling a permit to be issued by consent.
<u>P1614/2017</u>	<u>301/2016/P</u>	<u>200 Karingal Drive, Frankston</u>	This matter had been previously determined by the VCAT in the absence of the applicant for review. The applicant for review sought to re-open the order, however the VCAT, having heard from the parties, declined to do so.

<b>Strategic Unit - Planning Scheme Amendments – February 2018</b>				
<b><u>Amendment</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Status</u></b>	<b><u>Status Date</u></b>
C103	160 Potts Road	Amending the DPO	Seeking authorisation from Minister to prepare and exhibit amendment	31 January 2018
C105	Health & Education precinct	Student Accommodation Policy	Deferred. Will a following on project after the Housing Strategy Amendment Exhibition	31 January 2018
C111	Frankston City Car Parking Overlay	Implement a parking overlay over the FMAC	Independent Panel report received 03/11/17. Recommends approving amendment. Briefing to Councillors in late April 2018. Present to May 2018 Council Meeting.	31 January 2018
C123	Frankston MAC	Implements the recommendations of the Frankston MAC Structure Plan	Panel hearing conducted 16/11/16. Panel report received 7/12/16. Panel recommended approval of amendment. Council deferred approving amendment at 1 May Council Meeting so as Officers could prepare Illustrative Guideline Document. Guideline document prepared and placed on Council website for comment. Present to March 2018 Council Meeting.	31 January 2018
C124	Frankston MAC (balance)	Implements the recommendations of the Frankston MAC Structure Plan for areas other than city centre.	Public exhibition ended 22 December 2017. Presented to Jan 2018 Council Meeting and progressed to a Panel Hearing to resolve submissions in April 2018	31 January 2018

## Executive Summary

### 12.1 Resolution Progress Update

*Enquiries: (Michael Craighead: Corporate Development)*

#### Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.3 Continue to build organisational capability and a customer service culture

#### **Purpose**

To update and brief Council on the current status of resolutions.

#### **Recommendation (Director Corporate Development)**

That Council:

1. Receives the Notices of Motion Report as at 3 April 2018.
2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
  - NOM 1226 - Seaford Football Club
  - NOM 1316 - Frankston Ambassador
  - NOM 1377 - McClelland Gallery
  - NOM 1382 - Increased Community Gardens in Frankston City
  - NOM 1389 - Ballam Park Precinct Improvements
  - NOM 1390 - Exploration of Local Laws
  - 2018/NOM 2 - Election Advocacy
  - 2018/NOM10 - Federal Advocacy
  - 2018/NOM11 - Community Safety
3. Notes that since 13 March 2018, 33 resolutions have been completed, as detailed in the Notices of Motion Report.
4. Notes that at this point in time all resolutions are on track for their expected due dates.

#### **Key Points / Issues**

- At the Ordinary Council Meeting OM295 held on 19 December 2016, Council resolved that;

*“That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council’s resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).”*

**12.1 Resolution Progress Update****Executive Summary**

- The Notices of Motion Report as at 3 April 2018 is attached and will continue to be updated and reported at each Ordinary Council Meeting.
- The following 9 Notices of Motion actions are reported as 'complete' and are proposed to be archived from the document:
  - NOM 1226 - Seaford Football Club
  - NOM 1316 - Frankston Ambassador
  - NOM 1377 - McClelland Gallery
  - NOM 1382 - Increased Community Gardens in Frankston City
  - NOM 1389 - Ballam Park Precinct Improvements
  - NOM 1390 - Exploration of Local Laws
  - 2018/NOM 2 - Election Advocacy
  - 2018/NOM10 - Federal Advocacy
  - 2018/NOM11 - Community Safety
- Since 13 March 2018, the following 33 resolution actions have been reported as 'complete':
  - Footpath along Liddesdale Avenue
  - Improving transparency of Council - Live streaming of Council meetings
  - Interim Parking Options for PARC
  - Councillor Training
  - Urgent Business - Electrification of Rail Network to Baxter
  - Capital Works Annual Report for 2016/17
  - Councillor Training Funding
  - Erosion Management Overlay - Data Collection in the Olivers Hill Area - OM237 - 21 January 2013
  - Appointment and Authorisation of Council Staff
  - NDIS Registration
  - Response to NOM 1373 - Funds from Trader's Assistance Package
  - Councillor Training and Development Policy
  - South East Councils Climate Change Alliance (SECCCA) membership
  - 2017-2018 Mid-Year Budget Review
  - Submission - Review of the Residential Aged Care Facility Reforms
  - Response to NOM 1380 - Adding Value to Rates
  - 2017-2018 Mid-Year Budget Review
  - Commercial Foreshore Parking Permits
  - Audit and Risk Management Committee – Chairperson's Annual Report to Council
  - Peninsula Leisure Pty Ltd Company Matters

**12.1 Resolution Progress Update****Executive Summary**

- Town Planning Application 393/2017/P - 47 Dandenong Road East, Frankston, 3199 - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)
- December 2017 Quarterly Council Plan Performance Report
- December 2017 Quarterly Financial Report
- South East Councils Climate Change Alliance (SECCCA) membership
- Centralised Annual Valuations for Victoria
- Capital Works Program Management
- Capital Works Quarterly Report - Q2 - October - December 2017/18
- Review of Occupancy Fees for Council Owned Public Space
- 2018/NOM5 - Rescission Motion - Commercial Foreshore Parking Permits
- Urgent Business - Public Transport Deficiencies
- Appointment of Chairperson to the Audit and Risk Management Committee
- Outcomes of the Audit and Risk Management Committee meetings
- Award of Contract 2017/18-55 – Centenary Park Multipurpose Sporting Complex Design Services

**Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

**Consultation****1. External Stakeholders**

Nil.

**2. Other Stakeholders**

Nil.

**12.1 Resolution Progress Update****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

Making the written records available may provide some confidence regarding transparency in decision making, and is in keeping with best practice advice from the Victorian Ombudsman.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Nil.

Policy Impacts

There is no impact on Council policies.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

There is no risk associated with this report.

**Conclusion**

The purpose of this report is to brief and update Council on the implementation and status of resolutions including Notices of Motion. Council Officers are continuously working to implement a range of Council resolutions and in addition to noting the work completed, it is recommended that the Notices of Motion as listed within this report now be archived.

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**ATTACHMENTS**

- Attachment A: [↓](#) Notices of Motion Cost Summary as at 3 April 2018  
Attachment B: [↓](#) Notices of Motion as at 3 April 2018  
Attachment C: [⇒](#) Notices of Motion Confidential as at 3 April 2018 (*Under Separate Cover*)

**Notice of Motions Estimated Costs  
 By Councillor  
 2016 – 2020 Term**

**Table 1**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost
Cr Cunial	7	\$4,649	\$500	\$190,500
Cr McCormack	10	\$4,260	\$0	\$135,000
Cr Toms	22	\$3,577	\$0	\$60,000
Cr Aitken	24	\$9,654	\$0	\$55,000
Cr Bolam	61	\$18,912	\$10,000	\$149,000
Cr O'Connor	17	\$2,980	\$0	\$163
Cr Mayer	3	\$2,450	\$0	\$66,000
Cr Hampton	16	\$6,944	\$3,750	\$0
Cr O'Reilly	1	\$0	\$0	\$0
<b>TOTAL</b>	<b>161</b>	<b>\$ 53,426</b>	<b>\$ 14,250</b>	<b>\$ 655,663</b>

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
30-Jan-17	13.8	NOM 1265 - Cleanliness of Frankston City Cr Bolam	<p>Council Decision: Moved: Bolam Seconded: Aitken</p> <p>To ensure the cleanliness of our streets, parks and reserves – Council resolves that the following measures occur:</p> <ol style="list-style-type: none"> <li>1. That the CEO reviews the management of the cleaning maintenance of all council land and presents a maintenance model to Council's satisfaction in May 2017. The model must ensure Council land is maintained to an agreed service level which also includes random audits against the service levels.</li> <li>2. That a letter be sent to Frankston MP, Mr Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of land belonging to VicRoads in the Frankston LGA. The letter outline the proposal of a pilot project between Council and VicRoads to implement a cleaning maintenance program at an appropriate and similar service level to that endorsed by Council as a consequence of the maintenance service review and further, the council undertake maintenance works on their behalf on the proviso that VicRoads be invoiced for services rendered.</li> <li>3. That a letter be sent to Frankston MP Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of VicTrack land and that Council, should there be no improvements by May 2017, considers it option to pursue issuing infringement notices for unsightly land under the General Local Law No. 8.</li> <li>4. That the outcome of the responses from VicRoads, VicTrack and the State Government be included in the report to council in May 2017. If the responses are not to the satisfaction of council it considers options including a public campaign to State Government to compel VicRoads and or VicTrack to improve its cleaning regime on the land for which they are responsible.</li> <li>5. That a 'rapid response' team be established to improve responsiveness to community requests for maintenance of a reactive nature. Such a team would be able to respond to reactive requests quickly, which in turn would ensure programmed maintenance activities remain on track. The team also report any unsightly private land to Council's Authorised Officers for follow up investigation and infringement.</li> <li>6. It be noted that council formally impounds abandoned trolleys found on council/common land under the appropriate subject to General Local Law Number 8. Council officers are to seek formal Australian Tax Office advice to assess Council's ability to 'donate' a proportion of shopping trolley impound and or release fees to the Frankston Charitable Fund and include the advice in the May 2017 report to Council.</li> <li>7. That state legislative provisions to curtail rubbish dumping outside private properties are included in the May 2017 report. If considered necessary recommendations regarding the need for further legislative change also be included.</li> <li>8. That a detailed letter be prepared and included in the next rates notice to all property owners on the rates register to remind them of the council's expectations that they ensure no rubbish is placed the nature strip outside of the provisions for hard waste collections.</li> <li>9. That officers improve and provide a supportive customer service response to public reports of dumped rubbish and abandoned shopping trolleys and this also be considered in the May 2017 report.</li> <li>10. The document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" (Seiffert, B. 2017) also be considered in the May 2017 report to Council.</li> </ol> <p>CARRIED UNANIMOUSLY</p>	Gill Kay	<p>19 March 2018 - A further briefing will be presented to councillors 28/03/2018.</p> <p>15 January 2018 - Deferred at a meeting in December until February/March 2018.</p> <p>31 October 2017 - The report is scheduled for a Councillor briefing 4/12/17</p> <p>02 October 2017 - Report was considered back to Council at its 25 September 2017 meeting. Was deferred.</p> <p>11 September 2017 - Response to NOM1265 is going to Council on 25 September 2017.</p> <p>31 July 2017 - A briefing has been scheduled for 21/8. A further report will come back to Council OM 4/9</p> <p>19 July 2017 - Additional staff member has been appointed to address the trolley issues. Outcome cost added.</p> <p>10 July 2017 - A meeting has been scheduled on 13/07/2017 with Councillor Bolam and Mr Seiffert to discuss his recommended initiatives.</p> <p>21 June 2017 - A meeting has been sought with VicTrack and VicRoads to discuss maintenance. A separate meeting has been arranged with Councillor Bolam and Mr Seiffert to discuss his recommended initiatives.</p> <p>20 June 2017 - A report was provided to 22 May OM and deferred until September for further information</p> <p>13 June 2017 - Report deferred for further discussion with Cr Bolam.</p> <p>01 June 2017 - Action reassigned to Gillian Kay by Andrea Gaynor</p> <p>22 May 2017 - Report submitted to this meeting.</p> <p>1 May 2017 - Council Report will be provided to 22 May 2017.</p> <p>3 April 2017 Council report will be provided to May 2017 meeting.</p> <p>21 Feb 2017 -</p> <ol style="list-style-type: none"> <li>1. Noted - a report will be prepared</li> <li>2. A letter has been sent.</li> <li>3. A letter has been sent.</li> <li>4. Noted</li> <li>5. A Rapid Response Team had been established by the time of the January OM.</li> <li>6. Advice from the ATO has been sought.</li> <li>7. Noted</li> <li>8. Finance Department has been requested to include a reminder in the next rates notices.</li> <li>9. Officers have been requested to revise advice to customers.</li> <li>10. A copy of the document has been requested.</li> </ol>	<p>Primary Cost: \$4,412.75 (staff cost of \$1,452 removed)</p>
22-May-17	13.7	NOM 1318 - Metropolitan Waste and Resource Recovery Group Cr Hampton	<p>Moved: Councillor Hampton Seconded: Councillor Aitken</p> <p>That Council formally endorse the Notice of Motion carried at last meeting of the Metropolitan Waste and Resource and Recovery Group (MWRRG) which read as follows:</p> <p>"That the MWRRG write to the Minister for Energy, Environment and Climate Change and Shadow Minister for Energy and Resources requesting that funding generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purpose for which the Levy was introduced and raising concerns with the Levy funds being allocated to supplement Park Victoria initiatives not related to the purpose of the Levy"</p> <p>Also forward to the MWRRG this endorsement along with all the amounts of money collected by this Council and which has been passed on to the State Government over the last 10 years from the Levy and what this Council has received back from the Government in programs associated directly with this Levy over this same period."</p> <p>Carried Unanimously</p>	Bruce Howden	<p>15 January 2018 - Request MWRRG to provide date when letter was sent to Minister as outlined in Nov 2017 Waste Forum and any response received.</p> <p>27 November 2017 - In November Waste forum meeting MWRRG reported that the Forum is writing to Minister D'Ambrosio advocating for additional Sustainability Fund investment and will include the position paper which outlined the process for prioritising funding from workshop in Sept.</p> <p>10 July 2017 - Letter from Mayor has been sent to MWRRG.</p> <p>20 June 2017 - The letter to MWRRG has been drafted and provided to Cr Hampton for any additional changes/inclusions. The letter will be finalised and sent out week commencing 19/6/17.</p> <p>13 June 2017 - Letters have been prepared. Primary Cost added \$75.00 (A3365636 and A3367373)</p>	<p>Primary Cost: \$75.00</p>



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
22-May-17	13.8	NOM 1319 - Access to Hindu Temple via Boundary Lane Cr Hampton	<p>Council Decision: Moved: Councillor Hampton Seconded: Councillor Mayer That the CEO investigates the cost required to open Boundary Lane to one way vehicular traffic as an alternate entry into the Hindu temple on Boundary Road and that a report be provided to the 13 June Ordinary Meeting.</p> <p>Carried Unanimously</p>	Doug Dickins	<p>19 March 2018 - Council Officers have considered alternatives and are awaiting advice from members of the Temple Committee for a suitable time to discuss proposals from the committee. It is anticipated this meeting will be held in March.</p> <p>22 February 2018 - Members of the Hindu Temple have now responded to the Council officer. Councillor Hampton and Council Officers are to meet with members of the Hindu Temple late in February to further discuss the proposal.</p> <p>05 February 2018 - The officer has again contacted the temple by email to discuss the matter and was advised that they would be in touch, however the officer is still awaiting feedback.</p> <p>15 January 2018 - The officer attempted to contact the Hindu Temple Committee and has sent a letter advising of the proposal and is awaiting feedback. This will be followed up in January.</p> <p>27 November 2017 - Discussion with Hindu Temple Committee to occur in December 2017.</p> <p>02 October 2017 - Report was considered back to Council at its 25 September 2017 meeting. Was deferred.</p> <p>12 September 2017 - Subject of a report to Ordinary Meeting on 25/09/2017.</p> <p>21 August 2017 - The Officer met with a Fulton Hogan representative onsite to discuss requirements to make Boundary Lane accessible.</p> <p>A preliminary scope of works includes: Lowering entrance and culvert under Strip and clean area a prior to placement of rock (removal of any soft spots) Placement and compaction of approx. 300 tonne of rock Install approx. 250m gaurd rail along creek side, and is estimated to be \$120K plus to complete.</p> <p>10 July 2017 - Officers have met with Councillor Hampton who indicated gravel access may be appropriate.</p> <p>Officers are investigating existing conditions and low cost improvements to facilitate access.</p> <p>20 June 2017 - A meeting has been arranged with Councillor Hampton to explore options further.</p> <p>13 June 2017 - An update has been included in the Resolution Progress report for 13 June indicating costs for the investigation to occur.</p>	
13-Jun-17	13.2	NOM 1316 - Frankston Ambassador Cr Bolam	<p>Council Decision: Moved: Councillor Bolam Seconded: Councillor Toms That the following be actioned in regards to the Frankston Ambassador site: 1 A quarterly report to councillors and relevant officers highlighting the numbers of Notices to Comply and Infringements issued relating to unsightly and dilapidated building be prepared. 3 Subject to credible advice and reasonable cause, Authorised Officers inspect accommodation units at the Ambassador to ensure all compliance codes are being met. The findings from the initial audit of this site be provided to Councillors and relevant officers. 4 Council officers survey residents in the vicinity of the Ambassador about their perceptions of safety, amenity and quality of life as neighbours of the Ambassador. The results of the survey should contribute to exploration of 'eminent domain' (compulsory acquisition) of the Ambassador site with the local MP and relevant Ministers. 5 Council officers source examples of unsightly and dilapidated clauses in other municipal local laws to determine if improvements can be made to Frankston general local law No. 8. 7 All directives are to be responded to in the form of a report no later than November 2017.</p> <p>Carried Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That the following be actioned in regards to the Frankston Ambassador site: 2 Council officers meet with the new owner of the vacant land at the Ambassador site to enable an understanding of their plans for redeveloping the site and any short term options to improve the appearance of the site. 6 Council officers investigate and infringe dumped rubbish and also explore opportunities to work with Victoria Police and Sherriff's office to address anti-social and criminal behaviour in and around the Ambassador site.</p> <p>Carried Unanimously</p>	Michael Craighead	<p>19 March 2018 - Requesting NoM to be archived as report was considered back at Council at its 13 March 2018 OM.</p> <p>01 March 2018 - A report incorporating legal advice has been prepared for the Council meeting on 13 March.</p> <p>15 January 2018 - Options for the State Government or Council to acquire the titles to all of the properties within the site are being investigated and will be set out in a report to be presented to Council as its 13 March 2018 meeting.</p> <p>27 November 2017 - Recommendations were carried and report due back to council in January 2018 outlining opportunities to explore the options of eminent domain.</p> <p>31 October 2017 - A report has been prepared to go to Open Council Meeting in November to report on responses from the survey.</p> <p>02 October 2017 - A survey has been sent to households in the vicinity of the Ambassador to ascertain any negative experiences.</p> <p>11 September 2017 - Building Services in the conjunction with CFA &amp; VicPol inspected the Ambassador 29 August. As a result of this inspection and a report is currently being written. A survey has been developed and distributed to neighbouring properties within 200 metres of the Ambassador. Responses will be collated and included in the report to be presented to Council 23 October 2017.</p> <p>28 August 2017 - A joint visit at the Ambassador with Frankston Council Building Services, CFA &amp; VicPol was undertaken 29 August 2017, a report will be written once CFA provide their report. The survey has been delivered to residents living in the vicinity of the Ambassador with a closing date of 22 September 2017.</p> <p>A report will be presented at the Ordinary Meeting in November 2017 to respond to this NOM.</p> <p>21 August 2017 - The new owner has been contacted and advised that he intends to submit a Planning Application by November 2017 and hopes to commence work by April 2018. the new owner has a team who will regularly maintain the site.</p> <p>Continuous liaison with Police will identify support unities to work together. A joint visit to the Ambassador is scheduled for August 2017.</p>	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
13-Jun-17	13.10	NOM 1333 - Enquiry to Wells Street Lighting  Cr Aitken	<p><b>Council Decision:</b>                      Moved: Councillor Aitken Seconded: Councillor Toms                      That an immediate and a full enquiry be made into the special effect lighting in Wells Street and that a working party be established comprising the Mayor, CEO and interested Councillors who will work harmoniously together to oversee the project to achieve a satisfactory outcome.</p> <p>Carried</p>	Gillian Kay	<p>02 March 2018 - Councillors have requested the pots outside the entertainment centre to be relocated. Options are being explored.                      26 February 2018 - All lighting as part of East/West Wells completed. New bulbs for middle wells on order (from Italy). Fix for keeping uplights clear of gravel underway.                      15 January 2018 - All feature lighting associated with East West Wells Street project are functional. The existing uplights, previously installed in the middle of Wells Street, have received maintenance and replacement bulbs are on order. The pots outside the entertainment centre were/are not lit due to the need to remove paving to install electrical conduits. Protection around uplights will be completed by 25 January.                      02 October 2017 - Requested status update to present at Council Meeting the 25/09/2017. A gravel solution has been sourced and an RFQ prepared. This will ensure gravel/bark cannot be kicked over the up lights. Replacement bulbs for the older up lights outside the entertainment centre have been sourced at a significant cost. These are imported. Please also see NoM 1321.                      21 August 2017 - All of the lighting has been audited and maintenance undertaken. Additional up lights installed where they were previously missing, seat lighting is working and new safety certificate issued where 'issues' were identified. The lighting expert will be in Frankston week of 21st August 2017 to install DX data cable box to program feature lighting.                      A solution to gravel is being sourced.                      The 'pot' lighting outside the Entertainment Centre is now connected to power (and lights) but not data cabling due to impact on paving.                      31 July 2017 - Officers are working with the original lighting designer and an electrical contractor. safety issues and incomplete wiring have been identified and will be resolved. A solution to the gravel is also being explored and costed                      19 July 2017 - Meeting held with Councillors and updated on the action take to get the lights to work.                      20 June 2017 - A meeting with interested Councillors and CEO will be organised</p>	Primary Cost: \$150
3-Jul-17	13.13	NOM 1347 - Budget addition for Pre-Schools  Cr McCormack	<p><b>Council Decision:</b>                      Moved: Councillor McCormack Seconded: Councillor Toms                      That the sum of \$5,000 be made available to each parent association of pre-schools within the municipality to assist with renewal works, maintenance, three year old kindergarten programs, advertising, children's necessities and the like. This funding is to be made available in this current year budget (from the operating surplus of Frankston City Council's 2017/2018 Budget) and each association be notified of the funding allocation and its purpose.</p> <p>Carried</p>	Joanne Ferrie	<p>26 February 2018 - There are two Kinders who have not submitted an invoice. Children Services following up.                      11 September 2017 - Invoices continue to be received for processing.                      22 August 2017 - Noted- awaiting end of financial year account reconciliation.                      19 July 2017 - Correspondence is being prepared to send to all pre-schools with a parent association with a view to this action being completed by the end of the 31 July 2017</p>	Primary Cost: (Outcome Cost of \$135,000 added)
3-Jul-17	13.7	NOM 1341 - Anti-Truancy Strategy  Cr Bolam	<p><b>Council Decision:</b>                      Moved: Councillor Bolam Seconded: Councillor Aitken                      That Frankston City Council works with local schools, politicians and (state and federal) Department of Education officials, to crackdown on instances of truancy in local secondary schools.                      In order to facilitate this, the following actions should be undertaken:                      1. Frankston City Council devises a strategy with local school principals and local politicians to curtail truancy and/or better detection of truants;                      2. That the strategy includes what role council bylaws officers and Victoria Police could perform in identifying and mitigating truancy;                      3. That the strategy includes views from the Frankston Youth Council insofar creative options to identify and curtail local truancy;                      4. Advocacy to the Victorian Department of Education and Training (including the relevant minister and Frankston MP Paul Edbrooke), and the Australian Department of Education and Training (including the relevant minister and Dunkley MP Chris Crewther) to consider models, such as the 'Show Up, Standout' initiative currently operating in the United States, which pro-actively seek to decrease unexcused school absences; and                      5. That progress on all directives be reported back to Council in November 2017.                      Carried Unanimously</p>	Andrew Moon	<p>27 February 2018 - An updated report will be presented to the March Council meeting with the view of a final report to be presented to Council in April 2018 meeting.                      15 January 2018 - Item has been deferred at OM 11/12/2017 to March 2018 OM.                      27 November 2017 - a report is scheduled to be presented to Council Ordinary Meeting 11/12/2017.                      31 October 2017 - A meeting was held on Tuesday 29 August with representatives of DET, Victoria Police and Council officers. Detailed background information was given on the current measures used to address truancy which will be included in the Council Report. The report was due back to Council November however this has been delayed.                      11 September 2017 - A meeting was held on Tuesday 29 August with representatives of DET, Victoria Police and Council officers. Detailed background information was given on the current measures used to address truancy which will be included in the Council Report. A further meeting will be held in September to continue to discuss this issue between the parties.                      21 August 2017 - A meeting has been scheduled for 29 August to discuss truancy in Frankston. Representatives from DEECD and Victoria Police will attend along with Council officers and interested Councillors.                      31 July 2017 - Youth Services staff have raised this issue with the Youth Council and provided feedback on areas to investigate further.</p>	Primary Cost:

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
3-Jul-17	13.8	NOM 1342 - Mayor's Role of Speaking in Ordinary Meetings of Council  Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That Council give consideration to amending the Governance Local Law when it is next reviewed; to require any Mayor who wishes to speak at an ordinary meeting (when it has been established that Councillors wish to speak to a motion), to speak immediately after the mover and seconder have spoken and where the seconder defers, then the Mayor is to speak in the space the seconder would normally have occupied. Carried Unanimously	Michael Craighead	01 March 2018 - Audit and Risk Management Committee has made some suggestions for Council consideration. Suggestions will be considered by Council at its briefing on 5 March and then referred to Council formally for determination. 05 February 2018 - Still awaiting advice from the Mayor and Councillors, no advice received as yet. 15 January 2018 - 1. The revised draft Governance Local Law was circulated to Councillors by email on 14/11/17. A further change was requested by the Mayor which was then circulated to Councillors by email on 20/11/17 (regarding the wording of clause 94(e) - the Chair's duty to treat Councillors with respect). Cr McCormack has objected to this further change, and the Mayor indicated that he would discuss the clause with Councillors. Officers are awaiting guidance as to how Councillors wish to proceed. 2. It is understood that there is now a desire to present the draft Governance Local Law for review by Council's Audit & Risk Management Committee prior to formal consideration by Council. 3. Additionally, the need for a Governance Local Law is expected to be superseded by a requirement to adopt a set of Governance Rules under the new Local Government Act 2018. 31 October 2017 - Nearing finalisation of revised draft for further discussion with Councillors. 11 September 2017 - Working thru legal advice obtained 8 September 2017. Further discussion of points not yet agreed required to finalise the draft. 21 August 2017 - The proposed change has been incorporated into the revised draft Local Law which has yet to be settled and agreed by Council. Staff are seeking legal advice on several points of issue between Councillors and the matters will then be reconsidered by Council for a direction forward. Awaiting legal advice. 19 July 2017 - Noted. The proposal will be discussed with councillor in the Local Law workshop to be held on Monday 17 July and incorporated into the proposed revised Local Law to be adopted by Council in due course.	Primary Cost:
14-Aug-17	14.3	NOM 1354 - Urban Design Excellence  Cr Aitken	Council Decision: That a report identifying the ways in which urban design excellence may be embedded in all relevant Council processes and procedures be prepared by Council's planning department. This report is to outline the statutory planning methods currently employed by Council, and other metropolitan municipalities, which facilitate reputable urban design outcomes. The report is to also investigate alternative or additional approaches Council might adopt to improve the urban design quality of development applications.  Carried Unanimously	Gill Kay	19 March 2018 - Further work on options being done by officers - to be scheduled for briefing in April with report to Council to follow. 15 January 2018 - A summary report on Council's urban design initiatives will be presented to Council in March 2018. 22 August 2017 - The Town Planning department will produce a report reviewing the processes Council currently employs to ensure urban design excellence is achieved in all new development applications. The department has commissioned a series of guideline documents to direct and improve the urban design and built form outcomes of medium and higher density development within the municipality. These will be presented to Council in conjunction with the findings and recommendations of the above-mentioned report.	Primary Cost:
14-Aug-17	14.6	NOM 1357 - Young Street Redevelopment Works  Cr Aitken	Council Decision: That Council call on the State Government to release the full financials to date (Forecast and Actual) of the Young Street Redevelopment Works. Carried	Kate Jewell	15 January 2018 - Matter has been again raised with Senior Project Manager from Transport for Victoria. 27 November 2017 - Matter raised again with the Senior Project Manager at State Government at meeting held 14 November 2017. Noted reply forthcoming. 31 October 2017 - On the 5 October 2017, Senior Project Manager - State Government acknowledged receipt of letter and that a reply would be forthcoming. 02 October 2017 - No reply received to date. 11 September 2017 - Matter discussed with State on 25 August 2017. Official advice sent in a letter signed by the CEO and sent 6 September 2017 (A3436003). 21 August 2017 - Matter highlighted with the Senior Project Manager - State Government 17 August 2017. Listed for discussion with Council and the State at the next PCB meeting - Friday 25 August	Primary Cost:

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
4-Sep-17	14.2	NOM 1361 - Seaford Substation  Cr Bolam	<p><b>Council Decision:</b> That a report be provided to Council at the December Ordinary Meeting on the iconic Seaford Substation. The report should consider:</p> <ol style="list-style-type: none"> <li>1. The internal and external status of the Seaford Substation site;</li> <li>2. Whether there is the presence of asbestos, signs of concrete cancer, concerns with the building's structural integrity; and</li> <li>3. Future plans for the site, and the possible public use of the substation for community purposes (i.e. local museum, community hub etc).</li> </ol> <p>Carried</p>	Phil Cantillon	<p>22 March 2018 - Council Officers, Phil Cantillon and Vishal Gupta, met with Cr Bolam and representatives from Metro and VicTrack onsite on 16 March 2018. At the meeting, draft concept plan prepared by Council officers for the potential improvements (Green wall) to Seaford Substation was distributed and discussed. The initial concept plan was well received by the staff from Metro and VicTrack enabling some initial feedback and discussion on how to progress this matter further. There are number of issues which needs to be addressed to establish costings and potential funding contributions. It was also discussed that the timing of these works needs to take into account forthcoming works by LXRA on the Frankston Line at the Seaford Station. Council officers will continue to work with Metro and VicTrack on this matter and provide further update in due course.</p> <p>19 March 2018 - A meeting with PTV is scheduled for 16 March 2018. Council Officers are working on a concept plan for green walls, for discuss with PTV as to feasibility.</p> <p>26 February 2018 - Officers are still trying to arrange a meeting with PTV. A number of attempts have already been made to secure a date.</p> <p>13 February 2018 - We are keen to have the involvement of the local member in discussions of this matter. Efforts are continuing in locking in an agreed date for a meeting to take place</p> <p>05 February 2018 - No change to the status.</p> <p>15 January 2018 - No change to the status.</p> <p>27 November 2017 - No response has been received from PTV. A meeting date is being established with staff from PTV and the Local Member's office.</p> <p>31 October 2017 - As at this date, no response has been received from PTV.</p> <p>02 October 2017 - Background information within Council being researched and a draft letter prepared seeking status and PRV's future plans for the site and building.</p>	Primary Cost:
4-Sep-17	14.5	NOM 1364 - Duplication of Lathams Road  Cr Hampton	<p><b>Council Decision:</b> 1. That Frankston City Council supports the duplication of Lathams Road between Frankston Dandenong Road and the M3 Freeway. 2. Councillors request the CEO to make available the most suitable qualified Council Officer to join in a working group comprising the Committee for Greater Frankston and VicRoads to scope the remodelling of Lathams Road and to develop costings for its duplication. 3. Once the costing have been established, Council vigorously lobby State Government to complete this project. 4. That the duplication of Lathams Road project is added to the Council Advocacy priorities for the upcoming State and Federal elections.</p> <p>C/U</p>	Kate Jewell	<p>19 March 2018 - Officers have discussed the matter with VicRoads and have been advised that the project has been included with a number of other potential road projects for future prioritisation for potential funding.</p> <p>15 January 2018 - Council officer has continued to work with VicRoads on this project. VicRoads are now preparing a business case and costings for the project.</p> <p>27 November 2017 - Council officers attended working group meetings with Vic Roads to scope remodelling of Lathams Road.</p> <p>02 October 2017 - An advocacy letter was sent to VicRoads 19 Sept informing of Council's resolution. A meeting was also convened by communications department of Council and consultant The Agenda Group on 25 Sept planning an advocacy strategy for this project.</p> <p>11 September 2017 - Acting Director Community Assets had phone conversation with VicRoads Executive officer regarding the current State Govt priority of Lathams Road with a view to establishing a working group to develop the project and costings. A formal letter will now follow together with advocacy.</p>	Primary Cost:
4-Sep-17	14.6	NOM 1365 - Victorian Wide EBA  Cr Hampton	<p><b>Council Decision:</b> Alternate Recommendation by Cr Hampton</p> <p>That an information sheet outlining the benefits of a single Victorian wide EBA be produced and distributed to all MAV delegates prior to the May 2018 Conference. This information sheet is to outline the need for a single Victoria wide EBA agreement negotiated through the Fair Work Commission. The EBA is to have three separate sections – Inner Metropolitan, Outer Metropolitan and Country. That a final draft be brought back to Council for approval. Hampton / Aitken Carried</p>	Russell Joiner	<p>05 February 2018 - Draft will be presented to Council in March 2018 for consideration and then circulation to all MAV delegates.</p>	Primary Cost:
4-Sep-17	14.7	NOM 1366 - Official Invitations to the Head of State, Victorian Vice Regal and Government Leaders  Cr Bolam	<p><b>Council Decision:</b> Given the electoral volatility of the state seat of Frankston, and the federal seat of Dunkley, the Council formally extends invitations to leaders from both levels of government to visit the Frankston municipality to discuss local issues of importance. This approach is consistent with council's state and federal advocacy efforts. The following is to occur:</p> <ol style="list-style-type: none"> <li>1. Individual invitations are to be extended to the Premier and Opposition Leader to formally visit Frankston and meet with the Frankston City Council; and</li> <li>2. Individual invitations are to be extended to the Prime Minister and Opposition Leader to formally visit Frankston and meet with the Frankston City Council.</li> </ol> <p>C/U</p>	Dennis Hovenden	<p>19 March 2018 - Noted no official reply from the Local Members' office regarding following up on behalf of Council for the Premier to visit. Noted no other advice from Mr Shorten's office regarding potential 2018 visit. Currently outstanding visit from Premier and Mr Shorten.</p> <p>26 February 2018 - The Hon. Malcolm Turnbull MP, Prime Minister visited Frankston on Monday 19 February 2018. Meeting with the Mayor, Cr Colin Hampton, Deputy Mayor Cr Lillian O'Connor, Dennis Hovenden CEO and Dr Gillian Kay Director Community Development. A number of Council's advocacy priorities were flagged and discussed with the Prime Minister.</p> <p>06 February 2018 - Michelle from the Premiers' office - acknowledged further copy of letter sent via email. Will be following up on the invitation and providing advice shortly.</p> <p>The Hon. Matthew Guy MP, Opposition Leader (State) had previously visited Frankston City Council and discussed advocacy matters. Office of the Opposition Leader noted the visit and meeting on the 9 November 2017. A meeting in the new year declined.</p> <p>05 February 2018 - Follow up on non-reply being managed. Copies of letters sent to Local Members to assist in arranging meetings.</p> <p>15 January 2018 - CEO/Mayor Office received advised from the office of Bill Shorten MP that the correspondence has been noted and put on file for a potential visit during 2018.</p> <p>31 October 2017 - Letters to Prime Minister and Leader of the Opposition posted (A3449329).</p> <p>02 October 2017 - Letters have been posted (A3449331 and A3448328).</p> <p>12 September 2017 - Letters are currently being prepared.</p>	Primary Cost:

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
25-Sep-17	14.2	NOM 1370 - Keyboard Cowards  Cr Aitken	Council Decision: That the Chief Executive Officer request Council Officers to write to the Attorney General indicating that greater controls need to be put in place in respect to statements made through Facebook and social media, currently with limited or little accountability or penalty to the writer.  Carried	Michael Craighead	26 February 2018 - Letters sent to Victorian Attorney-General and Commonwealth Attorney-General by ordinary post today. 08 February 2018 - A revised letter to Attorney-General is being prepared taking into account Councillor comments in the debate. 15 January 2018 - Letter to Attorney-General has been written and submitted to CEO for approval. 31 October 2017 - Draft letters being prepared	Primary Cost:
25-Sep-17	14.6	NOM 1375 - East / West Wells Street Project  Cr Hampton	Council Decision: In light of the findings around this project contained in the Pitcher Partners Internal Audit of Project Management, Council initiates a full forensic audit of this project. The Audit is to be conducted by an auditor experienced in Local Government tendering and project management processes, and an amount of \$25,000 be allocated for this purpose in the mid-year budget review. The audit is to determine who initiated the changes in the scope of the project during construction and the reasons and drivers behind it. The audit should also review the changes to the Project Management arrangements which led to the lead consultant, Aspect Studios Pty. Ltd. being removed from the project. It is expected that the Auditor will interview key staff and Councillors (both current and former) and contractors involved in the project. It should also review the process for the initiation of the scope changes and cost escalations and the timeliness of Council's approval of the changes. In consultation with the Chief Executive Officer, the Independent Auditor will prepare a brief for the scope of work to be completed. The scope is to be approved by the independent members of Council's Audit and Risk Management Committee by electronic resolution. The final report is to be presented to Council at its first Ordinary Meeting in 2018.  Carried	Martin Poole	01 March 2018 - A report on the audit of the works is still being finalised and it is expected that the report will be presented to Council for consideration at its meeting in April 2018. 15 January 2018 - HLB Mann Judd have been reviewing project documentation and interviewing various stakeholders. A report is expected by early March 2018. 27 November 2017 - An auditor has been appointed; a project inception meeting is scheduled for 24 November 2017. 31 October 2017 - Scope is being prepared to allow for E.O.I. process to be undertaken.	Primary Cost:
16-Oct-17	14.1	NOM 1376 - Inconsistencies of Clause 52.48 - Bushfire Protection Exemptions (Known as the 10/30 Right)  Cr Aitken	Council Decision: That Council make representations through all local Members of Parliament with reference to the inconsistencies of the Clause 52.48 – Bushfire Protection Exemptions (otherwise known as the 10/30 Right) The introduction of a uniform ability for residents to remove trees without any impediment when located within 10 metres of their house (if constructed or approved prior to September 2009), entirely negates the recognition particularly of highly important or heritage trees that contribute greatly to the streetscape. The irreparable damage to the character of local communities by the provision of this exemption as it currently stands means that vast numbers of trees are being removed throughout the greater Melbourne area in situations that are at either very low or negligible fire risk because of the blanket status of this provision. This is entirely against widely upheld state policy of greening our suburbs and represents an administrative measure which was taken at a moment of understandably high public emotion following the devastating bushfires of 2009. However, as outlined above the unfortunate nett effect is that vegetation has been removed from locations where it cannot be reasonably justified.  C/U	Michael Papageorgiou	19 March 2018 - Acknowledgement of initial letter has now been received from Minister for Planning. Awaiting response to follow-up letters. 15 January 2018 - No responses have been received as yet. Follow up letters will be sent this week. 30 October 2017 - Letters are currently being drafted to Local members of Parliament referencing the inconsistencies of the clause.	Primary Cost:
16-Oct-17	14.2	NOM 1377 - McClelland Gallery Interconnectedness and Peninsula Link  Cr Boalm	Council Decision: That a report be provided to Council on: 1. Improving relations with the McClelland Gallery; and furthering its interconnectedness within the greater Frankston community; 2. The potential loaning and/or gifting of sculptures - monuments to the municipality in secured and prefabbed locations to improve amenity and civic pride; and 3. Advocacy to the relevant authority on consultation with Frankston City Council/Frankston public on future sculptures - monuments on the Frankston portion of the Peninsula Link (i.e. chrome gnome, 'tree of life' etc.). 4. Advocacy to the relevant authority on the possibility of Frankston City Council utilising additional signage and flags, on the Peninsula Link portion of Frankston, to advertise Frankston and its surrounds (ie. Frankston Nature Conservation Reserve, The Pines Flora and Fauna Reserve, Langwarrin Flora and Fauna Reserve, Ballam Park, Frankston and Seaford foreshores, etc). A report to Council is to be provided in December on the outcomes of the above four considerations.  C/U	Andrew Moon	21 March 2018 - A report was submitted and it was agreed that progress would be reported to Council through the FAB Board minutes. Request to archive on this basis. 05 February 2018 - Director Community Development comments - the new Director has commenced work at the Gallery. A meeting to discuss partnerships opportunities was held. A report will be submitted to March 2018 meeting. 15 January 2018 - Coming back to Council for an update in March 2018 27 November 2017 - A report is currently scheduled to come to OM11/12/2017 31 October 2017 - Currently scheduling a meeting with Cr Boalm	Primary Cost:
16-Oct-17	14.6	NOM 1381 - Committee for the Future Occupancy of Linen House  Cr Hampton	Council Decision: That a committee of interested Councillors, Chief Executive Officer and appropriate Council officers be formed to oversee the future occupancy of Linen House including the Expressions of Interest (EOI) that go out to organisations interested in participating. That this committee meet on a monthly basis and report back to Council on the issues covered.  C/U	Liz Daley	19 March 2018 - The first Committee meeting was held 5 March 2018 and further meetings will be scheduled monthly. 01 March 2018 - Consultant has been appointed to assist with EOI process. Committee meeting is planned for 5 March 2018. 15 January 2018 - The EOI process is being developed. Now that the holiday period has concluded, the Committee will be convened to meet at the beginning of February. 27 November 2017 - Expression of Interest process, including committee, being drafted. 31 October 2017 - Committee will be established.	Primary Cost:

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
16-Oct-17	14.7	NOM 1382 - Increased Community Gardens in Frankston City  Cr Toms	<b>Council Decision:</b> That a report be provided at the March 2018 Council Meeting on the practice of Community Gardens in the Frankston municipality. This report must consider: 1. Evaluation on how the four present sites are operating and what could be done to improve them. 2. Introduction of new sites to achieve greater municipal balance – Karingal, Seaford, Carrum Downs, Skye and Frankston South. 3. Investigate how to encourage residents / neighbourhood to create their own community garden cooperative. This is to include (but not limited to) grants, staff information sessions for residents, seeds and permit rental modification.  C/U	Liz Daley	19 March 2018 - Request to archive NoM. Report was presented to Ordinary Meeting March 2018. Primary Cost: 26 February 2018 - Report will be provided to 13 March 2018 Council Meeting. 05 February 2018 - Report will be provided to March 2018 Council Meeting as per resolution 31 October 2017 - Report will be provided to March 2018 Council Meeting	
16-Oct-17	14.8	NOM 1383 - Lack of consultation for Frankston Nature Conservation Reserve  Cr McCormack	<b>That Council:</b> 1. Writes to the Minister for the Environment, the Hon Lily D'Ambrosio MP, expressing concern that there has been: (a) No community consultation regarding current management arrangements for Frankston Nature Conservation Reserve; and (b) No community consultation regarding access arrangements for Frankston Nature Conservation Reserve under the current management, noting that the reserve is presently closed to the public and that the Master Plan successfully implemented at the reserve, received overwhelming community endorsement during a thorough consultation period. 2. Seeks a meeting with Parks Victoria forthwith to discuss their future management and their proposed access arrangements.  C/U	Michael Papageorgiou	19 March 2018 - Parks Victoria officers met with Councillors and Council staff in early February 2018 and both Frankston Nature Conservation Reserve and Pines Flora and Fauna reserve were discussed. Parks Victoria have now opened the Frankston Nature Conservation Reserve to the general public. 02 March 2018 - Council's Environment Officers have toured the reserve with Parks Victoria. Parks Victoria are providing officers with their communications to the public regarding works and access. 15 January 2018 - The letter to Minister D'Ambrosia was sent. Council officers have since met with Parks Victoria staff who have undertaken to provide regular updates to Council on arrangements for Public Access to the Frankston Nature Conservation Reserve. 31 October 2017 - A letter is currently being drafted to Minister for Environment Hon Lily D'Ambrosio expressing Councils concern	Primary Cost:
20-Nov-17	14.2	NOM 1385 - The Pines Flora and Fauna Reserve  Cr Bolam	<b>Council Decision:</b> That a meeting be sought with Parks Victoria regarding the Pines Flora and Fauna Reserve. The Council is to request the meeting on the basis of: 1. The ongoing dumping of rubbish and vehicles in the reserve; 2. How Frankston City Council can work more closely with Parks Victoria and the 'Friends of the Pines Flora and Fauna Reserve' group insofar enhancing public safety and increased compliance with Frankston City Council and Parks Victoria bylaws. 3. Anti-social behaviour in the reserve including the use of monkey bikes/motorised scooters, vandalism, illegal fires and the consumption of alcohol; and 4. Exploring the installation of CCTV and signage (to deter anti-social behaviour) at the entrances of the reserve (notably the Ballarto Rd entrance). As well as appropriate Frankston City Council staff, interested Councillors, Parks Victoria representatives and the relevant local state member/s are to be invited (Paul Edbrooke MP and Sonya Kilkeny MP), as well as any representatives from the 'Friends of the Pines Flora and Fauna Reserve'.  Carried	Michael Papageorgiou	02 March 2018 - Council officers have met with local MP to discuss cameras in the park. This is being followed up with Parks Vic. Operations Centre are preparing signs for the entrances.. 26 February 2018 - Council's officers have met with Parks Victoria, Victoria Police, and state member to share information and discuss concerns. 05 January 2018 - A meeting has been scheduled for 12 February as per NOM. 15 January 2018 - Council's environment and local laws officers have met to determine the invite list and will send out invitations for a meeting with Parks Victoria to be held in late Jan/Feb 2018. A particular difficulty to consider is that the Local Law officers have no jurisdiction within Pines F & F Reserve. A meeting has been scheduled for 12 February as per NOM.	Primary Cost:
20-Nov-17	14.4	NOM 1387 - Central Park in Frankston  Cr Aitken	<b>Council Decision:</b> That a working party be established of appropriate officers and interested Councillors and any other party that the Councillors or Officers may see fit to consider various options, with a view, to establishing a significant green space in the Frankston town centre i.e. a central park, the results of which will be reported back to Council. The first meeting of the working party would be held prior to the Christmas break.  Carried	Kate Jewell	19 March 2018 - No change from previous update, awaiting Councillor discussions. 26 February 2018 - Second meeting held 5 February 2018. Whilst options remain to acquire suitable sites within the city centre, this is a long and costly exercise. Officers suggested the redevelopment of Council owned land within the CAA, with Cr Aitken stating that the Sherlock and Hay site was the only real option due to it's proximity to transport and the retail core. Officers suggested a public park could be incorporated into a redevelopment of the site, ideally for a Gov Hub use combining Federal, State and Local government. It was suggested that Councillors seek the support of their fellow Councillors to promote this project onto the Council Plan. 05 February 2018 - Second meeting scheduled 5 February 2018 15 January 2018 - Executive Manager Frankston Revitalisation noted NOM and is investigating the NOM. Inception meeting held on Friday 15 December 2017. Second meeting planned for early	Primary Cost:

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
11-Dec-17	14.2	NOM 1389 - Ballam Park Precinct Improvements  Cr Bolam	<p><b>Council Decision:</b></p> <p>1. That a report be provided to Council at the February 2018 Ordinary Meeting on the Ballam Park precinct regarding the following:</p> <p>a) The susceptibility of the newly created concrete wall to vandalism (graffiti) at Ballam Park;</p> <p>b) The nature of ongoing delays concerning recently upgraded play equipment at Ballam Park (i.e. soft fall area)</p> <p>c) Whether the existing toilets in the Ballam Park precinct are adequate and secure. If improvements are identified, costings are to be incorporated in the report back to Council.</p> <p>d) Programming the Ballam Park precinct in the routine cleaning of graffiti from landmark signage;</p> <p>e) Whether any remedial works are required at the Ballam Park Athletics Track and the possibility of undertaking plantings on the outer fence line of the Ballam Park Athletics Track. If scope or improvements are identified, costings are to be incorporated in the report back to Council.</p> <p>f) Advocacy to Public Transport Victoria (PTV) on the need for the installation of a mesh fitting (as opposed to glass) at the bus stop outside the Old Peninsula Private Hospital on Cranbourne Road; and</p> <p>g) Audit of bins, drinking fountains and dog waste disposal units throughout the precinct to assess whether additional resources are required. If improvements are identified, costings are to be incorporated in the report back to Council.</p> <p>2. The report must also provide funding estimates for the following items to be considered during the 2018/2019 Budget and/or within the context of the Ballam Park Masterplan:</p> <p>a) The reactivation of the water fountain at Ballam Park;</p> <p>b) The repair of historical fence associated with the Ballam Park Homestead;</p> <p>c) Repairs and upgrade/s required at the Ballam Park Homestead;</p> <p>d) The reinstatement of the windmill facing Cranbourne Road from Ballam Park;</p> <p>e) The creation of a dog 'roam free' area (ie. fencing, signage, water provisions, pet friendly agility and play equipment, waste bags etc.) in the space between the Telecom Substation and the Ballam Park Homestead; and</p> <p>f) Wellness equipment for adults / seniors; and</p> <p>g) Illumination of the prominent Ballam Park gateway signage adjacent to the water fountain.</p> <p>Carried</p>	Vishal Gupta	<p>19 March 2018 - Request NoM to be archived as a new action item has been created as a result of the interim report presented to Council on 19 February 2018.</p> <p>26 February 2018 - An interim report has been presented to Council at its meeting on 19 February 2018. A further report will be presented on 14 May 2018.</p> <p>05 February 2018 - Report is currently being prepared for consideration by Council at its meeting on 19 February 2018</p> <p>15 January 2018 - In line with NOM 1389, report will be presented to the Council at its meeting on 19 February 2018.</p>	Primary Cost:
11-Dec-17	14.3	NOM 1390 - Exploration of Local Laws  Cr Bolam	<p><b>Council Decision:</b></p> <p>That a report be provided to Council at the February 2018 Council Meeting on the adoption of the following local laws in effect elsewhere in Victoria:</p> <p>1. Hobson Bay City Council: Community Local Law, 48. Irresponsible Driving;</p> <p>2. Melton City Council: General Law Part 3, 36. Interference from Adjoining Property, 35. Interference With Council Assets, 34. Noise from Vehicle Sound Equipment and 32. Consumption and Possession of Liquor;</p> <p>3. Banyule City Council: General Local Law No. 1, 8.4. Behaviour in a Municipal Place or on Council Land and 8.5. Direction by an Authorised Officer in a Municipal Place or on Council Land; and</p> <p>4. City of Casey: Community Local Law, 31. Abandoned or Derelict Vehicles and 32. Vehicles in a Public Place.</p> <p>The following are to also be explored with a view to potential inclusion in Frankston City Council's General Local Law No.8:</p> <p>1. Public auctions, and disclosure of the outcome of public auctions, relating to abandoned vehicles (i.e. cars, boats, trailers, caravans etc.) seized by Frankston City Council;</p> <p>2. Greater controls to deter recalcitrant 'house parties' as implemented by Gold Coast City Council (and presently under consideration by Mornington Peninsula Shire Council); and</p> <p>3. The use of powered aeronautic devices (including, by definition, remote controlled camera drones) on/from public areas.</p> <p>Carried</p>	Leonie Reints	<p>19 March 2018 - A report was presented to council at Ordinary Meeting 19/02/2018.</p> <p>Recommendations were carried unanimously by councillors with a briefing to be presented to councillors on "Party Houses" 09/04/2018. Request NoM to be archived.</p> <p>26 February 2018 - Recommendations in this report were carried at Ordinary Meeting 19 February 2018. A further report is to be presented to Council in April 2018 to provide council with an update on the work being undertaken in relation to Party Houses.</p> <p>05 February 2018 - A report is to be presented to Open Meeting 19 February 2018.</p> <p>15 January 2018 - A report is currently being written and is to be presented to council meeting in February 2018.</p>	Primary Cost:
11-Dec-17	C.8	NOM 1391 - Apsley Place Concerns  Cr Bolam	<b>Under Separate Cover</b>	Michael Papageorgiou/Leonie Reints	Under Separate Cover	Primary Cost:
29-Jan-18	14.1	2018/NOM 1 - Visitor Information Centre  Cr Cunial	<p><b>Council Decision:</b></p> <p>Notwithstanding the decision taken by Council at its meeting held on 16 October 2017 to move the Visitor Information Centre at the foreshore to a more central location in the CAA, the Chief Executive Officer is requested to provide a report on options for a continued Visitor Information Centre presence at the current location on the foreshore. In developing the report, the Chief Executive Officer shall ensure that the current volunteers and staff are consulted on the options. Such consultation, in the first instance, is to include a meeting of interested Councillors, appropriate volunteers and staff of the Visitor Information Centre (VIC) to discuss various possibilities. That this meeting be held in the next fortnight, preferably in the evening, to better enable Councillors, volunteers and staff to attend. If a further meeting is required, then that can be decided at the conclusion of this initial meeting. The report is to be brought back to Council at its meeting held on 13 March 2018.</p>	Sam Jackson	<p>19 March 2018 - Councillors Hampton and Aitken met with volunteers and staff on 15 March 2018. Details of this meeting will be reported back to Council in a report for consideration at the Ordinary Meeting of Council on 3 April 2018.</p> <p>01 March 2018 - Due to difficulty in finding a suitable date for a meeting with Councillors, volunteers and staff, Officers were not able to schedule a meeting on a date that enabled us to meet the March reporting requirements. The date of the requested meeting is Thursday, 15 March 2018. At this stage Officers are planning to meet the requirements of the NOM and report back at the 3 April 2018 Ordinary Meeting of Council.</p>	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
29-Jan-18	14.2	2018/NOM 2 - Election Advocacy  Cr Cunial	Council Decision: That the matter be deferred pending discussions with the Sub Committee.	Sam Jackson	19 March 2018 - The Advocacy sub-committee considered this on 5 March 2018. Cr Bolam advised that he was going to revise the Notice of Motion (2018/NOM10) and present to Council (which he did on 13 March, and which was moved in parts and lost). For reporting purposes this is now deemed complete and is requested for closure. 01 March 2018 - Further consideration of this NOM was deferred pending discussion at Council's Advocacy Sub-committee. The scheduled Sub-committee meeting had to be postponed due to the Prime Minister and the Victorian Transport Minister both visiting Frankston at the time of the meeting. This has now been rescheduled to Monday, 5 March 2018	Primary Cost:
19-Feb-18	14.1	2018/NOM4 - Emergency Grants  Cr Bolam	Council Decision:  That the Chief Executive Officer is to provide a report to Council at the April 2018 Ordinary Meeting, in light of the recent out-of-budget funding request from Life-Gate Inc., regarding a process for community groups and sporting clubs to make (where there is a necessitated need) 'emergency' or 'urgent' funding requests to Council outside of the budget process via a defined funding pool. The report is to: 1. Consider other active models that could be modified to a Frankston City Council version (i.e. Kingston City Council's 'Quick Grants' process); 2. What constitutes an 'emergency' and/or 'urgent' grant; 3. Consider an appropriate ceiling for individual grants; and 4. Consider a sufficient overall annual allocation for 'Emergency Grants'. The report is to provide a recommended model and/or options to be incorporated in the 2018/2019 Budget and thereafter.  Carried Unanimously	Liz Daley/Michael Craighead	19 March 2018 - On 2 March 2018, Council Officer contacted City of Casey, Mornington Peninsula Shire, City of Kingston and City of Greater Dandenong to identify other active models that could be modified to a Frankston City Council version. 01 March 2018 - Work has commenced on reviewing existing legislation, previous legal advice and other Council processes. A report will be prepared for the late May meeting.	Primary Cost:
19-Feb-18	14.3	2018/NOM6 - Letter to the Minister regarding Level Crossing Removal Projects  Cr Bolam	Council Decision:  That in light of the fact that no funding packages have been made available to communities and businesses affected by the Level Crossing Removal at Skye/Overton Road, the closure of Eel Race Road, and the government's decision to locate a new train stabling facility at Kananook, that Council write to the Minister for Public Transport, the Hon. Jacinta Allan MP, to call for a consistent approach to the provision of funding to communities and businesses affected by Level Crossing Removal Projects (defined community benefit/compensation). The letter should also include a request that all crossing removal projects should incorporate a common protocol for asset ownership and maintenance to ensure consistency and equity for all local government areas impacted by Level Crossing Removal.  Carried Unanimously	Kate Jewell	19 March 2018 - No change from previous update 01 March 2018 - Letter has been prepared and forwarded, no response to date.	Primary Cost:
13-Mar-18	14.1	2018/NOM 8 - Utility companies sought to consult more widely  Cr Bolam	Council Decision:  That Council writes to all utility distributors within the municipality imploring them to better consult residents, traders, and ratepayers and Council on any works (initiated by, or relevant to, them) that may impact on the amenity of given areas (i.e. cleanliness and presentation) now and into the future. Prepares a motion for the next Municipal Association of Victoria (MAV) State Council meeting regarding asset protection for Council property.  Carried Unanimously	Gill Kay/Michelle Tipton	21 March 2018 - A letter has been drafted for the Mayor's signature.	Primary Cost:
13-Mar-18	14.2	2018/NOM 9 - Public Transport Advocacy  Cr Bolam	Council Decision:  1. Writes to the Minister for Transport, and Shadow Minister for Transport, requesting improved safety measures (in light of the fatalities and near misses that have occurred) at the Armstrong Road rail crossing, and Carried Unanimously 2. Writes to the Minister for Transport, and the Shadow Minister for Transport, requesting improved service delivery and public safety for/on the Route 901 bus service from Frankston to Melbourne Airport. This request is to be made due to the concerns expressed by commuters relating to anti-social behaviour and punctuality.  Carried	Doug Dickins	21 March 2018 - Council officers are currently preparing letters to Minister of Transport and Shadow Minister of Transport regarding safety measures in Armstrong Road.	Primary Cost:



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
13-Mar-18	14.3	2018/NOM10 - Federal Advocacy  Cr Bolam	<p>Recommendation:</p> <p>Moved in Parts</p> <p>1. That Council writes to the Prime Minister of Australia, The Hon. Malcolm Turnbull MP, Opposition Leader The Hon. Bill Shorten MP and Federal Member for Dunkley, Mr Chris Crewther MP expressing concern regarding the Federal governments proposed \$2 billion dollar plus cuts to tertiary education, particularly the mooted freeze on funding for the Commonwealth Grants Scheme.</p> <p>It is anticipated that this freeze will leave over 10,000 student places unfunded. Council notes the implications this could have on post-secondary opportunities for locals, who are seeking to pursue tertiary education but do not have the socio-economic conditions to self-fund their studies; and</p> <p>Lost</p> <p>2. That clarification is to be sought from the Federal Member for Dunkley Mr Chris Crewther MP about:</p> <p>a) On the future of funding for the National Occasional Care Program which it is believed will lapse by July this year. The Council notes that important local child learning centres and neighbourhood houses, such as Karingal Place Community Centre, are dependent upon occasional care funding from the Federal Government;</p> <p>b) Clarify how cuts to flexible childcare will impact upon providers within the Frankston Municipality;</p> <p>c) Clarify where there may be adverse implications for the Municipality;</p> <p>d) Provide options for retaining flexible childcare initiatives in Frankston.</p> <p>Lost</p> <p>3. That Council writes to the Federal Minister for Human Services, The Hon. Michael Keenan MP, Federal Minister for Health, The Hon. Greg Hunt MP and Federal Member for Dunkley, Mr Chris Crewther MP, Shadow Ministers for Families and Social Services, The Hon. Jenny Macklin MP and Shadow Minister for Health and Medicare, The Hon. Catherine King MP, clarifying Frankston's present and future contribution/s from the \$300M National Ice Taskforce funding allotment relating to substance abuse (given the Frankston municipality has higher than average record of drug offences and registered drug users) and seeking their support. The Council is to advocate for increased funding relative to improved rehabilitative outcomes.</p> <p>Lost</p>	Sarah Quinn	14 March 2018 - Request NoM to be archived as the NoM was lost at its 13 March 2018 Council Meeting.	Primary Cost:
13-Mar-18	14.4	2018/NOM11 - Community Safety  Cr Bolam	<p>Recommendation:</p> <p>Moved in Parts</p> <p>1. That a report be provided to Council at the June Ordinary Meeting on the costs (including state funding grants), intra locations and manageability of creating 'safety zones' (a small area with defined CCTV coverage and an emergency intercom to request assistance) to report anti-social behaviour and emergencies at the following locations:</p> <p>a. Frankston foreshore;</p> <p>b. Seaford foreshore; and</p> <p>c. Keast Park</p> <p>Lost</p> <p>2. Given the disbandment of the Community Safety Consultative Committee - due to Council's decision to note proceed with a 'Community Safety White Paper' - a report is to be provided at the June Ordinary Meeting on how the Council could address the public safety issues identified in NOM 1303 and NOM 1329.</p> <p>Lost</p> <p>3. That a report be provided at the June Ordinary Meeting, per NOM 1263, on funding options for the use of infrared number plate recognition CCTV technology (as is practiced in Western Australia) and how Council intends to increase/prioritise LATM works to mitigate hoon/dangerous driving.</p> <p>Lost</p> <p>LOST</p>	Sarah Quinn	14 March 2018 - Request NoM to be archived as the NoM was lost at its 13 March 2018 Council Meeting.	Primary Cost:
13-Mar-18	14.5	2018/NOM12 - Waiving inspection/building fees for Capital Works Projects  Cr Hampton	<p>The Chief Executive Officer is requested to prepare a report for the 2018 May Ordinary Meeting on the feasibility of waiving Council inspection and building fees associated with capital works projects undertaken by Clubs at Council owned facilities.</p> <p>Carried Unanimously</p>	Gill Kay	21 March 2018 - A report will be prepared for the May meeting.	Primary Cost:

**Executive Summary****12.2 Advocacy - Victorian Election and ALGA National General Assembly**

*Enquiries: (Sam Jackson: Corporate Development)*

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.2 The elected representatives will promote powerful advocacy, meaningful engagement and credible reputation

**Purpose**

To brief Council on the Advocacy Sub-Committee's recommendation for the advocacy focus in the lead up to the Victorian State Election 2018 and the recommended focus for advocacy in Canberra in June 2018.

**Recommendation (Director Corporate Development)**

That:

1. Council endorses the recommendation of the Advocacy Sub-Committee that the following three priorities are the focus of Council's advocacy in the lead up to the 2018 Victorian State Election:
  - a. Continued revitalisation of the Frankston city centre, incorporating stage two of the Frankston Station precinct redevelopment and the relocation of government departments in a catalyst development;
  - b. Regional tennis and gymnastics facility at Centenary Park;
  - c. Jubilee Park indoor stadium.
2. Council requests meetings with relevant federal MPs and Senators, during the ALGA National General Assembly in Canberra in June, to provide briefings on the above priorities, plus:
  - a. Improving marine safety and new Coast Guard building
  - b. Electrification of the rail line to Baxter
  - c. Health hub

**Key Points / Issues**

- Council adopted the Frankston City Council 2017-2021 Advocacy Strategy on 5 September 2018 (Attachment A). The strategy identified 12 priorities for which Council will advocate on behalf of the Frankston City community.
- A Victorian State Election is scheduled for Saturday 24 November 2018. An election year provides additional opportunities for Council to advocate to the state government and opposition, potentially generating commitments toward priority projects.
- The Advocacy Sub-Committee met on Monday 5 March to discuss the focus of Council's advocacy in the lead up to the state election and the feedback from the public briefing session held 28 February 2018. The sub-committee evaluated Council's 12 advocacy priority projects against three criteria:
  - Does Council have a clear and well-formed ask?

**12.2 Advocacy - Victorian Election and ALGA National General Assembly****Executive Summary**

- Is Council the best advocate for the project? (Or is another organisation or group better placed to lead the advocacy?)
  - Does Council have a contribution – financial or otherwise – to make to the project?
- Based on this evaluation, the Advocacy Sub-Committee recommends the following three projects be Council's focus for the state election:
  - Continued revitalisation of the Frankston city centre, incorporating stage two of the Frankston Station precinct redevelopment and the relocation of government departments
  - Regional tennis and gymnastics facility
  - Jubilee Park indoor stadium
- A campaign strategy will be developed and presented to the Advocacy Sub-Committee, incorporating advocacy strategy, partnership opportunities, risks and communications plans.
- In June this year, Councillors will be attending the Australian Local Government Association's (ALGA) National General Assembly (NGA) of Local Government in Canberra. It is recommended that meetings be requested with relevant MPs and Senators about the above three priorities, plus:
  - Improving marine safety and new Coast Guard building
  - Electrification of the rail line to Baxter
  - Health hub
- Other projects within the adopted Advocacy Strategy that are not within the Victorian State Election campaign or the ALGA NGA priorities will continue to be pursued through a range of methodologies, dependent on:
  - Whether there are other parties advocating on the issue and can we support their advocacy, for example
    - Duplication of Lathams Road - Committee for Greater Frankston is currently strongly advocating for this
    - Additional and upgraded bus services – the Metropolitan Transport Forum are advocating for this across Melbourne and Frankston City Council is actively involved in this within our region
  - The clarity of the 'ask' – a number of the priorities still, as yet, have an undefined ask, for example
    - Housing support and crisis/homelessness accommodation
  - Whether they are business as usual activities stemming from ongoing activities, for example
    - accessible tertiary courses – extensive work is being undertaken with Monash University and Chisholm TAFE in relation to their expanded course delivery
    - timely delivery of NBN – Officers continue to monitor the rollout of this

**12.2 Advocacy - Victorian Election and ALGA National General Assembly****Executive Summary**

- Premier arts and culture destination – The Big Picture Festival, Digital Arts Museum and the greater connectivity of McClelland Sculpture Park are examples of this being pursued
- The appropriate level of government to pursue and therefore timing

**Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

For Council to effectively advocate for the three identified projects in the lead up to the state election, a robust case of evidence is required to support each project. Additional funding is required to establish this evidence. The evidentiary basis for the 2018 three Victorian State Election priorities will be developed as part of the project and therefore will need to be costed within each project budget.

Council endorsed \$45,000 in the 2017-2018 budget for advocacy. To date approximately \$26,000 of this remains to assist with obtaining political advice, crafting the messages to meet a political audience and any collateral required.

**Consultation****1. External Stakeholders**

A briefing session was held with local organisations on Wednesday 28 February. Feedback was positive about the opportunities to work together. Further work will be undertaken with external stakeholders in the development and implementation of the campaign strategy.

**2. Other Stakeholders**

Project managers for each of the 12 priorities identified in Council's Advocacy Strategy have been involved in discussions about each project.

**Analysis (Environmental / Economic / Social Implications)**

The effectiveness of advocacy efforts is enhanced when messages are clear and consistent over time, and supported with a robust body of evidence demonstrating the need for and benefit of the project. Maintaining focus on a small number of key projects will improve the potential of success for Council's advocacy.

**12.2 Advocacy - Victorian Election and ALGA National General Assembly****Executive Summary**

Where Council's advocacy efforts result in funding (or other) commitments being made to Frankston City projects, there will be significant economic and social benefits for the Frankston City community and broader region.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Council has a role – based on the *Local Government Act 1989* – to advocate on behalf of its constituencies to state and federal levels of government, statutory authorities and other sectors.

Policy Impacts

There are no policy impacts relevant to this report.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

Failure to reduce the number of advocacy priorities in the lead-up to the 2018 Victorian State Government election will result in a diluted and confused list of asks. By reducing the election priorities to three, this enables officers and Councillors to strengthen their pre-election campaign messaging on these three foci. Other priorities identified in the Advocacy Strategy are either not State Government issues, or are priorities that can be led by other agencies or are 'business as usual' priorities.

There is the potential risk that the community will not support the identified projects or that local MPs or candidates will show no interest in these projects. A full risk analysis, including risk mitigation actions, will be undertaken when developing campaign plans for the three identified projects for the Victorian State Election.

**Conclusion**

It is recommended that Council focus its advocacy in the lead up to the Victorian State Election on the following three projects:

- Continued revitalisation of the Frankston city centre, incorporating stage two of the Frankston Station precinct redevelopment and the relocation of government departments
- Regional tennis and gymnastics facility
- Jubilee Park indoor stadium

It is also recommended that Council focus its advocacy during the ALGA's NGA of Local Government on the above three projects, plus:

- Improving marine safety and new Coast Guard building
- Electrification of the rail line to Baxter
- Health hub

12.2 Advocacy - Victorian Election and ALGA National General Assembly

**Executive Summary**

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**ATTACHMENTS**

Attachment A: [↓](#) Frankston City Council Advocacy Strategy - ADOPTED

# Frankston City Council

2017-2021 ADVOCACY STRATEGY  
(ADOPTED 5 SEPTEMBER 2017)





# Frankston City Council

2017-2021 Advocacy Strategy

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## Why does Frankston need an advocacy strategy?

The 2017-20 Frankston City Council Advocacy Strategy has been developed to provide direction to Councillors and Officers in their efforts to secure positive outcomes for the Frankston community.

As expected with most advocacy strategies, this document identifies priority projects and provides a rationale for why the initiatives are beneficial to residents, business operators and community organisations. However, Frankston's advocacy strategy goes further.

It provides an implementation framework that coordinates, for greatest effect, the combined efforts of the community and council in advocating for meaningful outcomes from state and federal governments.

It is hoped that this strategy will be regularly updated to reflect the changing external environment to ensure Frankston's approach to advocacy is timely, relevant and effective.

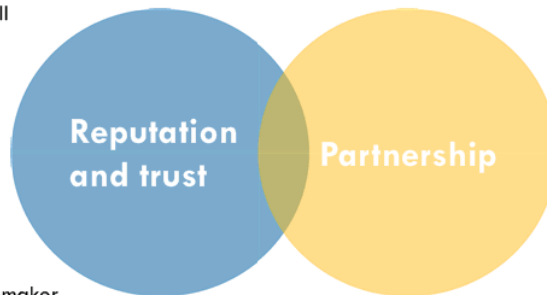
## Advocacy: getting things done

**Advocacy at its heart is about influencing change: change in policy, attitudes and practice.**

For Frankston, this often means advocating to other levels of government for funding and commitment to specific projects and initiatives.

However, advocacy does not occur in a vacuum. Rarely is an organisation's advocacy one dimensional. It is presented, *and listened to*, in the context of previous and other requests, the personality, reputation and credibility of the person and the organisation and most importantly, relationships.

Large organisations, like Frankston City Council, will always have multiple advocacy efforts running alongside one another. The current negotiation will not be the last one that Frankston engages in with policymakers and the community. Even though it may sometimes seem it, **advocacy is not transactional: advocacy is relationship-based.**



Effective advocacy is built on the reputation of the advocate and the trust that inspires in the decision-maker, reinforced by the alliances and the reputations of partners in that advocacy.

### Reputation and trust

Success in advocacy depends on an advocate's reputation: the beliefs or opinions that are generally held about a business, its staff and its activities. This holds true for government bodies as well, with earned reputation a powerful source of strength for local councils when they conduct their business in the community and lobby other levels of government.

The time when lobbying could be seen as a single transaction or exchange has passed. Lobbying is a relationship market, where policymakers and lobbyists are repeat players that respect 'the rules of the game'. This includes understanding that as advocates there is no abiding enemy, everyone is at one time or another a potential ally with whom you may want to form alliances in the future.

For council, establishing a reputation for credibility is the first step towards preserving already recognised relationships as well as assist in building new ones. Credibility increases your political power building trust

among decision-makers that council provides expertise, strong research and analysis, complemented by partnerships with government and other organisations.

Councils committed to building credibility use consistent and transparent communications. Council must therefore more and more represent itself as a trusted advisor and an educator rather than an adversary when lobbying on behalf of their communities.

As an advocate, it is crucial for council that other levels of governments, institutions and the communities trust the organisation and value what council has to say. Council officers and councillors must come together to share ownership of the city's reputation among the community they serve but also among decision-makers in state and federal governments.

To work with those in government (rather than against) and within their rules and customs sends a message of respect. Over time that will bring respect to council and invite council's inclusion in issues that matter to your community.

Elements to consider:

- Can Frankston City Council legitimately speak on behalf of those affected by the issues?
- Is Frankston City Council known and respected by decision makers?
- Is Frankston City Council perceived as trustworthy?

### Partnerships

The ability to build relationships - personal, public and institutional – is central to effective advocacy. By inviting corporate organisations and non-profits who have shared interests in policy positions that council is trying to pursue, council can create a coalition of supporters that build greater momentum for policy change.

Not only do these partnerships increase the likelihood of reaching target audiences, they can mobilise people and public opinion in greater scale than if council pursues the issue on its own.

Partnerships also provide council with opportunities to combine the strengths of each partner. Sometimes this is knowledge and expertise, but often bringing partners on board in a coalition or alliance can fill the gaps in reputation and trust that Council relies on to push a project across the line.

State and federal governments are used to saying no to councils. It is much more difficult for government to ignore a united group of likeminded stakeholders pursuing a common goal.

## CREDIBILITY AND EVIDENCE

As state and federal governments grapple with increasing expectations from communities and decreasing resources, evidence of value for money has become a pre-requisite for policy change and project funding.

Not only does evidence provide credibility and authority to council, but it also clearly highlights that the needs or problems council want to address are real and serious, and that the methods recommended to address these have been successful in the past.

When developing a strategic advocacy approach to a public policy initiative, data collection, research and analysis can all provide the basis for solid evidence. This evidence, however, must also be interpreted and then communicated at the correct time, to the relevant audiences and in the appropriate manner. Good evidence highlights the problem, the causes of the problem, and benefits to solving the issue, the solution and its merits

If the evidence base is weak, the approach needs to be adjusted to be persuasive. You can reframe the issue, or personalise it by collecting testimonies or stories of individuals affected.

Evidence on its own does not persuade: it's what you do with the evidence that matters.

## Advocacy: the Frankston way

Every advocacy activity contributes to Frankston’s long-term reputation, and each advocate, whether they be the Mayor, Councillors, the CEO or council officers contributes to the perception of Council in the policy-makers mind.

It is therefore crucial to carefully examine the possible impacts of advocacy activity on Council’s reputation and the pursuit of its long-term goals. Too much scattered advocacy interaction without a clear uniting goal can damage Council’s credibility.

Council must demonstrate that each of its requests to policymakers is in the service of a greater purpose, or solution of a bigger problem. Otherwise each request becomes easier and easier to ignore. Policymakers are led to think, “Frankston is asking to fund this project now, but next week they’ll come to me with something different – so why act now?”

**Put simply: is it worth it?** Will this activity jeopardise a larger, long-term goal?

Aside from consulting an agreed list of Council’s top priorities, the easiest way to assess the worthiness of project advocacy is to develop understanding of what broader problem the initiative solves. Issues-based advocacy cultivates trust that Council has a long-term plan to achieve its vision.

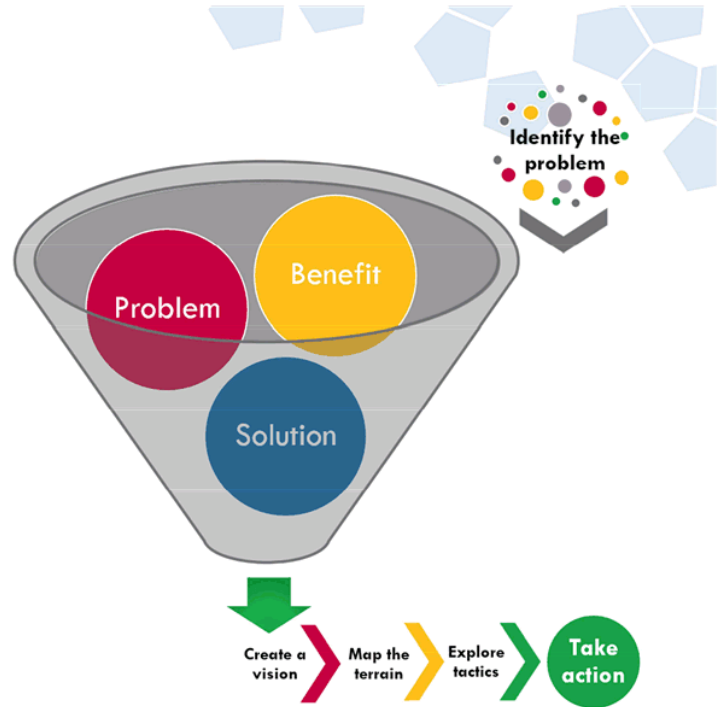
Policy-makers also have their own goals and KPIs. Couching advocacy in terms of the broader issue makes it clear to the Minister, MP or policymaker which of their own goals the project could deliver upon. Issues-based advocacy can answer the ever-present question: “what’s in it for me?”

*This is Frankston’s formal process for all advocacy, whether for new ideas or existing Frankston priorities:*



**Project filter**

Before Council embarks on advocacy for a specific project or initiative, it is important to place the project within a broader context, narrative and assess whether it is viable to progress to the advocacy stage. Each interaction with decision-makers contributes to Council's overall reputation. It is essential to carefully consider whether there will be sufficient return to Council's effort and expense of political capital.



	<p>What <b>problem</b> does the initiative solve?</p> <p>Which of Council's <b>listed priorities</b> does the initiative deliver?</p> <p>Is there <b>evidence</b> of the problem?</p> <p>Does the problem need to be solved <b>now</b>? Is it <b>urgent</b>?</p> <p>Does this problem need to be solved <b>by Council</b>?</p>
	<p>What is the <b>benefit</b> of solving the problem?</p> <p><b>Who</b> will benefit?</p> <p><b>How many people</b> are affected? How many <b>jobs</b>? Is there supporting <b>evidence</b>?</p> <p>Is it a local, regional, metropolitan or statewide problem? Who else <b>supports</b> the project? Who <b>opposes</b> it?</p> <p>What State or Federal Government priority does it deliver?</p>
	<p>Has the solution been proposed before by Council? If a new idea, is there Council agreement?</p> <p>How much does it <b>cost</b>? Is Council prepared to share the cost?</p> <p>Is the solution <b>feasible</b>? Can it be delivered in the <b>timeframe</b>? What are the <b>risks</b>?</p> <p>Is Council the best messenger for this advocacy? Are there other <b>alliances or networks</b> to leverage? Coalition <b>partners</b>?</p> <p>What decision-maker and <b>policy-maker priorities</b> does it deliver?</p>

### Frankston's challenge

"Shopping lists" of issues for advocacy are still present in modern advocacy and intergovernmental relations, but far more effective in the long term is **issues-based advocacy**.

*Framing advocacy for projects and initiatives within the context of the broader problems and issues it solves bolsters Frankston's reputation and adds credibility.*

Within the latest Frankston City Council Plan, the priorities for Frankston City to work diligently to advocate to all levels of government for, include:

- 1 Developing the Centenary Park regional tennis facility
- 2 Constructing a safe boat refuge at Olivers Hill and a new Coast Guard building
- 3 Electrification of the rail line to Baxter, including train stabling and maintenance facilities
- 4 Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct
- 5 Delivering stage two of the Frankston Station Precinct redevelopment
- 6 Further developing Frankston City as a premier arts and culture destination and sculpture city
- 7 Ensuring the timely delivery of the National Broadband Network across Frankston City.

Couching these priorities as well as the dozens of other projects listed in the Council Plan in terms of broader problem solving gives Council credibility in advocacy activities and helps policy makers and government stakeholders more easily understand how the advocacy initiative delivers on their own objectives, putting Frankston closer to a positive outcome.

### The narrative

The tagline of the Frankston Council 2017-22 Plan: "Opportunity, growth and lifestyle" remains a valuable positive starting point for developing the overarching Frankston narrative. However, Frankston faces a number of issues and challenges that will shape advocacy efforts.



The top issues facing Frankston have been stepped out by:

- Problem (what is the nature of the issue and its causes)
- Benefit of solving the problem and opportunities stemming from the issue, the message.
- Solutions (proposed in prior Frankston plans as well as other possible priorities)



\*Solutions: Bold text indicates top 12 priority for Frankston, normal text indicates an action from the Council Plan, and italics signify a new idea

Problem	Message	Solutions*
<p><b>Frankston has serious long-term unemployment and underemployment.</b></p> <ul style="list-style-type: none"> <li>Frankston has consistently had unemployment rates higher than the state average for well over a decade, and employees being forced into retirement and single-income households are not even reflected in these high unemployment figures.</li> <li>According to the 2011 Census, population in Frankston is growing at 5 times the rate of jobs growth. [more recent and relevant evidence to come from the 2016 Census and the Labour Force Study conducted with the Skills Commissioner] In 2016 there were 0.29 jobs in the municipality for every resident. There has been no change in this indicator over the past year.</li> <li>Youth disengagement and unemployment is consistently high, near the highest in the city and state. Disengaged youth data identifies that up to 27% of 15-24yo young people within Frankston City are recipients of Newstart allowance (at a postcode level). Frankston has higher rates of disengagement of young men and women aged 15 -24 in employment or education (14.8%) compared to the rest of Victoria (10.7%). Whilst greater proportions of Frankston year 12 completers are attending university, a persistent gap of approximately 15% continues to be recorded between the Frankston and Victorian rates of university attendance.</li> <li>As of the 2011 Census, the rate of young people (aged 15-24) not engaged in either education or employment (10.4%) outstripped both state and federal percentages (8.1% and 9.6% respectively). The local area of Frankston North represented almost treble these State/Federal averages for disengaged youth, at 27%, and Karingal represented over double the State/Federal average of disengaged youth at 17.2%.</li> <li>Only 52% of jobs in Frankston are held by Frankston residents.</li> <li>Frankston also has an <i>underemployment</i> problem: Health, manufacturing, retail are the biggest employers in Frankston, and most of these employees are in non full-time work.</li> </ul>	<p>Better aligning job provision with local skills would mean Frankston residents could work where they live, putting less stress on metropolitan transport systems and infrastructure.</p> <p>The liveability impacts of higher employment and business investment could ameliorate other pressing issues facing Frankston.</p>	<ul style="list-style-type: none"> <li><b>Electrification of the rail line to Baxter</b></li> <li><b>Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct</b></li> <li><b>Delivering stage two of the Frankston Station Precinct Redevelopment</b></li> <li><b>Ensuring the timely delivery of the NBN</b></li> <li>Attract industry and employment in the health and education fields</li> <li>Advocate for five-star hotel accommodation development</li> <li>Strengthen Frankston's visitor economy</li> </ul>
<p><b>There is a critical mismatch in skills and educational attainment with job provision and jobs of the future in Frankston.</b></p> <ul style="list-style-type: none"> <li>There is very low access to tertiary education at a bachelor level in Frankston. Compared to other areas of Melbourne, Frankston is critically underserved. Just 11.9% of Frankston residents have a bachelor degree or higher.</li> <li>As of the 2011 Census 15.4% of Frankston residents were employed in the highly skilled 'managerial or professional' roles, compared to 24.0% of metropolitan Melbourne.</li> <li>Monash Peninsula campus offers just 7 courses, all with 80-plus required ATAR scores.</li> </ul>	<p>The only way to solve long-term unemployment is with long-term solutions. Matching skills with jobs and jobs of the future would help break intergenerational cycles of unemployment and reduce dependence on government resources.</p>	<ul style="list-style-type: none"> <li>Facilitate industry informed and led education courses in Frankston City</li> <li>Establish a knowledge, creativity and skills based economy that generates employment opportunities</li> <li>Attract niche industry in the medical and education fields</li> <li>Develop an education and library</li> </ul>

Problem	Message	Solutions*
<p>Even with the Special Entry Access Scheme which adjusts ATAR scores for disadvantaged students up to 10 ATAR points, these courses are still out-of-reach for many Frankston students. Frankston has similar levels of ATAR achievement as other outer suburbs of Melbourne, but proximity to a high ATAR university like Monash means just 20% of Monash Peninsula students are from Frankston.</p> <ul style="list-style-type: none"> <li>• Courses offered do not match the jobs and industries of the future: there are no STEM courses offered in the region, and local secondary schools are not encouraging students to study the courses and industries of the future.</li> </ul>		<p>hub in Langwarrin</p> <ul style="list-style-type: none"> <li>• Accessible tertiary courses that are in line with job provision</li> </ul>
<p><b>Changing development patterns and demographics are putting increased pressure on infrastructure.</b></p> <ul style="list-style-type: none"> <li>• Frankston LGA is far more economically diverse than just the Frankston city centre. In fact, since EastLink was constructed, there are now more people employed in Carrum Downs than in the Frankston MAC, with double the income and growing advanced manufacturing and professional services industries.</li> <li>• Transport and telecommunications infrastructure has not kept up with demographic and development shifts. Approximately 40 buses travel to Frankston, but none to the more job-dense area of Carrum Downs.</li> <li>• Much of the growth in Carrum Downs has come at the cost of the Frankston activity centre. There has not been significant private investment and development in the city centre, there is a 14% vacancy rate in Frankston centre, and roughly 30 of 400 shops in the city are listed as destination retail.</li> <li>• Frankston Station Precinct Redevelopment is not the silver bullet to save the city centre's issues, and more parking is desperately needed around transport centres for the majority of residents who must leave the region for jobs and study.</li> </ul>	<p>Liveability is at the core of Frankston's offering to residents, and therefore providing infrastructure to support jobs in growth areas ensures those jobs stay in Frankston over the long term.</p>	<ul style="list-style-type: none"> <li>• Electrification of the rail line to Baxter</li> <li>• Delivering stage two of the Frankston Station Precinct Redevelopment</li> <li>• Ensuring the timely delivery of the NBN</li> <li>• Attract high density residential apartments and commercial office accommodation</li> <li>• Establish Frankston Regional Recycling and Recovery Centre FRIRC as a regional solution</li> <li>• Improve public car parking options</li> <li>• Additional bus services to connect Frankston City with Carrum Downs industrial area</li> <li>• Duplication of Lathams Road between Frankston Dandenong Road and the M3 Freeway</li> </ul>
<p><b>Frankston faces competing priorities of liveability and sustainability versus economic growth.</b></p> <ul style="list-style-type: none"> <li>• Sustainability and liveability are crucial to the lifestyle offered in Frankston, yet there is ongoing tension between preserving the amenity and biodiversity of Green Wedges and converting that land into valuable industrial precincts.</li> </ul>	<p>Council is working hard to get the right balance between improving liveability and sustainability, while also creating much needed new job opportunities.</p>	<ul style="list-style-type: none"> <li>• Develop the Centenary Park regional tennis facility</li> <li>• Construct a safe boat refuge at Olivers Hill and a new Guard</li> </ul>

Problem	Message	Solutions*
<ul style="list-style-type: none"> <li>There is evidence to show that there is only 12-18 months of land left in Carrum Downs available for development, because roughly 30% of the area is tied up in Green Wedges.</li> <li>In 2011 50.5% of Frankston residents attended an Arts or Cultural Event. This is significantly lower than the Victorian rate of 63.6%.</li> </ul>		<p><b>building</b></p> <ul style="list-style-type: none"> <li><b>Further developing Frankston City as a premier arts and culture destination and sculpture city</b></li> <li>Redevelop the existing Frankston Arts Centre and Civic Centre precinct</li> <li>Undertake a feasibility study to relocate Council's Operations Centre and allow for an exemplar urban renewal project</li> <li>Attract five star hotels</li> <li>Develop a Green Wedge management plan</li> </ul>
<p><b>There is localised and intergenerational disadvantage in areas of the Frankston LGA.</b></p> <ul style="list-style-type: none"> <li>Areas of Frankston such as Frankston North have some of the worst SEIFA scores in the state, and the rank in the top 10 most disadvantaged areas in Jesuit Social Services 2014 <i>Dropping Off The Edge</i> report. 19.9% of Frankston households are on incomes of less than \$600 per week.</li> <li>Frankston North has long been known to face issues of disadvantage, but neighbouring areas facing similar issues such as Karingal and Belvedere have not received the same attention or funding.</li> <li>Youth disengagement and lack of educational aspiration has persisted through generations. In 2011 the rate of young people (aged 15-24) not engaged in either education or employment (10.4%) outstripped both state and federal percentages (8.1% and 9.6% respectively)</li> <li>In 2011 the most extreme local areas had 27% and 17.2% youth disengagement (Frankston North and Karingal) representing over double and almost treble the State/Federal average of disengaged youth (8.1% and 9.6% respectively).</li> <li>These issues are multifaceted, encompassing family violence, multicultural and indigenous issues, housing stress and homelessness (the central Frankston area has one of the highest volumes of single-member households in the state). Police data illustrates that in 2015 family violence incidents continued to grow in the Frankston municipality. In 2015 Frankston continued to have the highest rate of police callouts to family violence</li> </ul>	<p>These pockets of severe disadvantage in Frankston have a great effect on the region's overall SEIFA rankings and its reputation. Small but visible changes, possibly reflected in media reports, to this long-term disadvantage could greatly improve Frankston's reputation – cementing the focus on liveability, as an area on the rise.</p>	<ul style="list-style-type: none"> <li>Ensure community infrastructure and services match community need</li> <li>Establish a knowledge, creativity and skills based economy that generates employment opportunities</li> <li>Identify service assets and service levels required to meet future community needs</li> <li>Optimise the community's ability to access services and information</li> <li><i>Develop initiatives that balance increasing property values with housing affordability for tenants and those in crisis accommodation</i></li> <li><i>Work with other levels of government for more housing support and crisis/homelessness accommodation</i></li> </ul>



Problem	Message	Solutions*
<p>incidents in Metropolitan Melbourne (1,873 callouts per 100,000 persons). Violence against women and children in Frankston cost \$85.5M in 2015.</p> <ul style="list-style-type: none"> <li>The Rental Affordability Index shows that there are currently <b>less than 200</b> properties with affordable rent in Frankston City. Frankston is one of the top six areas nationally for homelessness. This equates to approximately 1 in every 65 members of our community requiring emergency accommodation in any given year.</li> </ul>		
<p><b>Frankston city centre in particular faces a growing drugs problem.</b></p> <ul style="list-style-type: none"> <li>The area surrounding Frankston station continues to draw drug users. There are increasing rates of ice and other drug usage, and where police used to be able to track the trajectory of drug users, the problem is escalating in criminal scale.</li> <li>Males represented 57% of young people 15-24 reporting drug use as the primary reason for seeking crisis homelessness services. The data below from Crime Statistics shows an increase in the rates of drug use across 9 of the 13 suburbs within Frankston City from Dec 2015 – Dec 2016.</li> <li>Illegal drug use in possession hotspots has increased from Dec 2015 to Dec 2016 in Frankston North by 37.8%. The number of drug manufacturing hotspots has increased in Frankston Central by 128.6%, in Frankston North by 300% and in Frankston South by 100% from Dec 2015 to Dec 2016.</li> <li>In 2011/12 Frankston was in the top 10 LGAs in Victoria for ambulance call out rates for every drug category (licit and illicit) except heroin.</li> </ul>	<p>Relocating the epicentre of visible drug use would maximise the benefit from the Frankston Station Precinct Redevelopment as well as improving Frankston's reputation in the region.</p>	<ul style="list-style-type: none"> <li>Ensure community infrastructure and services match community need</li> <li><i>Health hub including expanded services for addiction and mental health</i></li> </ul>

# Advocacy toolkit

## Governance and process

For each new idea and already agreed upon project for Frankston advocacy, the following broad process will be followed:



At the second, 'Create a vision,' stage a project team will need to be established in Council, or at the very least, a point-person. A project team should be set up immediately for all of the 7 top Council priorities listed on the following page.

If the project is a high-level project, the project team should include someone from Executive Management Team authorised to co-ordinate with Council.

At each stage of the process, there are elements from the toolkit to assist in developing and implementing the final advocacy strategy, for which there is a template at the end of this guide

## Roles

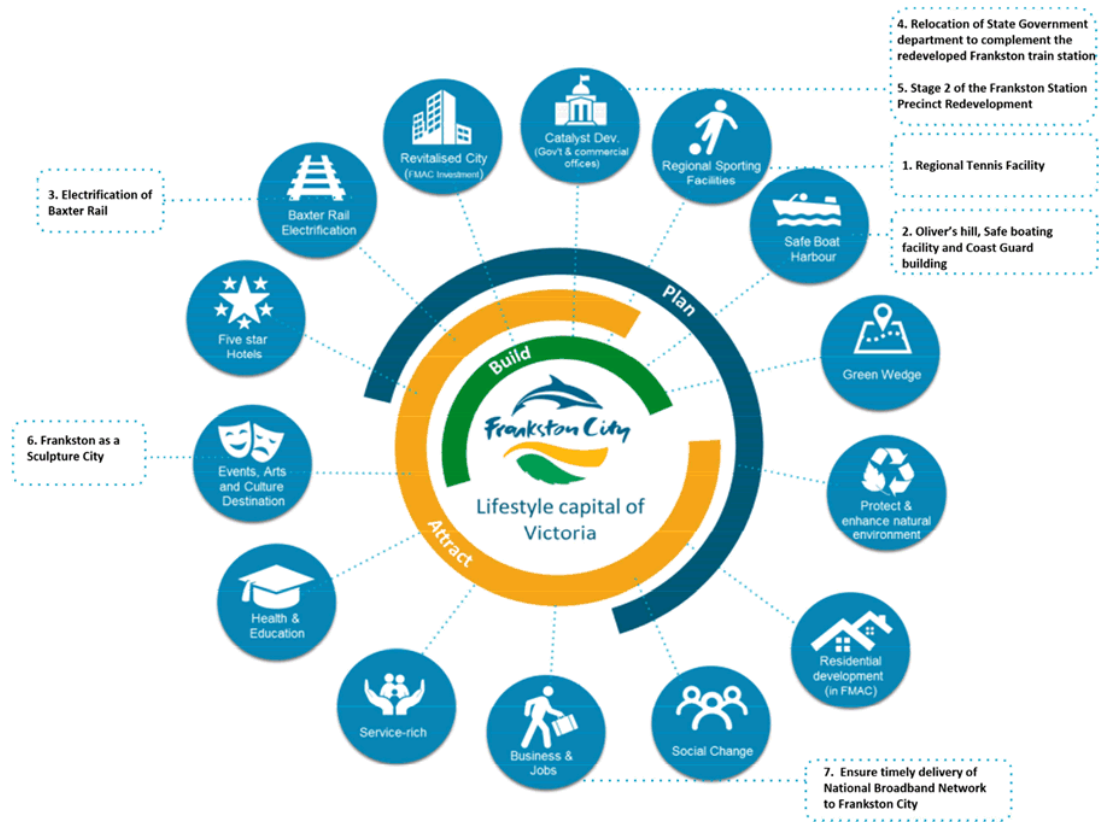
For each priority project a member of the Executive Management team will be appointed as Project Sponsor who will be supported by a Project Manager. Officers will be responsible for completing background research, engagement with relevant internal and external stakeholders and organising issue campaigns.

The Project Manager will update Councillors when required and outline advocacy opportunities for Councillors to implement. Councillors will rally the wider community around priority advocacy issues.

### Priority projects

The seven priorities for Frankston City advocacy as laid out in the latest Council plan include:

- 1 Developing the Centenary Park regional tennis facility
- 2 Constructing a safe boat refuge at Oliver's Hill and a new Coast Guard building
- 3 Electrification of the rail line to Baxter, including train stabling and maintenance facilities
- 4 Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct
- 5 Delivering stage two of the Frankston Station Precinct redevelopment
- 6 Further developing Frankston City as a premier arts and culture destination and sculpture city
- 7 Ensuring the timely delivery of the National Broadband Network across Frankston City.





**Priority projects**

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>1. Developing a regional tennis and gymnastics facility</b></p> <p><b>Project Sponsor:</b> Director Community Development</p> <p><b>Project Manager:</b> Coordinator Recreation</p> <p><b>Champion Councillors:</b> Cr Mayer Cr O'Reilly</p> <p><b>Council Plan ref:</b> 1.1.1</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD Medium</p> </div>	<p>Multi use facility at Centenary Park for tennis and gymnastics.</p>	<p><b>Partial</b> Amounts from government stakeholders have been identified.</p> <p>Council has allocated \$3M in funding towards this project.</p> <p><b>Incomplete</b> It is unknown whether funding will come from existing sources or whether a budget bid will be needed.</p>	<p><b>Identified</b> In 2018 Frankston Public Hospital will start their expansion and will take over the land.</p>	<p><b>Identified</b> Tennis club has no alternative site to operate.  Gymnastics has a waiting list because they can't meet capacity.</p>	<p><b>Identified</b> Increased sporting participation and uptake in the Frankston area.</p>	<p><b>Completed</b> Combined tennis and gymnastics club's 1,500 members will have access to sporting facilities.</p>	<p><b>Yes</b></p>	<p><b>Partial</b> Gymnastics Victoria, Tennis Victoria have all been consulted.  The process to secure formal stakeholder support is continuing.</p>	<p><b>Commenced</b> (18-21 June 2017)  Spoke to Shadow Labor Minister for Sport, Senator Don Farrell who was supportive of the multi-use aspect.  Senator Fiona Nash's advisor agreed it's a good idea.</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>2. Improving marine safety and constructing a new Coast Guard building</b></p> <p><b>Project sponsor:</b>                      Director Community Development</p> <p><b>Project Manager:</b>                      Senior Civil Engineer</p> <p><b>Champion Councillors:</b>                      Cr Bolam                      Cr Cunial                      Cr Toms</p> <p><b>Council Plan ref:</b> 1.1.2</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Low</p> </div>	<p>Constructing a safe boating refuge at Olivers Hill and a new Coast Guard building.</p>	<p><b>Planning funding</b></p> <p>Fed Govt has committed \$500K for planning and design.</p>	<p><b>Identified</b></p> <p>2017-18</p>	<p><b>Identified</b></p> <p>No safe anchorage for Coast Guard, police and smaller craft in heavy weather.</p>	<p><b>Limited</b></p> <p>Improved response times</p>	<p><b>Limited</b></p>	<p><b>No</b></p>	<p><b>Partial</b></p> <p>Police and emergency services</p>	<p><b>Commenced</b></p> <p>(18-21 June 2017)</p> <p>Low interest from Fiona Nash and Anthony Albanese, considered it a local project with low appetite among constituents.</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>3. Electrification of the rail line to Baxter</b></p> <p><b>Project Sponsor:</b> CEO</p> <p><b>Project Manager:</b> Executive Manager Frankston Revitalisation</p> <p><b>Champion Councillors:</b> Cr Hampton Cr Bolam Cr Cunial Cr McCormack Cr O'Connor</p> <p><b>Council Plan ref:</b> 1.1.1</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Low</p> </div>	<p>Electrification of the rail line to Baxter, including train stabling and maintenance facilities</p>	<p><b>Unknown</b> Fed Govt has committed \$2M for a project business case and \$2M towards the railway line duplication</p>	<p><b>Any time</b></p>	<p><b>Incomplete</b></p>	<p><b>Limited</b></p>	<p><b>Incomplete</b></p>	<p><b>No</b>  The Victorian Govt does not support the project</p>	<p><b>Limited</b></p>	<p><b>Ongoing</b>  (18-21 June 2017)</p> <p>Spoke to Darren Chester, Fiona Nash and Anthony Albanese Even Fed Labor Ministers that Council spoke to agreed it shouldn't be at impasse. Agreed it won't cost \$25M for business case. They agreed to put pressure on State Govt, but importantly State Govt will ultimately make the decision.</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>4. Relocation of a State Government department to complement the redeveloped Frankston Station Precinct</b></p> <p><b>Project Sponsor:</b> CEO</p> <p><b>Project Manager:</b> Director Corporate Development</p> <p><b>Champion Councillors:</b> Cr Hampton Cr Cunial Cr Toms Cr O'Connor</p> <p><b>Council Plan ref:</b> 1.1.3</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD Medium</p> </div>	<p>Attracting a major government department or agency to stimulate economic activity.</p>	<p><b>State Government has already committed \$63 million funding towards revitalising the Frankston Station Precinct</b></p>	<p>Any time</p>	<p><b>Incomplete</b></p> <p>Lack of high-skill jobs in the city centre.</p>	<p><b>Limited</b></p> <p>Would stimulate jobs growth in the city centre, with attendant flow-on benefits to local business.</p> <p>South East Water has re-activated the city centre.</p>	<p><b>Unknown</b></p>	<p><b>No</b></p>	<p><b>No</b></p>	<p><b>Commenced</b></p> <p>(18-21 June 2017)</p> <p>Gained the most traction of all priority projects Spoke to Stephen Jones MP and Fiona Nash Darren Chester MP and Paul Fletcher MP encouraged Council to nominate itself as a city deal partner (local, state, fed) and model our proposal on Launceston's. If we can get Vic Gov on-board, Fed Gov will follow.</p> <p>Shadow Minister Anthony Albanese also on board Paul Fletcher MP - Urban Infrastructure</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>5. Delivering stage two of the Frankston Station Precinct redevelopment.</b></p> <p><b>Project Sponsor:</b> CEO</p> <p><b>Project Manager:</b> Executive Manager Frankston Revitalisation</p> <p><b>Champion Councillors:</b> Cr Toms Cr O'Connor</p> <p><b>Council Plan ref:</b> 1.1 + 1.2</p>	<p>Implementation of the redevelopment will include:</p> <ul style="list-style-type: none"> <li>- Rebuilding Frankston station, consolidating the buses on Young Street and upgrading the subway</li> <li>- Improving Young Street by creating a high-quality pedestrian streetscape</li> <li>- Providing better pedestrian connections with key destinations</li> <li>- Creating new public plazas</li> </ul>	Funded	Construction to start late 2017	Identified	Identified	Completed	Yes	Yes	Commenced



Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>6. Further developing Frankston City as a premier arts and culture destination and sculpture city</b></p> <p><b>Project Sponsor:</b>                      Director Community Development</p> <p><b>Project Manager:</b>                      Manager Arts and Culture</p> <p><b>Champion Councillors:</b>                      Cr Aitken                      Cr Mayer</p> <p><b>Council Plan ref:</b>                      2.1.5, 2.2.1 + 2.2.2</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>	<p>Multiple projects, including:</p> <ul style="list-style-type: none"> <li>- Govt recognition of Frankston as an exhibition centre.</li> <li>- Attracting art exhibitions to McClelland Gallery and Sculpture Park</li> </ul>	Unknown	Ongoing	Unknown	Unknown	Unknown	Yes	Unknown	<p><b>Commenced</b></p> <p>(18-21 June 2017)</p> <p>Mitch Fifield's advisor positive about this one</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>7. Ensuring the timely delivery of the National Broadband Network across Frankston City.</b></p> <p><b>Project Sponsor:</b> CEO</p> <p><b>Project Manager:</b> Manager Community Relations</p> <p><b>Champion Councillors:</b> Cr O'Reilly</p> <p><b>Council Plan ref:</b> 1.1.1</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>	<p>Already a priority area for roll out.</p> <p>Requested NBN rollout for the industrial area of Carrum Downs and Seaford and also the health and education precincts.</p>	Funded	Unknown	<p>Identified</p> <p>Poor, slow and patchy internet connections across the region.</p> <p>High prices for commercial internet.</p>	<p>Identified</p> <p>Better connections for local businesses, job growth in higher-tech industries</p>	Incomplete	Yes	Yes	<p><b>Commenced</b></p> <p>(18-21 June 2017)</p> <p>Mitch Fifield's advisor. We probably won't get it brought forward but we should push for FTTR (fibre to the road). Back-end technology isn't even developed to connect fibre from the road to the premise...? Planning to commence roll-out in mid-2018. Also spoke to Shadow Minister for Communications, Michelle Rowland</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>8. Additional bus services to connect Frankston City with Carrum Downs industrial area, and upgraded bus services throughout the entire municipality</b></p> <p><b>Project Sponsor:</b>                      Director Community Development</p> <p><b>Project Manager:</b>                      Strategic Infrastructure Specialist</p> <p><b>Champion Councillors:</b>                      Cr Hampton                      Cr Mayer</p> <p><b>Council Plan ref:</b> 1.1.6</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD                      Medium</p> </div>	<p>This was a priority in the 2013-2017 Council Plan but is yet to be achieved.</p>	<p>Unknown</p>	<p>ASAP</p>	<p>Identified</p>	<p>Identified</p>	<p>Incomplete</p>	<p>Unknown</p>	<p>Unknown</p>	<p>Not yet commenced</p>

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>9. Accessible tertiary courses that are in line with job provision.</b></p> <p><b>Project Sponsor:</b>                      Director Corporate Development</p> <p><b>Project Manager:</b>                      Manager Community Relations</p> <p><b>Champion Councillors:</b>                      Cr Aitken                      Cr O'Reilly</p> <p><b>Council Plan ref:</b> 2.1.1</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>		Unknown	ASAP	Unknown	Identified	Incomplete	Unknown	Unknown	Not yet commenced

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p>10. Work with other levels of government for more housing support and crisis/homelessness accommodation.</p> <p><b>Project Sponsor:</b> Director Community Development</p> <p><b>Project Manager:</b> Manager Community Strengthening</p> <p><b>Champion Councillors:</b> Cr Bolam Cr Aitken Cr McCormack</p> <p><b>Council Plan ref:</b> 1.2 + 2.3</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>	<p>Council must leverage opportunity the funding opportunity to ensure social housing growth fund is spent in Frankston City.</p> <p>Council should also advocate for Frankston to be chosen as the location of one of the Family Violence Support and Safety Hubs promised by the State Government, to address the fractured social services sector.</p>	Funding available	ASAP	Housing affordability and homelessness	Identified	Completed	Victorian Minister for Housing offering \$1B Social Housing Growth Fund	Yes	Commenced

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>11. Health hub including expanded services for addiction and mental health</b></p> <p><b>Project Sponsor:</b>                      Director Community Development</p> <p><b>Project Manager:</b>                      Manager Community Strengthening</p> <p><b>Champion Councillors:</b>                      Cr McCormack</p> <p><b>Council Plan ref:</b> 2.3.2</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>	<p>Council should also advocate for Frankston to be chosen as the location of a health hub to address rising addiction rates and growing mental health issues in the area.</p>		ASAP	Addiction and mental illness	Identified	Completed			Commenced

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<p><b>12. Duplication of Lathams Road</b></p> <p><b>Project Sponsor:</b> Director Community Assets</p> <p><b>Project Manager:</b> Strategic Infrastructure Specialist</p> <p><b>Champion Councillors:</b> Cr Hampton Cr O'Reilly Cr Mayer</p> <p><b>Council Plan ref:</b> 1.1.6</p> <div style="border: 1px solid black; padding: 2px; width: fit-content;"> <p>LIKELIHOOD</p> <p>Medium</p> </div>	<p>Council will advocate to the State Gov for the duplication of Lathams Road between Frankston Dandenong Road and the M3 Freeway</p>		ASAP	<p>Lathams Rd is the main road into the fast-growing Carrum Downs industrial estate. Current road is inadequate for traffic volume. Council handed responsibility for this road to Vic Gov 18 months ago, but nothing has been done.</p>	Needs exploration	Incomplete		Yes	<p><b>Not yet commenced</b></p> <p>Working group established between Council, Committee for Greater Frankston and VicRoads to scope remodelling of Lathams Rd and develop costings for duplication.</p>





**Stakeholder list**

			Priorities and projects	Partner, Supporter, Opponent	Key messages
State Government	Political	Ministers			
		Shadow Ministers			
		MPs			
	Govt	Department			
		Secretary			
		Deputy Secretary			
		Other stakeholders			
	Agency	CEO			
		Officers and stakeholders			
Federal Government	Political	Ministers			
		Shadow Ministers			
		MPs			
	Govt	Department			
		Secretary			
		Deputy Secretary			
		Other stakeholders			
	Agency	CEO			
		Officers and stakeholders			
Local gov networks	Group	CEO			
		Members			
Community groups	Group	CEO			
		Members			
Other organisations	University, hospital etc	CEO			
		Other stakeholders			
Individuals	Title	Name			





## Advocacy strategy template

### BACKGROUND

- Brief context and situational analysis – what’s the problem?
- Why advocate on the issue? Commitments, accountability, outcomes...

### AIM

- Long-term goal that want to contribute towards? What broader Frankston problem does it solve?

### OBJECTIVES

- Specific Measurable Attainable Realistic Time-bound change objectives
- Do these contribute to the realisation of your aim?

### TARGETS

- Who has the power to make the necessary changes?
- Who influences those people?

### KEY MESSAGES

- For each audience

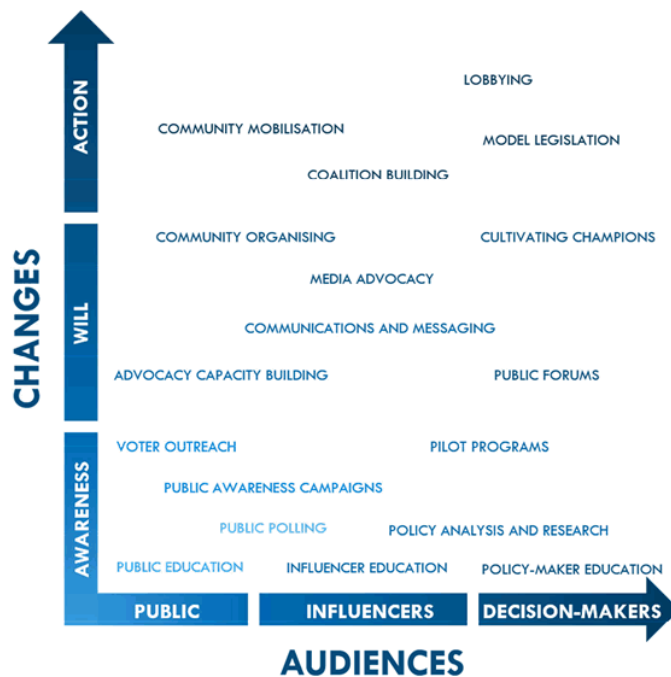
### ROLES, RESPONSIBILITIES AND BUDGET

- What gaps (incl. capacities)? How fill them?

### ALLIES/PARTNERS

- Who can you work with to build momentum and support?

### TACTICS AND ACTIVITIES



### TIMELINE

- Moments/opportunities for influence? How to be prepared for these with evidence and advocacy needed?

**Executive Summary****12.3 Outbound Delegation to Sister City - Susono, Japan**

*Enquiries: (Dennis Hovenden: Chief Executive Office)*

**Council Plan**

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.2 Promote Frankston City's reputation as an arts, festivals and events destination

**Purpose**

To brief Council on the proposed participation of the Mayor to attend the Australian Fair in Susono, Japan in September 2018.

**Recommendation (Director Chief Executive Office)**

That:

1. Council endorses the participation of the Mayor to attend the Australian Fair in Susono, Japan in September 2018.
2. The expenditure for the Mayor's attendance is approved.

**Key Points / Issues**

- Frankston and Susono, Japan have shared a sister city relationship for 36 years. Susono is one of only two sister city relationships that Frankston has – with Wuxi, China being the other.
- The relationship with Susono is largely managed by the Frankston Susono Friendship Association (FSFA).
- The last formal outbound delegation by representatives of Frankston City was in 2014. This delegation included 10 students and teachers from Frankston High School, nine members of the FSFA and representation by Frankston City Council.
- Since the relationship was established, there have been numerous delegations from Susono City and members of the Susono Overseas Friendship Association (SOFA) to Frankston. The last visit was in 2016.
- In September 2018, Susono City will be holding the Australian Fair at the Susono Cultural Centre and an invitation has been extended to the Mayor to represent Frankston City Council.
- Council may want to consider sending an officer to support the Mayor in the outbound delegation.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

**12.3 Outbound Delegation to Sister City - Susono, Japan****Executive Summary**

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

For Frankston City Council to send a Councillor representative, the approximate costs are as follows:

Airfares	\$1,500.00
Accommodation	\$ 600.00 or home stay (no cost)
Rail fares	\$ 200.00
Miscellaneous (meals/Taxis etc)	\$ 100.00
<b>TOTAL</b>	<b>\$2,400.00 or \$1,800 (home stay)</b>

Provision has been made in the budget to accommodate these costs.

**Consultation****1. External Stakeholders**

The FSFA have been consulted on the delegation to the Australian Fair in Susono City.

**2. Other Stakeholders**

Nil

**Analysis (Environmental / Economic / Social Implications)**

The sister city relationship has contributed to the acceptance of cultural diversity in our community. The activities will be an extremely positive way to engage the local primary and secondary students, particularly those learning Japanese. Previous Japanese cultural events have always proved popular with local community and visitors to Frankston.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Nil

Policy Impacts

Nil

**12.3 Outbound Delegation to Sister City - Susono, Japan****Executive Summary**Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

There are no risks associated with this report.

**Conclusion**

Frankston City Council has been invited to actively participate in the outbound delegation to Susono, Japan by the Frankston Susono Friendship Association. It is recommended that the Mayor attend to continue the ongoing relationship with Susono City.

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**ATTACHMENTS**

Nil

**Executive Summary****12.4 Audit and Risk Management Committee Charter**

*Enquiries: (Kim Jaensch: Corporate Development)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.1 Services
Priority Action	4.1.1 Identify service assets and service levels required to meet future community needs

**Purpose**

To present to Council the Audit and Risk Committee Charter, as reviewed, for adoption.

**Recommendation (Director Corporate Development)**

That Council adopts the updated Audit and Risk Committee Charter, as recommended by the Committee.

**Key Points / Issues**

- At its Ordinary Meeting on 13 June 2017, Council adopted the Charter for the Audit and Risk Management Committee (Attachment A).
- Section 3.10.3 of the Charter requires that other responsibilities of the Committee is to 'Review and assess annually the adequacy of the audit committee charter, making any appropriate recommendations to Council.
- Officers prepared a Charter which is consistent with the "Audit Committees – A Guide to Good Practice for Local Government – Local Government Victoria, January 2011". This Charter clearly identified the roles and responsibilities of the Independent Members and Council officers.
- The Chairman arranged a workshop with the Committee members and the Executive Management Team to review the Charter in detail. There were a number of recommended changes made to the existing Charter including the following key items:
  - Change the name of the Committee to the 'Audit and Risk Committee';
  - Expansion of the Committee's role in relation to oversight of related party transactions and fraud prevention, including corruption;
  - The addition of a section relating to the Committee's authority as an advisory committee of Council and Legislative Compliance;
  - The expansion to the Financial and Performance Governance responsibilities of the Committee; and
  - A quorum shall be three (3), comprising at least two (2) external independent members.
- The suggested amendments were discussed and endorsed at the Committee meeting held on Friday 23 February 2018.
- Recommended changes have been included within the draft Charter (Attachment B) and it is now recommended that the Charter be adopted by Council.

**12.4 Audit and Risk Management Committee Charter****Executive Summary****Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

There are no financial implications associated with this report.

**Consultation****1. External Stakeholders**

Not applicable

**2. Other Stakeholders**

The Committee members and appropriate management representatives have been consulted.

**Analysis (Environmental / Economic / Social Implications)**

Not applicable.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

The Committee is an independent advisory Committee to Council established under Section 139 of the *Local Government Act 1989*.

The Committee Charter has been developed with regard to ‘Audit Committees – A Guide to Good Practice for Local Government’, January 2011 issued by the Minister of Local Government.

This Charter sets out the Committee’s objective, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

Policy Impacts

Not applicable.

**12.4 Audit and Risk Management Committee Charter****Executive Summary**Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

There are no identified risk issues.

**Conclusion**

It is recommended that Council adopt the Committee Charter to ensure that good governance practices are in place.

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**ATTACHMENTS**

Attachment A:[↓](#) Adopted June 2017 - Audit and Risk Management Committee Charter

Attachment B:[↓](#) Draft Audit and Risk Committee Charter - February 2018

# Audit and Risk Management Committee



## Committee Charter



Adopted by Council on 13 June 2017







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## 1. Background

### 1.1 Purpose

The Audit and Risk Management Committee (the Committee) is an independent advisory Committee to Council established under section 139 of the *Local Government Act 1989*.

The Committee Charter and Terms of Reference have been developed with regard to 'Audit Committees - A Guide to Good Practice for Local Government', January 2011 issued by the Minister of Local Government.

This Charter sets out the Committee's objective, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The Committee's objective is to provide appropriate independent advice and recommendations to Council on matters relevant to its Charter in order to facilitate decision-making by Council in relation to the discharge of its accountability requirements.

The Committee is an Advisory Committee of Council and does not have delegated powers to make binding decisions..

### 1.2 Role of the Committee

The Committee has been established to monitor and report on the systems and activities of Council in ensuring:

- Reliable financial reporting and management information;
- Standards of corporate governance;
- Appropriate application of accounting policies;
- Compliance with applicable laws and regulations;
- Effective monitoring and control of all identified risks;
- Effective and efficient internal and external audit functions;
- Measures to provide early warning of any issues affecting the organisation's financial well-being;
- The level and effectiveness of appropriate Business Continuity and Disaster Recovery planning; and
- Maintenance and fostering an ethical environment.

The internal, external auditors and other assurance providers support the Committee by providing independent and objective assurance on internal corporate governance, risk management, internal control and compliance.

A Committee Work Plan is established and reviewed annually to ensure the Committee effectively discharge its responsibilities.



The Audit Committee does not have:

- Executive powers;
- Authority to implement actions in areas over which management has responsibility;
- Any delegated financial responsibility; and
- Any management functions and is therefore independent of management.

## 2. Corporate Governance

Council recognises the importance of good corporate governance and is committed to ensuring high standards are set and maintained. The Committee plays a significant role in monitoring and promoting these standards.

## 3. Duties and Responsibilities

### 3.1 General

As required, the Committee will review significant changes in accounting and reporting issues, including legislative, professional and regulatory standards and pronouncements and establish their impact on the financial reports.

### 3.2 Budget

As required, the Committee will assess that all appropriate processes are in place, that all legislative aspects have been complied with in terms of budget preparation and that the budget has been approved by Council.

### 3.3 Annual Financial Statements

The Committee will:

- 3.3.1 Review with management and the external auditors the results of the audit, including any:
  - difficulties encountered;
  - complex and/or unusual transactions;
  - related-party transactions; and
  - any judgmental areas for adjustments recommended by External Auditors, for example, those involving valuation of assets and liabilities; environmental liability and other commitments and contingencies.
- 3.3.2 Review the annual financial statement, and consider whether it is complete, consistent with information known to the Committee members, and reflects appropriate accounting principles and standards.
- 3.3.3 Be satisfied that all regulatory compliance matters have been considered in the preparation of the Financial Statements.
- 3.3.4 Review with management and the External Auditors all matters required to be communicated to the Committee under the Australian Accounting and Auditing Standards.



### 3.4 External Audit

The Committee will:

- 3.4.1 Review the annual External Audit Strategy, and advise Council on significant issues identified.
- 3.4.2 Review the External Audit report, and advise Council on significant issues identified.
- 3.4.3 Review the appropriateness and effectiveness of the management responses to the recommendations by the External Auditor.
- 3.4.4 Meet annually with the External Auditor in an “in-camera” session.
- 3.4.5 Review annually the performance of the External Auditors.

### 3.5 Internal Audit

The Committee will:

- 3.5.1 Develop and review the audit forward plan on an annual basis.
- 3.5.2 At each meeting, review progress on the annual internal audit program.
- 3.5.3 Review all Internal Audit reports and advise Council on significant issues identified.
- 3.5.4 Review the effectiveness of the internal audit function.
- 3.5.5 Annually review, with management and the Internal Auditor, the Internal Audit Charter.
- 3.5.6 At least annually, meet with the Internal Auditor in an “in-camera” session.

### 3.6 Risk Management

The Committee will:

- 3.6.1 Annually review the appropriateness of Council’s risk management framework and its application to the organisations operations to ensure risks are being dealt with appropriately.
- 3.6.2 Review and confirm procedures are in place for the effective identification, and management of operational and financial risk.
- 3.6.3 Review whether a sound and effective approach has been adopted in developing risk management plans for all aspects of the Council’s operations.
- 3.6.4 Receive and review reports on significant incidents, breaches of policy or appetite limits, risk treatment actions and risk profile updates.
- 3.6.5 Review Council’s assessments of its material strategic and operational risks.
- 3.6.6 Review the appropriateness and effectiveness of Council’s business continuity plan (including disaster recovery).



### 3.7 Control Framework

The Committee will:

- 3.7.1 Review managements approach to maintaining an effective “control culture” by communicating the importance of internal control and the management of risk, so that all employees have an understanding of their roles and responsibilities in respect of internal control and risk management.
- 3.7.2 Review and consider the effectiveness of the Fraud Control Strategy in mitigating, preventing, investigating and prosecuting fraud or other illegal acts.
- 3.7.3 Review whether appropriate policies and procedures are in place for the management and exercising of delegations.
- 3.7.4 Consider the effectiveness of internal controls for the security of information technology systems and applications.

### 3.8 Corporate Compliance

The Committee will:

- 3.8.1 Review the effectiveness of the system for monitoring compliance with and changes to legislation and regulations and the results of management’s investigation and follow-up of any instances of non-compliance.
- 3.8.2 Review the organisations policies and legislative framework.
- 3.8.3 Review any non-compliance examinations and/or investigations by other agencies and any auditor observations.
- 3.8.4 Review compliance with internal policies, plans and procedures.

### 3.9 Ethics and Conduct

The Committee will:

- 3.9.1 Periodically review the Ethics Framework in place within Council.
- 3.9.2 Assess the internal process for management’s identification and control of unethical behaviours or conduct.
- 3.9.3 Ensure the Internal Auditors have regard to ethics in the development of the internal audit plan and in the conduct of internal audit projects.
- 3.9.4 Review the outcomes of independent investigations into ethical matters and monitor the outcomes.



### 3.10 Other

The Committee will:

- 3.10.1 Consider the findings and recommendations of relevant Performance Audits and other specific audits undertaken by the Victorian Auditor-Generals Office and make any appropriate recommendations.
- 3.10.2 Within its purpose and authority, review and assess any other matter deemed necessary by the Committee or requested by the Council or Chief Executive Officer.
- 3.10.3 Review and assess annually the adequacy of the audit committee charter, making any appropriate recommendations to Council.
- 3.10.4 Evaluate the Committee's own performance on at least an annual basis, confirming that all responsibilities outlined in this charter have been carried out.
- 3.10.5 At least annually, the Committee must review the Council's oversight of any subsidiaries as may be required. This should include, but is not limited to, Council approval of budgets, annual and strategic plans, governance of the subsidiary and reporting arrangements.
- 3.10.6 The Audit and Risk Committee may at its discretion consider public complaints, and determine appropriate avenues, which intimate inappropriate practices within the Frankston City Council organisation and any subsidiaries

## 4 Membership

The Committee will be comprised of five (5) members as follows:

- One (1) Independent Chairperson;
- Two (2) Independent Members; and
- Two (2) Councillors (with a substitute Council appointee).

At least one Independent Member of the Committee must have current, formal accounting or audit qualifications.

All members shall have full and equal voting rights unless a member is unable to vote due to a conflict of interest.

The following requirements will apply to members and the appointment thereof:

- 4.1 Council will appoint Committee members.
- 4.2 Council will appoint the Chairperson after calling for an expression of interest in the position from Independent Members.
- 4.3 The Chairperson shall be an Independent Member of the Committee and shall have a casting vote on occasions where there is an equal tally of votes on a matter. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the Independent Members present.



- 4.4 A quorum of any meeting will be at least two (2) Independent Members and at least one (1) Councillor Member.

## 5 Terms of Appointment

- 5.1. At the cessation of a term, appointments will be advertised and applications for membership will be assessed against appropriate criteria.
- 5.2. The Recruitment and Selection panel will take into account the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills and will make a recommendation for appointment to Council.
- 5.3. Councillor members are appointed by Council annually at the time Council considers the Councillor Delegates for Committees at its Statutory Meeting. Councillors will be appointed for a term of one (1) year. A mid-term vacancy for the Councillor Representative will be filled by the substitute Councillor nomination.
- 5.4. Independent Members shall be appointed for a term of up to three (3) years. The terms of each member should be arranged so that there is an orderly rotation of membership and avoidance of more than one (1) member retiring at the same time. It is anticipated that each members term will cease on 31st October.
- 5.5. At the conclusion of their first three (3) year term, existing members will be eligible for reappointment with the approval by Council.
- 5.6. The Chief Executive Officer has the discretion to extend appointments for no longer than three (3) months, in circumstances where situations may arise, which prevent the appointment of a new member (i.e. delay in the appointment or inability to attract a suitable candidate).
- 5.7. If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting.
- 5.8. Remuneration will be reviewed as part of the annual budget process.
- 5.9. No further allowances will be made for reimbursement of expenses, including travel, however, reimbursement of extraordinary expenses will be at the discretion of the Chief Executive Officer.
- 5.10. Independent Members will be paid after each meeting and must provide an invoice.

## 6 Role of Chairperson

The role of the Committee chairperson should include, but not be limited to:

- 6.1. The Chairperson shall chair meetings of the Committee in accordance with the formal meeting Agenda.





- 6.2. The meetings shall be carried in a manner that promotes participation, communication, involvement, consensus, mutual respect and listening.
- 6.3. The Chairperson has no executive authority on behalf of Council but can be used as required, as a sounding board by Council and or management.
- 6.4. The Chairperson will allow time during Committee Meetings for any Committee member to raise any issues they believe relevant.
- 6.5. Meetings are to be minuted and signed by the Chairperson.
- 6.6. At the end of each calendar year, the Chairperson will formally report to Council on the operations and findings of the Committee.
- 6.7. The Chairperson shall circulate the annual self-assessment and collate the results of the members and other invited officers for the Chairpersons report to Council.

## 7 Meetings

The following requirements shall apply to meetings of the Committee:

- 7.1. The Committee shall meet five (5) times per year, one (1) of these meetings to be dedicated to the draft annual financial statements.
- 7.2. It is intended that the meetings be held at least quarterly and the meeting to discuss financial statements will be held in August each year.
- 7.3. The Chief Executive Officer and any appropriate management representatives will be required to attend all meetings, except when the Committee chooses to meet in camera or otherwise requested by the Chair of the Committee.
- 7.4. The Committee extends an open invitation to all Councillors to attend any meeting of the Committee.
- 7.5. The Agenda and Supporting Documentation will be circulated to members of the Committee at least one (1) week in advance of each meeting.
- 7.6. Minutes will be prepared within one (1) week of the meeting for approval by the Chairperson and to Committee members within two (2) weeks of the meeting.
- 7.7. The Chair at the subsequent meeting will sign the minutes.
- 7.8. The draft minutes will be circulated to the Council at a subsequent Council meeting following the Committee meeting.
- 7.9. Council shall provide secretarial and administrative support to the Committee.

## 8 Performance Evaluation

The Committee will evaluate its own performance on an annual basis, using a Self-Assessment tool which will be completed by Committee members and appropriate and relevant Council representatives.



## 9 Primary and Ordinary Returns

There are two (2) types of interest returns that must be lodged under section 81 of the *Local Government Act 1989*. These are:

- Primary Returns, which must be lodged within 30 days of commencement in the role; and
- Ordinary Returns, which must be lodged within 40 days of 30 June and 31 December each year.

Committee members are required to complete these returns.

## 10 Use of Information and Confidentiality

- 10.1 Upon appointment and reappointment to the Committee, Independent Members will be required to sign a confidentiality agreement.
- 10.2 The nature of the work of the Committee will provide its members with access to information about the day to day operations of Council including information that may be commercial in confidence. Accordingly, it is important that members of the Committee recognise the responsibilities associated with their access to this information, in particular with regard to its use or misuse.
- 10.3 In the event that an Independent Member resigns or is removed from the Committee, any documents and papers relating to Council, must be returned.

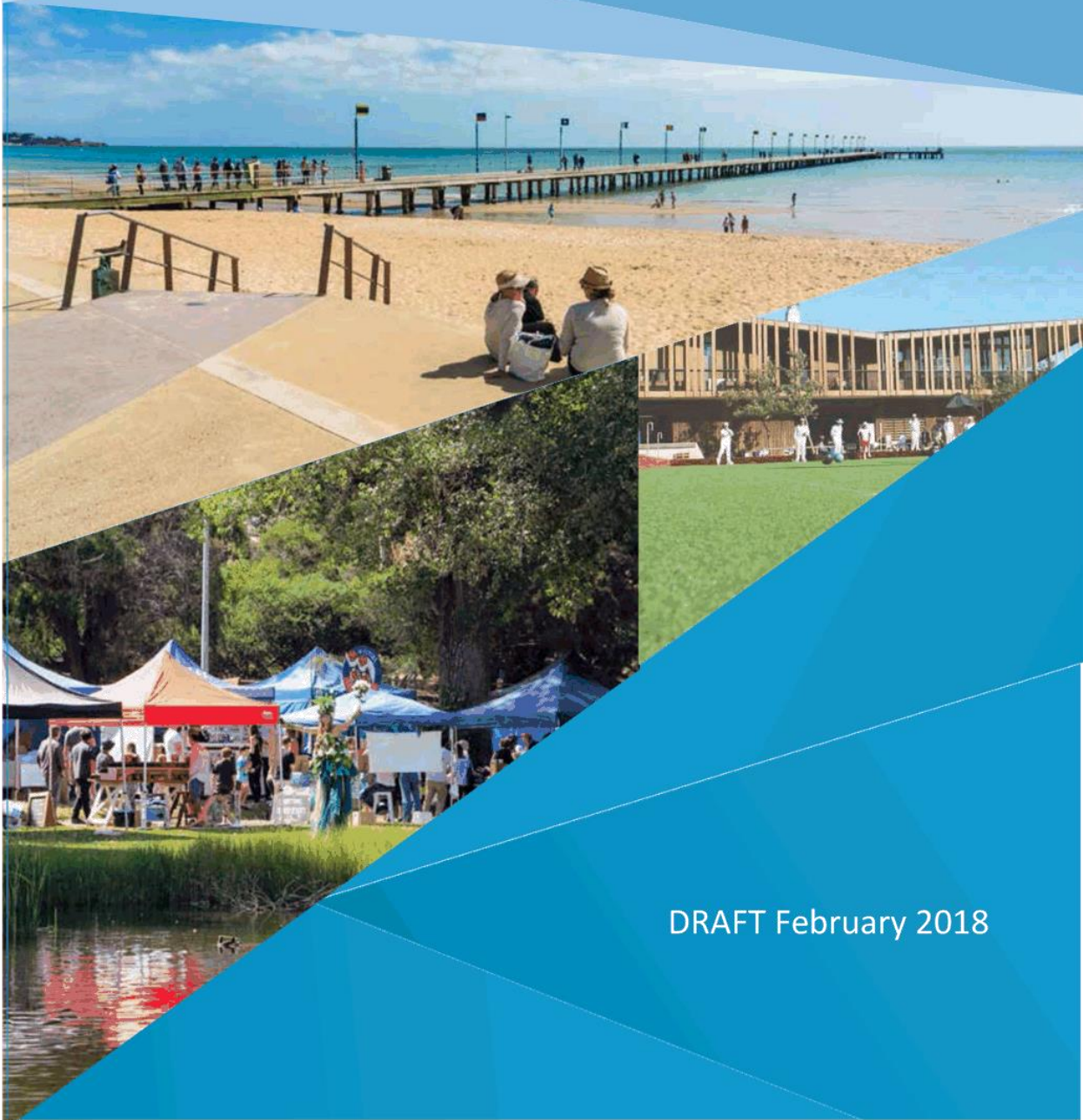
## 11 Conflict of Interest

In accordance with Section 79 of the *Local Government Act 1989*, members of the Committee will be required to disclose all conflict of interest.

- Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest as and when they may arise.
- Members of the Committee must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in sections 77A, 77B, 78, 78A, 78B, 78C and 78D of the *Local Government Act 1989*.
- Failure to comply with the provisions of the *Local Government Act 1989* with regard to conflicts of interest may result in the member's appointment being terminated.

# Audit and Risk Committee

## Committee Charter



DRAFT February 2018





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## 1. Background

### 1.1 Purpose

The Audit and Risk Committee (the Committee) is an independent advisory Committee to Council established pursuant to Section 139 of the *Local Government Act 1989*.

The Committee Charter and Terms of Reference have been developed with regard to 'Audit Committees - A Guide to Good Practice for Local Government', January 2011 issued by the Minister of Local Government.

This Charter sets out the Committee's objective, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The Committee's objective is to provide appropriate independent advice and recommendations to Council on matters relevant to its Charter in order to facilitate decision-making by Council in relation to the discharge of its accountability requirements.

The Committee is an Advisory Committee of Council and does not have delegated powers to make binding decisions.

### 1.2 Role of the Committee

The Committee has been established to monitor, review and advise Council on the systems and activities of Council in ensuring:

- Reliable and complete financial and performance reporting;
- High standards of corporate governance;
- Appropriate application of accounting policies;
- Compliance with applicable laws and regulations;
- Effective management and monitoring of all risks, controls and insurances;
- Effective and efficient internal and external audit functions;
- Appropriate measures to provide early warning of any issues affecting the organisation's financial well-being;
- The level and effectiveness of appropriate Business Continuity and Disaster Recovery planning;
- Maintenance and fostering of an ethical environment and oversight of related party transactions;
- Fraud prevention, including corruption.

The internal, external auditors and other assurance providers support the Committee by providing independent and objective assurance on internal corporate governance, risk management, internal control and compliance.

A Committee Work Plan is to be maintained and reviewed annually to ensure the Committee effectively discharge its responsibilities. This is to be published on Council's website.



### 1.3. Authority

The Audit and Risk Committee is an Advisory Committee of Council and reports directly to Council.

As an Advisory Committee, the Audit and Risk Committee does not exercise executive powers, management functions or have any delegated financial responsibility, but it is entitled to receive information, presentations by Officers or explanations it considers necessary to fulfil its responsibilities. In doing so, Council authorises the Audit and Risk Committee to:

- Perform activities within the scope of its Charter;
- Require the attendance of Council Officers at meetings and request the attendance of internal audit, external audit or other assurance providers, where appropriate;
- Oversee the performance of the external audit process, and appointment and performance of the internal auditor; and
- Request the CEO or Council, within delegation, to provide financial resources to enable the Committee to receive any information it considers necessary to fulfil its responsibilities.

## 2. Corporate Governance

Council recognises the importance of good corporate governance and is committed to ensuring high standards are set and maintained. The Committee plays a significant role in monitoring and promoting these standards.

## 3. Duties and Responsibilities

### 3.1 Financial and Performance Governance

#### 3.1.1 Financial Management Oversight

- Review Council's financial position, via the receipt of Council's Quarterly Financial Management report whichever is more current and report to Council on any material issues which may require action.
- Review any litigation, claim or contingency which could have a material effect on Council's financial position or operating result.

#### 3.1.2 Annual Budget and Long Term Financial Plan Development

- As required, the Committee will assess that all appropriate processes are in place, that all legislative aspects have been complied with in terms of budget and long term financial plan preparation. The Committee will review the annual budget and updated long term financial plan which has been approved by Council.



### 3.1.3 Annual Financial Report and Performance Statement

The Committee will:

- Review with management and the external auditors the results of the audit, including any:
  - difficulties encountered;
  - complex and/or unusual transactions;
  - related-party transactions; and
  - any judgmental areas for adjustments recommended by External Auditors, for example, those involving valuation of assets and liabilities; environmental liability and other commitments and contingencies.
- Review the annual financial report and performance statement, and consider whether it is complete, consistent with information known to the Committee members, and reflects appropriate accounting principles and standards.
- Review that all regulatory compliance matters have been considered in the preparation of the annual financial report and performance statement.
- Review with management and the External Auditors all matters required to be communicated to the Committee under the Australian Accounting and Auditing Standards.
- Review and recommend adoption of the annual financial report and performance statement to Council and review any significant changes and the reasons for the changes that may arise subsequent to any such recommendation but before the annual financial report and performance statement is signed by the Principal Accounting Officer, nominated Councillors and the Chief Executive Officer.

## 3.2 External Audit

The Committee will:

- 3.2.1 Be briefed by the External Auditor on the audit engagement and the overall audit strategy of the Victorian Auditor General's Office (VAGO) at the commencement of each year's audit process.
- 3.2.2 Review the External Audit report, and advise Council on significant issues identified.
- 3.2.3 Review the appropriateness, timeliness and effectiveness of the management responses to the recommendations by the External Auditor.
- 3.2.4 Meet annually with the External Auditor in an "in-camera" session.
- 3.2.5 Review annually the performance of the External Auditors.





### 3.3 Internal Audit

The Committee will:

- 3.3.1 Maintain a three year audit plan which is reviewed annually
- 3.3.2 On a regular basis, review progress on the annual internal audit program.
- 3.3.3 Review all Internal Audit reports, management responses and advise Council on significant issues identified.
- 3.3.4 At least annually, review the effectiveness of the internal audit function.
- 3.3.5 At least annually, meet with the Internal Auditor in an “in-camera” session.

### 3.4 Risk Management

The Committee will:

- 3.4.1 Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- 3.4.2 Review and confirm procedures are in place for the effective identification, and management of operational and financial risk.
- 3.4.3 Review whether a sound and effective approach has been adopted in developing risk management plans for all aspects of the Council’s operations.
- 3.4.4 Consider the approach taken by Council to ensure that appropriate insurance arrangements are in place.
- 3.4.5 Receive and review reports on significant incidents, breaches of policy or appetite limits, risk treatment actions and risk profile updates.
- 3.4.6 Review Council’s assessments of its material strategic and operational risks.
- 3.4.7 Review the appropriateness and effectiveness of Council’s business continuity plan (including disaster recovery).

### 3.5 Control Framework

The Committee will:

- 3.5.1 Review management’s approach to maintaining an effective “control culture” by communicating the importance of internal control and the management of risk, so that all employees have an understanding of their roles and responsibilities in respect of internal control and risk management.
- 3.5.2 Review and consider the effectiveness of the Fraud Control Strategy in mitigating, preventing, investigating and prosecuting fraud or other illegal acts.
- 3.5.3 Review whether appropriate policies and procedures are in place for the management and exercising of delegations.



- 3.5.4 Consider the effectiveness of internal controls for the security of information technology systems and applications.

### **3.6 Legislative Compliance**

The Committee will:

- 3.6.1 Review the effectiveness of the system for monitoring compliance with and changes to legislation and regulations and the results of management's investigation and follow-up of any instances of non-compliance.
- 3.6.2 Review the organisation's policies and legislative framework.
- 3.6.3 Review any non-compliance examinations and/or investigations by other agencies and any auditor observations.
- 3.6.4 Review compliance with internal policies, plans and procedures.

### **3.7 Ethics and Conduct**

The Committee will:

- 3.7.1 Periodically review the Ethics Framework in place within Council.
- 3.7.2 Assess the internal process for management's identification and control of unethical behaviours or conduct.
- 3.7.3 Ensure the Internal Auditors have regard to ethics in the development of the internal audit plan and in the conduct of internal audit projects.
- 3.7.4 Review the outcomes of, and monitor any subsequent recommendations and management responses to, independent investigations into ethical matters and monitor the outcomes
- 3.7.5 Review related party transactions arising from the end of year external audit process.

### **3.8 Performance and Review**

- 3.8.1 Review and assess annually the adequacy of the Committee charter, making any appropriate recommendations to Council.
- 3.8.2 Evaluate its own performance on an annual basis, using a Self-Assessment tool which will be completed by Committee members and appropriate and relevant Council Representatives.



### 3.9 Other

The Committee will:

- 3.9.1 Consider the findings and recommendations of relevant Performance Audits and other specific audits undertaken by the Victorian Auditor-Generals Office and make any appropriate recommendations.
- 3.9.2 Within its purpose and authority, review and assess any other matter deemed necessary by the Committee or requested by the Council or Chief Executive Officer.
- 3.9.3 At least annually, the Committee must review the Council's oversight of any subsidiaries as may be required. This should include, but is not limited to, Council approval of budgets, annual and strategic plans, governance of the subsidiary and reporting arrangements.
- 3.9.4 At its discretion the Committee may consider complaints from the public which may expose inappropriate practices within the Frankston City Council and any subsidiaries.
- 3.9.5 Monitor the progress of any significant claims or litigation by or against Council

## 4 Membership

The Committee will be comprised of five (5) members as follows:

- One (1) Independent Chairperson (appointed by Council from the Independent members);
- A further two (2) Independent Members; and
- Two (2) Councillors (with a substitute Councillor appointee).

At least one Independent Member of the Committee must have current, formal accounting or audit qualifications.

All members shall have full and equal voting rights unless a member is unable to vote due to a conflict of interest.

The following requirements will apply to members and the appointment thereof:

- 4.1 Council will appoint Committee members.
- 4.2 Council will appoint the Chairperson after calling for an expression of interest in the position from Independent Members.
- 4.3 The Chairperson shall be an Independent Member of the Committee and shall have a casting vote on occasions where there is an equal tally of votes on a matter. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the Independent Members present.
- 4.4 A quorum shall be three (3), comprising at least two (2) external independent members.



## 5 Terms of Appointment

- 5.1. Councillor members are appointed by Council annually at the time Council considers the Councillor Delegates for Committees at its Statutory Meeting. Councillors will be appointed for a term of one (1) year. A mid-term vacancy for the Councillor Representative will be filled by the substitute Councillor nomination.
- 5.2. Independent Members shall be appointed for a term of up to three (3) years. The terms of each member should be arranged so that there is an orderly rotation of membership and avoidance of more than one (1) member retiring at the same time. It is anticipated that each member's term will cease on 30 November.
- 5.3. The Chief Executive Officer has the discretion to extend appointments for no longer than three (3) months, in circumstances where situations may arise which prevent the appointment of a new member (i.e. delay in the appointment or inability to attract a suitable candidate).
- 5.4. At the conclusion of their first three (3) year term sitting members are eligible for reappointment by Council.  
  
At the expiration of a second term of appointment, the position is considered vacated, and it must be publicly advertised and an open selection process conducted. The independent member is eligible to reapply for the position
- 5.5. Should Council propose to remove an independent member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting. An independent member may only be removed by a majority vote of the Council.

## 6. Remuneration

- 6.1. The remuneration of the independent members will be reviewed by Council as part of the Annual Budget.
- 6.2. No less than once every Council term, the remuneration of Independent Members will be benchmarked against no less than five (5) other peer Councils to provide the Council with the information required to fully review the remuneration.
- 6.3. In intervening years, the remuneration will be adjusted having regard to the Consumer Price Index (Melbourne All Groups).
- 6.4. No further allowances will be made for reimbursement of expenses, including travel, however, reimbursement of extraordinary expenses will be at the discretion of the Chief Executive Officer.
- 6.5. Independent Members will be paid after each meeting and must provide an invoice.
- 6.6. As part of the appointment process, new independent members of the Committee will be required to attend an induction process to familiarise themselves with the



requirements of the role. Members will not be remunerated for attending the induction.

Independent Members are covered by the Council's overarching Director and Officer liability cover

## 7 Role of Chairperson

The role of the Committee chairperson should include, but not be limited to:

- 7.1. The Chairperson shall chair meetings of the Committee in accordance with the formal meeting Agenda.
- 7.2. The meetings shall be carried in a manner that promotes participation, communication, involvement, consensus, mutual respect and listening.
- 7.3. The Chairperson has no executive authority on behalf of Council but can be used as required, as a sounding board by Council and or management.
- 7.4. The Chairperson will allow time during Committee Meetings for any Committee member to raise any issues they believe relevant.
- 7.5. At the end of each calendar year, the Chairperson will formally report to Council on the operations and findings of the Committee.
- 7.6. The Chairperson shall circulate the annual self-assessment and collate the results of the members and other invited officers for the Chairpersons report to Council.

## 8 Meetings

The following requirements shall apply to meetings of the Committee:

- 8.1. The Committee shall meet five (5) times per year, one (1) of these meetings to be dedicated to the draft annual financial statements.
- 8.2. It is intended that the meetings be held at least quarterly and the meeting to discuss financial statements will be held in August each year.  
As required, and with the agreement of the Councillor representatives, the Chair may call additional meetings of the Committee.
- 8.3. The Chief Executive Officer and any appropriate management representatives are required to attend all meetings, except when the Committee chooses to meet in camera or otherwise requested by the Chair of the Committee.
- 8.4. All Councillors are welcome to attend any meeting of the Committee as an observer.
- 8.5. The Agenda and Supporting Documentation will be circulated to members of the Committee at least one (1) week in advance of each meeting.
- 8.6. Minutes will be prepared within one (1) week of the meeting for approval by the Chairperson and to Committee members within two (2) weeks of the meeting.

- 8.7. The draft minutes will be circulated to the Council at a subsequent Council meeting following the Committee meeting.
- 8.8. The Chair at the subsequent meeting will sign the minutes.
- 8.9. Council shall provide secretarial and administrative support to the Committee.

## 9 Primary and Ordinary Returns

There are two (2) types of interest returns that must be lodged under section 81 of the *Local Government Act 1989*. These are:

- Primary Returns, which must be lodged within 30 days of commencement in the role; and
- Ordinary Returns, which must be lodged within 40 days of 30 June and 31 December each year.

Committee members are required to complete these returns.

## 10 Use of Information and Confidentiality

- 10.1 Upon appointment and reappointment to the Committee, Independent Members will be required to sign a confidentiality agreement.
- 10.2 The nature of the work of the Committee will provide its members with access to information about the day to day operations of Council including information that may be commercial in confidence. Accordingly, it is important that members of the Committee recognise the responsibilities associated with their access to this information, in particular with regard to its use or misuse.
- 10.3 In the event that an Independent Member resigns or is removed from the Committee, any documents and papers relating to Council, must be returned.

## 11 Conflict of Interest

In accordance with Section 79 of the *Local Government Act 1989*, members of the Committee will be required to disclose all conflict of interest.

- Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest as and when they may arise.
- Members of the Committee must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in sections 77A, 77B, 78, 78A, 78B, 78C and 78D of the *Local Government Act 1989*.
- Failure to comply with the provisions of the *Local Government Act 1989* with regard to conflicts of interest may result in the member's appointment being terminated.

**Executive Summary****12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept**

*Enquiries: (Sam Jackson: Corporate Development)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.2 Development and Housing
Priority Action	1.2.3 Ensure built form, displays architectural excellence and embodies creative urban design

**Purpose**

To brief Council on the opportunity to establish a Façade Improvement Grant (incorporating green walls) and the viability of establishing a green wall 'proof of concept' funded by Council.

**Recommendation (Director Corporate Development)**

That Council:

1. Notes this report.
2. Notes Council officers are currently working with the State Government on the opportunity for a green roof and wall to be incorporated onto the new Young Street toilet block (adjacent to Frankston Station), and supports Officers to continue advocating for funding to be allocated to a greening initiative.
3. Notes that any Frankston City Centre Façade Improvement Program that offers matched fund Grants should not be considered until after the conclusion of the first six months of maintenance of the green roof and wall of the Young Street toilet block.
4. Notes that there has been no allocation in the 2017-2018 budget or draft 2018-2019 budget for installation or ongoing maintenance costs for Green Walls.

**Key Points / Issues**

- At its meeting on 29 January 2018, Council considered the officers further response to the Notice of Motion regarding 'Green Infrastructure – Installation of Green Walls'. Council resolved:
  1. *Notes the opportunity to include green walls and façade into the Neighbourhood Shopping Centres Master Plan*
  2. *Considers the opportunity to establish a Façade Improvement Grant (incorporating Green Walls) and that a report on this be provided to Council at the March 2018 Ordinary Meeting.*
  3. *Notes that the report also locate a site and required funding to conduct a trial/ 'proof of concept' relating to Green Walls within Central Frankston.*

This report responds to Items 2 and 3 of this resolution.

**Green Wall, Facades and Roofs – Example 'Proof of concept' and identified State Government identified site**

- There is potential for the Young Street toilet block (being replaced as part of the streetscape/Train station upgrade works) to feature a green roof/walls. Discussions between State Government and Council Officers have highlighted a potential for the funding currently allocated towards cladding to be redirected towards greening initiatives. These conversations are continuing.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept**  
**Executive Summary**

- This is the recommended location, with any future Council funded proposals pending the conclusion of a six month maintenance period so as to better understand maintenance requirements and cost implications.
- Three further possible 'Green Wall' sites located within the city centre have been identified with corresponding installation and maintenance costs highlighted within the Officer's Assessment section of this report. Two of the three example sites are privately owned, one site is Council owned (Civic Centre).
- Conversations regarding the privately owned buildings have been initiated, with the respective building owners happy to have their buildings considered for this project.
- Any additional council supported grant program as well as a 'proof of concept' trial green wall, needs to be considered as part of the annual operating budget process.

**Façade Improvement Program**

- A Façade Improvement Program should encourage building owners and business operators to invest in façade renovations and shopfront improvements using grants to cover a portion of the renovation costs. The Façade Improvement Program creates a more interesting and appealing streetscape to attract people, business and investment into the area. Improving facades have been found to positively influence the perception of place and encourage overall improvement in the region's economy, social and cultural environment and safety.
- A Grant could match up to 50% of eligible costs to a maximum of \$5,000 per façade where there is no green wall component or \$10,000 where there is a green wall component.
- Given Officers' experience of the previous Frankston City Centre Façade Improvement Program it is recommended that pending a successful trial of a green roof and wall incorporated onto a new toilet block amenity adjacent to Frankston Station (located on Young Street) by State Government, Council explores committing to the program for a minimum of three years with an annual budget of \$50,000 (inclusive of promotional costs).
- Officers have previously spoken to the State Government in relation to co-funding a Façade Improvement Program as part of the Frankston Station Precinct Place Activation Program Grant. To date there is no advice on the level of support for this.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.



## 12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept

### Executive Summary

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

There are no immediate financial implications associated with this report however the following should be considered for future assessment:

- Pending a successful Green roof and wall trial on the State Government development of a toilet block amenity, Council may explore referring funding of \$50,000 towards the Façade Improvement Program to the Annual Budget process for consideration, and that this be a rolling program for the following three financial years.
- The full costs to install and maintain green walls, facades or roofs at the identified example sites are highlighted below:
  - Civic Centre: Establishment and installation of the green wall would cost a maximum of \$68,794+GST (inclusive of 30% contingency) with annual maintenance costs of \$4,896+GST.
  - 1 Station Street: Establishment and installation of the green facade would cost a minimum of \$45,100+GST (inclusive of 30% contingency), would also incur traffic management costs and annual maintenance costs of \$8,100+GST.
  - 39 Davey Street: Establishment and installation of the green wall would cost a maximum of \$173,300+GST (inclusive of 30% contingency) with annual maintenance costs of \$12,960+GST.

There is no officer recommendation for any budget inclusion or variation at this stage.

### Consultation

#### 1. External Stakeholders

The following stakeholders were contacted in relation to establishing green infrastructure within Frankston's city centre:

- **Fytogreen** - A highly skilled and experienced local company specialising in green facades, green roofs and green wall garden design and installation across a broad spectrum of building typology. Some of Fytogreen's current clients include, the City of Melbourne, the City of Sydney, Adelaide Zoo, Medibank, ANZ Bank, Box Hill City Council and more.
- **Property owner of 1 Station Street, Frankston** - in regards to their participation in a possible green wall/façade trial. The building owner is happy to have their building considered as part of the project.
- **Property owner of 39 Davey Street, Frankston** - in regards to their participation in a possible green wall/façade trial. The building owner is happy to have their building considered as part of the project.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept**  
**Executive Summary**

- **State Government** – in relation to their interest in undertaking and funding a green wall concept on the public toilet being replaced by the State Government in Young Street. In terms of funding, they have suggested that they could look at contributing the budget already allocated for cladding the toilet to the greening initiative. Further discussion regarding this initiative obviously needs to be had with State Government to determine status of the toilet, available budget and timing.
- **Men's Shed** – in relation their interest and ability to undertake a green wall or façade project. The President highlighted that they would be unable to take on a project of this type as it requires a specific skill set that could not be relied upon by their volunteers.

**2. Other Stakeholders**

Planning and Environment (Strategic Planning), Engineering Services and Frankston Revitalisation departments were consulted in relation to any approvals required, methodology of installation and maintenance and whether there is any conflict with the roll out of the Street Art Master Plan.

**Analysis (Environmental / Economic / Social Implications)**

Green Infrastructure initiatives can lead to positive environmental, economic and social outcomes as these can improve biodiversity. They will also deliver real benefits to the broader community through air and water purification, wind reduction, shade and amenity. Green Infrastructure in urban environments has been shown to have positive social benefits, including, improved health, better mental wellbeing, reduced crime and an increase in property values.

The revitalisation of a neglected commercial building district often begins with improvements to a single building or storefront that signals positive change and often stimulates similar improvements in neighbouring buildings.

This process can be accelerated when a local government agency or other organisation creates a façade improvement program. As a result, such programs are frequently among the implementing actions of comprehensive plans and revitalisation strategies. In addition, when design assistance is incorporated into the façade improvement program, it enables and helps to ensure that building modifications comply with local mandatory requirements and the overall revitalisation vision for the municipality.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Applicants for the Façade Improvement Program that are businesses must satisfy State and Federal business registration legislation and other relevant regulations (where applicable) to be eligible to apply for a grant. Property owners must demonstrate their ownership of the property. Both types of applicant must not have had any prior legal issues with Frankston City Council

Successful grant recipients must enter into a legal agreement with Council.

Applicants are required to ensure they comply with all relevant local, state and federal government legislation – this includes compliance with Local Laws and the Frankston Planning Scheme.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept**  
**Executive Summary**

If a green wall, façade or roof ‘proof of concept’ trial was to be incorporated into a privately owned building and funded by Council, agreements with the property owner need to be clear to ensure there is a clear understanding of roles, responsibility and risk ownership in relation to the installation and maintenance of the green walls. Contractual agreements would be required to be signed by all parties.

Policy Impacts

There are no policy implications in this report. However, this report addresses the following strategic objectives:

- Frankston City’s Council Plan
  - 2.2.5 – Improve the presentation and cleanliness of Frankston City
- Frankston City Economic Development Strategy
  - 3.2 - Utilise a proactive Business Engagement Model as a basis to supporting local business
  - 5.3 - Rejuvenate the Frankston city centre via ongoing investment attraction activities, strategic marketing campaigns and precinct activation programs that generate employment and promote outstanding design
- Frankston City Environment Strategy
  - 2.4.3 - Reduce urban heat island effect through promotion of “green roofs and walls”, “cool roof programs”, greened urban spaces and water sensitive urban design

Officer’s Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**Frankston city’s example proof of concept – Green wall, façade or roof

There are risks if Council commits to this initiative without adequate resourcing and appropriate agreements with the business/property owner.

If there is insufficient resourcing the green walls may be installed incorrectly, inferior plants selected and the appropriate maintenance schedule not implemented. This could result in the green walls degrading and becoming a negative impact on the precinct.

Any future agreements with the property owner/business operator need to be clear to ensure there is a clear understanding of roles, responsibility and risk ownership in relation to the installation and maintenance of green walls.

There are also risks associated if licensed professionals do not undertake works. Green infrastructure requires preparation and project management to ensure there is sufficient drainage, waterproofing, irrigation systems, materials used to affix greenery and sufficient access to install and maintain the infrastructure. Engineering reports must be undertaken to ensure the chosen buildings are capable of carrying the additional load that the infrastructure requires.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept**  
**Executive Summary**

To mitigate this risk, Council officers have recommended working with State Government to initiate a trial green roof and wall located on their development of a toilet block amenity. This recommendation minimises the initial financial impact on Council being a State Government project and ensures that all works are carried out by licensed and skilled professionals

**Façade Improvement Program**

The main risk associated with this program is the prospect of grant recipients failing to maintain and upkeep their new and improved façade. This is specifically important when considering green walls, roofs and facades. Building and/or business owners will be required to ensure that irrigation systems are maintained and that the vegetation is kept healthy and aesthetically maintained.

Robust eligibility criteria, an in-depth application process and an experienced Panel would be required to mitigate the risk of selecting business owners or building owners that are unable to commit to required ongoing maintenance.

Council may also be at risk of perceived preferential treatment or bias towards certain businesses or building owners. To mitigate this risk, the selection and appointment of a Panel is essential in selecting grant recipients to ensure all applications are assessed against the assessment criteria only.

The identities of the Panel are to remain confidential to avoid lobbying.

**Conclusion**

Pending a successful green roof/wall trial by State Government on the Young Street Toilet block, a Façade Improvement Program has been developed for Council's future consideration. An annual funding pool of \$50,000 would be required for the successful implementation of the Program (inclusive of promotional costs).

Three further example 'proof of concept - green wall' trial sites have been identified, investigated and considered. The three sites noted within this report have been referenced for Council consideration. Council officers will continue to advocate to state government for the incorporation of a green roof/wall to be incorporated into construction costs and planning for this specific project.

The 'proof of concept' green wall trial undertaken by state government, further supports the establishment of a Façade Improvement Program, promoting to businesses the positive commercial effects a façade improvement can have on normal business operations.

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**ATTACHMENTS**

Nil

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment****Background**

The purpose of this report is to brief Council on the viability of establishing a Façade Improvement Program within Frankston's city centre, as well as highlighting opportunities and challenges associated with establishing a green wall 'proof of concept'.

**Façade Improvement Schemes**

Façade improvement schemes have merit as they encourage and facilitate business owners, operators and landlords to enhance the presentation of their building or business, they contribute to the amenity of a more interesting street experience and make a creative or unique contribution to the streetscape.

The inclusion of a green wall or façade as part of a façade improvement scheme can further enhance the overall outcome of a building façade improvement by potentially turning it into a local landmark.

The revitalisation of a neglected commercial building district often begins with improvements to a single building or shopfront that signals this positive change and stimulates similar improvements in neighbouring buildings.

This process can be accelerated when a local government agency creates a façade improvement program. As a result, such programs are frequently among the implementing actions of comprehensive plans and revitalisation strategies. In addition, when design assistance is incorporated into the façade improvement program, it enables and helps to ensure that building modifications comply with local mandatory requirements and the overall revitalisation vision for the municipality.

**Frankston Alive! Façade Improvement Program**

In 2006, Frankston City Council undertook a 'Frankston Alive' Façade Improvement Program, the first of its kind to be undertaken by a Council. The Program primarily concentrated on three retailers within close proximity to each other; USM Shoes, the French Hot Bread Shop and the Discount Warehouse, all located on Young Street.

The façade improvement to these shops included new colour schemes, rendering and painting as well as updating promotional signage. In conjunction with these improvements, a visual merchandiser was commissioned to improve point of sale displays and associated internal signage as well as merchandising the inside of the premises.

Businesses were selected to participate in the program based on the following criteria:

- Exposure of business to high levels of foot and vehicular traffic
- Proximity to other selected businesses, thereby increasing the overall impact of improvements and making a noticeable difference to the selected area
- Businesses were also selected on possible 'visual return on investment', i.e. the most that can be achieved for limited outlay

With a relatively small Council contribution of \$15,000, Council was able to present a more unified and vibrant streetscape, improving the overall amenity and attractiveness for shoppers and inspired greater confidence in the local retail sector. This was a six month program managed by a 0.4EFT.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment**

The program ran for three years, with decreasing level of Council funding required as the level of business interest increased (ie the funding went from fully funded by Council in the first year through to 50:50 funding in years two and three). Despite the growing regard and success of the program, Council chose to discontinue it via the budget process.

**Issues and Discussion****Frankston City's Example Proof of Concept – Green Wall, Façade or Roof**Purpose

A 'proof of concept' initiative for a green wall, façade or roof managed and funded by Council will highlight to business and building owners, residents and visitors, the benefits of incorporating green infrastructure into building façade improvements.

Some of the benefits that should be promoted through an initiative such as this include:

- Increased property value: Greenery incorporated into a building design can add a point of difference, increase commercial returns, provide visual appeal and turn a building into a local landmark
- Stormwater management: Green infrastructure absorb and retain rainwater and be used to manage stormwater run-off in urban environments
- Improve thermal performance: Potential for reducing building heating and cooling requirements by shading the building surface in summer and acting as an additional thermal layer in cooler months.
- Cooling urban heat: Hard surfaces in urban environments collect the sun's heat during the day and re-radiate it slowly back into the atmosphere. By increasing green infrastructure you can minimise the rise in ambient temperature created by buildings.
- Aesthetics and open space: Green infrastructure can increase amenity and provide opportunities for recreation and relaxation as well as change the overall aesthetics of a commercial building area.

Possible 'proof of concept' green wall, roof and façade sites (including recommended Young Street Toilet Block)

1. Young Street toilet block amenity (State Government project – stemming from the streetscape and train station upgrade)

Discussions with State Government Officers indicate a preparedness to consider the reallocation of funding currently for cladding of the public toilet towards a green initiative.

It is recommended that this site is pursued and that it is evaluated for a minimum of six months to determine the cost and schedule of maintenance before any further sites are considered by Council. The private sector may of course initiate its own green walls/roof in the meantime.

2. Frankston Civic Centre (Council owned facility)
3. 1st Floor, 1 Station Street (Privately owned)
4. 39 Davey Street (wall adjacent to Cube 37, privately owned)

***New toilet facility on Young Street (adjacent to Frankston Station)***

- Approximate dimensions: 20m<sup>2</sup>

**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment**

Comments on site:

- Possibly funded by state government
- Unsure of the proposed dimensions
- Roof loading would need to be capable of 160-180kg/mg capacity
- Wall structure would need to be suitable for green wall fixing
- Would require a drainage outlet
- Would require water supply
- Investing in public amenity opposed to privately owned building
- Council will be the responsible authority for maintaining the site

Associated risks:

- Reliant on State Government approval and funding
- No draft plans have been received by Council therefore not able to cost appropriately

Costs:

- Installation Costs (based on 20m<sup>2</sup>): approx. \$36,000+GST
- Engineers report: maximum of \$5,000
- Maintenance Costs: approx. \$3,600+GST per annum
- Contingency: \$10,800
- Additional costs: Plumbing and drainage

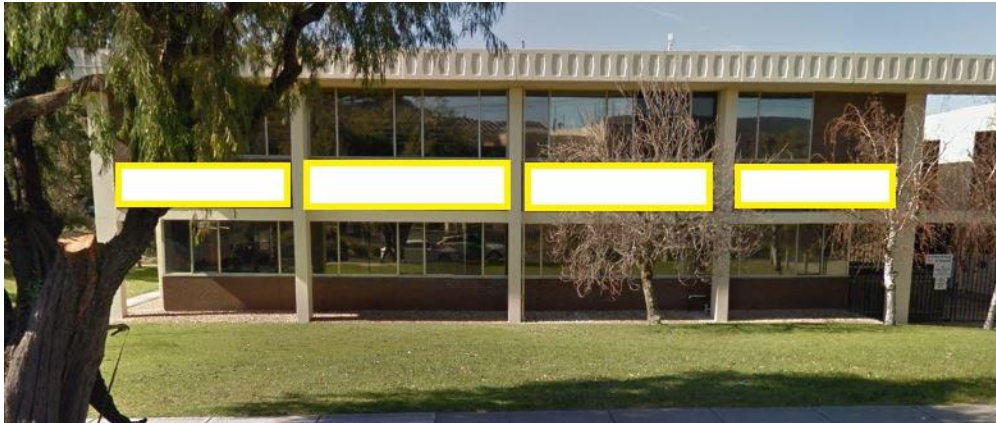
Example design of potential proof of concept outcome:



**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment*****Frankston City Council Civic Centre:***

- Approximate dimensions for northern aspect between columns under windows (4mL X 3.2mH)
- Western corner facing west (4.5m X 3.2m left of window and 1.6m under window)



**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment**

## Comments on site:

- Easy access – all terrain scissor lift required
- Drainage to stormwater already on the corner
- Prominent position
- Fixing to brick work reduced by use of duragal battens – load required for a green wall would be 90kg/m<sup>2</sup> over time)
- The upper fascia of the building, subject to construction could have a perimeter of planters that will be set behind and contain upright and cascading foliage.
- Council owned building

## Associated risks:

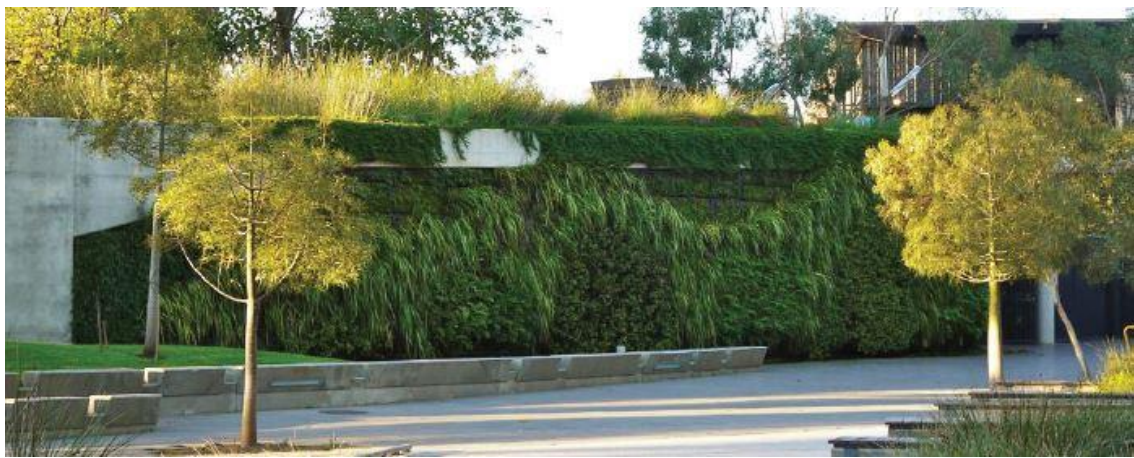
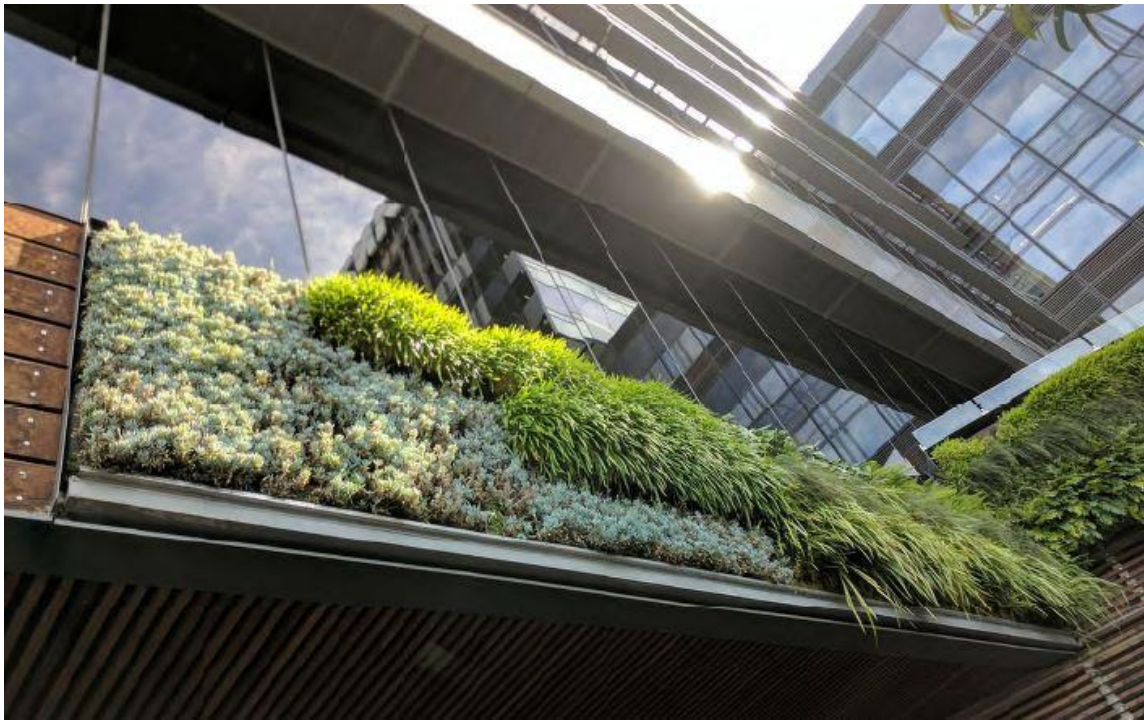
- No risks have been identified at this stage

## Costs:

- Installation Cost: approx. \$48,960+GST
- Engineers report: maximum of \$5,000
- Maintenance Costs: approx. \$4,896+GST per annum
- Contingency (30%): \$14,834
- Additional costs: Plumbing and drainage

12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
**Officers' Assessment**

Example design of potential proof of concept outcome:



**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment****1 Station Street, Frankston (northern wall on 1<sup>st</sup> floor)**

- Approximate dimensions 3m X 5m



## Comments on site:

- Northern elevation above a narrow footpath
- Prominent position
- Would need to discharge drainage water onto Young Street canopy
- The site may be better suited to a green façade to reduce the maintenance visits
- Easy access for All Terrain scissor lift but will require traffic management, lane and footpath closure permits
- Drainage to adjacent canopy roof
- Engineering assessment required for attaching to brickwork for green façade planter brackets (likely load is 220kg/lm for the planter box brackets)
- Façade web mesh fixing
- Further investigation required to ascertain where irrigation water will come from

## Associated risks:

- Requires contractual agreements between Council and building owner
- Subject to building owner approval
- Public perception of using ratepayer funds to improve a non-council owned asset
- Reliant on building owner maintaining the green infrastructure
- Possible development of existing site

## Costs:

- Installation Costs: approx. \$27,000+GST
- Engineers report: maximum of \$5,000

**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment**

- Maintenance Costs: approx. \$2,700+GST per annum
- Contingency: \$8,100
- Traffic management: \$1,500
- Legal Costs: \$5,000 allowance
- Additional costs: Plumbing and drainage

Example design of potential proof of concept outcome:



**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment****39 Davey Street (wall adjacent to Cube 37):**

- Approximate dimensions 8-9m X 7-8m

**Comments on site:**

- Precast panel, so unlikely to be any construction issues

**12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
Officers' Assessment**

- Will require an elevated drip tray to discharge into the stormwater outlet inside the fire escape door alcove or across the footpath at a stormwater pit beside the power pole
- Easy access for standard scissor lift
- Drainage outlet is close by
- Prominent position
- Fixing directly to pre-cast and waterproofing possible
- Could be either a green wall or façade from planters
- Further investigation required to ascertain where irrigation water will come from

## Associated risks:

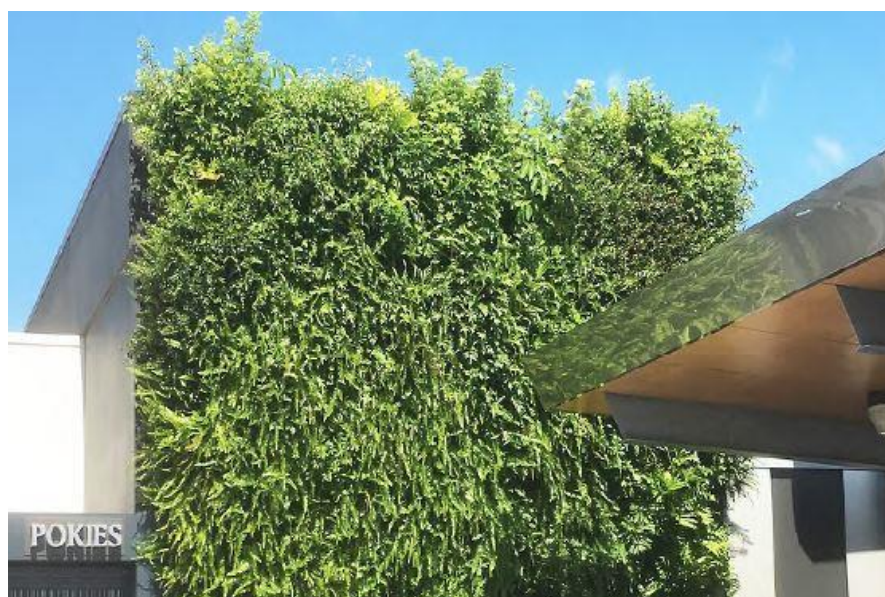
- Requires contractual agreements between Council and building owner
- Subject to building owner approval
- Public perception of using ratepayer funds to improve a non-council owned asset
- Reliant on building owner maintaining the green infrastructure

## Costs:

- Installation Costs: approx. \$129,600+GST
- Engineers report: maximum of \$5,000
- Maintenance Costs: approx. \$12,960+GST per annum
- Contingency (30%): \$38,700
- Additional costs: Plumbing and drainage

12.5 Establishment of a Facade Improvement Grant and Green Wall Proof of Concept  
**Officers' Assessment**

Example design of potential proof of concept outcome:



## 12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment

### Frankston City's Façade Improvement Program (post successful green wall/roof trial on Young Street Toilet Block)

#### Purpose

The Frankston City Centre Façade Improvement Program encourages commercial building owners and business owners to invest in façade renovations and storefront improvements by providing matching grants to cover a portion of renovation costs. Projects will enhance the interface between the public pedestrian's space and commercial activities and have a positive aesthetic impact on the street.

#### Program Goals

Improving façades has been found to positively influence the perception of a place and encourage overall improvement in the region's economy, social and cultural environment. Our vision for Frankston's Façade Improvement Program is that it would:

- Make the city streets more inviting and interesting places to walk and shop
- Help building owners attract and retain tenants
- Build pride among the local business community and local residents
- Contribute to the quality of life for city residents, workers and visitors
- Improve the marketability of the local business area
- Promote an improved partnership between Council and private building owners/business operators in enhancing the appearance of the commercial areas
- Be dynamic, vibrant, and culturally expressive

#### Targeted Area

The below maps outlines those businesses and building owners eligible to apply for a Façade Improvement grant.





**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment**Eligible Works

Grants would be available for long-term, street level improvements to building façades. Applications for funding would be assessed against the following criteria and would be awarded until the financial allocation for the Program has been exhausted.

- The application is for façade improvement works to a building in the eligible area
- The applicant must be a business owner or property owner. If the applicant is a small business owner, the building owners consent must be submitted with the application.
- The proposed works are consistent with the design guideline (to be drafted) and envisaged aesthetics of the improved streetscapes
- The application is for eligible works and the applicant has submitted all relevant information with the completed application form
- The project will be completed within 12 months of grant approval.

Façade restoration works eligible for grant assessment include:

- Green walls, green façades, green roofs, window boxes, greenery that spills over balconies – will all be looked upon favourably
- Repainting of external shop frontage
- Improvements to advertising signage if part of a broader shopfront enhancement project
- Adding external materials and treatments that provide attractive detail, such as texture or tiling
- Improvements to frontages that interact with the street, such as the addition of servery windows and bi-fold doors
- Upgrade of structural façade elements and awnings

Applications would be ineligible if they do not comply with the eligibility criteria or if the funding is intended to be used for:

- Routine maintenance (defined as simple, small scale or general upkeep of a building)
- Internal shop fittings
- Activities which have already commenced, or are scheduled to occur prior to the funding period
- The purchase of equipment which is not specifically inherent to project delivery and would otherwise support the recurrent operations of the business or building owner
- Building permits, planning permits, engineering reports, infrastructure such as plumbing and irrigation, ongoing maintenance costs

Funding

The proposed Façade Improvement Program should be a three year program with \$50,000 per annum referred to the budget. Applicants would be eligible to apply for a matched fund Grant (dollar for dollar), up to a total allocation of \$5,000 for proposals without a green building component and up to \$10,000 for those that incorporate a green building.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment**

Funding would be allocated on a case-by-case basis subject to Council approval until the allocated budget has been spent or the Program year has ended. Submitting an application does not guarantee a grant or specific grant amount. All project proposals would be subject to a comprehensive review of the building storefront and façade and must meet high quality standards and be eligible works. Only one grant is eligible per property.

Application Process

The following application process has been developed for reference:

1. Applicants are to use the Design Guide to determine if their improvements are eligible and if they are located on a street where the Façade Improvement Program is applicable.
2. Applicants can choose to work with one of Council's Urban Designers (trial period only) to help formulate their design ideas.
3. Applicants must obtain two quotes from licensed contractors if applying for a Grant under \$4999, or 3 quotes from licensed contractors if over \$5,000 for the proposed works (as per Frankston City Council Procurement Guidelines).
4. Applicants are to submit their Façade Improvement Application form with the required documentation (quotes, designs, written consent from building owner if applicable, and a photo of the existing shopfront).
5. The application will be assessed by the panel.
6. If a successful Grant application has been submitted, a Grant allocation will be made once all permissions and approvals have been obtained, Successful applicants will be advised of their approved Grant with any conditions formalised within a written letter and signed contract.
7. Applicants whose Grant has been deemed unsuccessful will receive written feedback from the panel as to how they can improve their design and/or application.
8. Applicants will be responsible for ensuring all building permits, engineers reports and planning permits are obtained prior to commencing works (if applicable).
9. Approved works commence and must be completed within four months of Grant approval.
10. Upon completion of the works, Council will arrange a site inspection to ensure approved works have been completed.
11. Council will then reimburse the grant funding as specified in the Grant contract.
12. Where there is a green wall component, 10% of the cost of purchasing and installing the green wall element will be withheld for 12 months from the grant payment to ensure the ongoing maintenance of the green wall.

Assessment Process

Applications would be presented to the Façade Improvement Panel, who will respond with approval, approval with conditions or refusal.

The Panel will include Council Officers as well as specialised representative/s from outside of the Council organisation.

**12.5 Establishment of a Façade Improvement Grant and Green Wall Proof of Concept Officers' Assessment**

The Panel will assess each application against the assessment criteria individually and will then meet to discuss the applications. Applications will be scored and assessed according to the criteria. If the panel requires additional information in relation to applications, applicants will be promptly contacted to ensure minimal delay in the application process.

At the Panels discretion, applicants may be awarded partial funding for certain elements of their application or alternatively, awarded funding at a lesser amount than the applicant has applied for. Any lesser financial assistance will involve consultation with the applicant prior to the Grant application being approved.

**Options Available including Financial Implications**

That Council continues to work with the state government to initiate a trial green roof and wall on a new toilet block amenity development located on Young Street.

That Council refers the funding of \$50,000 towards the Façade Improvement Program to the Annual Budget process for consideration pending the successful trial of the Young Street toilet block development (including six month maintenance).

There are no current resources included within the Annual Budget for this purpose. Consideration for funding will need to be referred to the next Annual Budget process.

**Executive Summary****12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme**

*Enquiries: (Doug Dickins: Community Assets)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.1 Community Infrastructure
Priority Action	1.1.6 Ensure community infrastructure and services match community need

**Purpose**

To update Council on the status of the Cranhaven Road Stage 2 Special Charge Scheme for road construction, and to recommend that the Scheme be declared as all outstanding matters have been addressed.

**Recommendation (Director Community Assets)**

That:

1. Council, having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act* 1989 (**Act**), and otherwise according to law, and having, so far as can be ascertained from available records and can be reasonably concluded, ascertained that the Road or any component of the Road for which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge Scheme (**Special Charge**) under section 163(1) of the Act for the purposes of defraying expenses incurred or to be incurred by Council in relation to the construction of Cranhaven Road, Langwarrin, between Warrandyte Road and Lapwing Court and the provision of any ancillary works including drainage (**Road or Scheme**).
2. The criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land in the area of the Scheme having regard to the abuttal of the land to the road(s), which rateable land is situated within the geographical area in which the properties described in paragraphs 8 and 9 of this declaration are included.
3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of Frankston City Council, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared) is \$372,000. This being the estimated cost of the works to be undertaken.
5. The total estimated amount to be levied under the Scheme as the Special Charge is \$235,300.
6. Council notes funding of **\$352,000** allocated over the 2017/18 and proposed 2018/19 Capital Works Programs to complete construction of Cranhaven Road (Stage 2) between Warrandyte Road and Lapwing Court.
7. The Special Charge will remain in force for a period of ten years.
8. The area for which the Special Charge is declared is all of the land shown on the plan set out in the attachment forming a part of this declaration (**Attachment A**).
9. The land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration (**Attachment B**).

**12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme****Executive Summary**

10. The Special Charge will be declared and assessed in accordance with the amounts set out in the attachment forming a part of this declaration (**Attachment B**), such amounts having respectively been assessed based on Benefit Unit (33.33%), Frontage (33.33%) and Area (33.33%).
11. The Special Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Charge.
12. Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby –
  - a) Quarterly instalments are to be paid over a 10 year period, or other period as negotiated;
  - b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1%.
13. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge.
14. No incentives will be given for payment of the Special Charge before the due date for payment.
15. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure of the Special Charge the value and the use, occupation and enjoyment of the properties included in the Special Charge Scheme area will be maintained or enhanced through the provision of proper, safe and suitable roads and property services. Without limitation, Council considers that the works to be provided under the Special Charge Scheme will –
  - a) Improve vehicular access to and from the properties abutting on or accessing the Road via the works;
  - b) Improve safety and amenity for motorists, cyclists and pedestrians;
  - c) Reduce wear and tear on vehicles;
  - d) Eliminate dust on the Road, being an unmade Road;
  - e) Reduce the need for future grading and associated maintenance of the Road;
  - f) Reduce erosion and sediment transfer; and
  - g) Enhance the amenity and character of the land and the local area.
16. For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), 2A and 2B of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 65% (**Attachment C**).
17. Notice be given to all owners of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge commencing on 10 April 2018 and the reasons for the decision.
18. For the purposes of paragraph 16, the reasons for the decision of Council to declare the Special Charge are that –
  - a) There is moderate objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners;

**12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme****Executive Summary**

- b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in the Scheme area;
  - c) All persons who are liable or required to pay the Special Charge and the properties respectively owned by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance in the use, occupation and enjoyment of the properties;
  - d) The basis of distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable; **(Attachment C)**
  - e) The works proposed by the Scheme are consistent with the policies and objectives set out in the Planning Scheme for the area; and
19. The works proposed for the construction of the Road are necessary, reasonable, not excessive, sufficient, suitable and not costly having regard to the locality or environment and to the probable use of the Road. **(Plans - Attachment D)**

**Key Points / Issues**

- Cranhaven Road from Warrandyte Road to Lapwing Court Langwarrin is presently unsealed. It is proposed that the road be upgraded and sealed through a Special Charge Scheme under the provisions of the Local Government Act 1989, where a proportion of the costs of design and construction can be recovered from benefiting property owners.
- Council has previously undertaken surveys of owners in 2000 and 2006, with the majority of those responding being opposed to the commencement of a Special Charge Scheme at that time. As a result the Scheme was initially not proceeded with. Since then, Council has received a number of requests to upgrade the road indicating an ongoing interest in the project.
- In 2010 a full design and estimate was undertaken. This has been recently updated to reflect today's costs.
- In October 2016 a questionnaire was sent to all proposed contributors accessing this section of road, including those living in adjoining courts using Cranhaven Road as their only access to Warrandyte Road.
- A total of 67 contributors were surveyed as Isa Court and Stockhaven Circuit were not subdivided at the time. The result of the survey was 18 in favour of the project, 15 against the project and 1 unsure response. No response was received from 33 contributors.
- As there was a majority in favour amongst those who replied to the survey, a public meeting was held to provide contributors with information on the Scheme process and the proposed design layout and seek feedback. This meeting was held on Thursday 16 March 2017 at the Langwarrin Customer Service Centre Shop.
- Following this meeting, a letter was sent to all residents on 4 April 2017 summarising the issues raised and outlining next steps.

**12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme****Executive Summary**

- At Council meeting OM310 on 11 December 2017, Council resolved to commence the Statutory Process to declare a special charge scheme. Notices were sent to all contributors on 17 December 2017, advising of Council's intention to declare a special charge scheme, setting out the apportionment to each contributor and seeking submissions by 31 January 2018.
- At the close of the period for submission, no requests were received seeking to be heard by Council. One letter was received within the submission period supporting the road construction but requesting a greater contribution by Council. A further submission was received after the submission period objecting to the project based upon design issues and also requesting a greater contribution by Council. These letters and officers comments to each are tabled in the **Supporting Information** as **Attachment E, F, G and H**.
- Now that the consultation period has concluded and all outstanding matters have been resolved, it is recommended that Council Declare the Special Charge Scheme.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

Based on the Engineering Consultant's estimate for the project and including overhead and ancillary costs, the total estimated cost of the project is \$372,000, as detailed below:

## 12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme

### Executive Summary

#### Scheme Costs

Overheads spent to date (design and administration)	\$50,000
Estimated construction costs of scheme component (Construction, supervision and CPI escalation)	\$312,000
<b>TOTAL SCHEME COST</b>	<b><u>\$362,000</u></b>

#### Non Scheme Costs (Council cost)

Traffic calming devices	\$5,000
Improved public lighting	\$5,000
<b>TOTAL NON SCHEME COST</b>	<b><u>\$10,000</u></b>

<b>TOTAL PROJECT COST</b>	<b><u>\$372,000</u></b>
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#### Scheme Contribution

Owner contribution	\$235,300
Council contribution	\$126,700
<b>TOTAL SCHEME CONTRIBUTION</b>	<b><u>\$362,000</u></b>

#### Non Scheme Contribution

Council contribution	\$10,000
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#### Total Contribution

Owner contribution	\$235,300
Council contribution	\$136,700
<b>TOTAL PROJECT CONTRIBUTION</b>	<b><u>\$372,000</u></b>

An amount of \$136,700 of rates is incorporated into this project, in addition to the recoverable owner contributions of \$235,300.

The current Mid-Year budget allocation in 2017/18 for this project is \$150,562, which is sufficient for Council's overall contribution for the project. A portion of these funds will be required to be carried over into 2018/19 as the project is not anticipated to be completed until 2018/19.

#### Consultation

##### 1. External Stakeholders

The Scheme process for Cranhaven Rd commenced with a notice to residents followed by a questionnaire in March 2006. Concept plans were then prepared and a second questionnaire was sent to residents in October 2016. As the results were that a majority of residents who responded were in favour of sealing the road, a Public Meeting was held on 16 March 2017. At that meeting attendees provided input as described above. The minutes of the public meeting were sent to residents and resident responses received and filed by the end of March 2017.

##### 2. Other Stakeholders

No other stakeholders have been identified.



## 12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme

### Executive Summary

#### 3. Submissions

Following the resolution on 11 December 2017 of Council's intention to declare the scheme, notices were sent to all contributors on 17 December 2017. This notice set out the apportionment to each contributor and advised that submissions may be made in writing by 31 January 2018.

At the end of the submission period there was one submission. This submission did not wish to present to Council. A further submission was received after the end of the submission period.

These letters and officers replies to each are tabled as **Attachments E, F, G and H**.

A summary of the written submissions and comments on each of them follows:

No	Matters raised	Comments
1	Agrees with the Scheme but asks and asserts:- <ol style="list-style-type: none"> <li>1. Why developers of adjacent roads were not required to make the unsealed section</li> <li>2. That Council should be making a greater contribution due to external use of the road as a drop-off &amp; pick-up from schools opposite.</li> </ol>	<ol style="list-style-type: none"> <li>1. Council planners have tried in the past to include a condition on permits requiring developers to construct a road leading to the proposed development, however this condition was always appealed by developers at VCAT and invariably overturned by VCAT. It is now a precedent which is not contested. The subdivisions which created Beckenham Pl, Lapwing Ct and Stockhaven Cct all fall into this category.</li> <li>2. Council does bear the cost of "Community Benefits" – in this case the use of the pedestrian facility by school-children from the west and the use of Cranhaven Rd as a drop-off &amp; pick up point, which did reduce the Benefit Ratio.</li> </ol>

**12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme****Executive Summary**

No	Matters raised	Comments
2	<p>Objects to the upgrading on two grounds:-</p> <ol style="list-style-type: none"> <li>1. making the road an " S" shape rather than straight will increase costs &amp; reduce size of their nature strip</li> <li>2. further subdivision (of Stockhaven Cct to John St) will make Cranhaven Road a through road, enormously increasing the public use of the road, in which case the council should be paying a higher contribution than what is currently proposed.</li> </ol>	<ol style="list-style-type: none"> <li>1. The design follows the existing unsealed formation so will actually reduce costs as it will minimise new pavement area. The normal nature strip width in local streets is 3.7m.</li> <li>2. The contention of "enormous traffic increase" as a result of the future access to John St via Stockhaven Circuit is not supported as the proposed road layout is so tortuous (and will have slow points included), that its use as a rat run is highly unlikely, given the existing more direct connections from John St to Warrandyte Rd. The possible slight increase in traffic that this connection could cause was considered and did reduce the Benefit Ratio.</li> </ol>

**Analysis (Environmental / Economic / Social Implications)****Environmental Implications**

Environmental benefits of constructing the road include elimination of sediment runoff, elimination of dust, no more need for dust suppressant chemicals, and reduction of noise. Some road-making materials are non-renewable resources; however where applicable Council will use recycled products in the construction of the roads.

**Economic Implications**

The construction of the road is likely to enhance property values. It will also lead to a reduction of ratepayer-funded grading, drain cleaning and other maintenance.

The proposed cost to abutting owners is considered fair and reasonable for the benefits enjoyed, and are otherwise affordable with the option to pay in instalments over 10 years (the minimum period under Section 167(1) of The Act is 4 years). The basis of apportionment as previously noted, is considered to distribute the charge amongst property owners in a fair and reasonable manner as shown in the [Supporting Information](#).

**Social Implications**

Social benefits include improved vehicle and pedestrian access, safety, and comfort and enhanced amenity and character of the land and local area. Construction will also contribute to the orderly development of the precinct.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

**12.6 Cranhaven Road Stage 2 - Warrandyte Road to Lapwing Court - Special Charge Scheme - Consultation Results and Declaration of Scheme****Executive Summary**Legal

Special Charge Schemes must follow the process prescribed in the Local Government Act 1989.

Policy Impacts

Special Charge Schemes follow the process outlined in Council's Contributory Schemes Policy.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

All consultation with property owners in relation to this proposal has been undertaken in accordance with the Special Charge Scheme process outlined in the Local Government Act 1989. By undertaking consultation additional to that required by the Act, Council has been able to better understand the issues and concerns relating to the Scheme (specifically the residents' preference for traffic calming devices and lighting), and to make any necessary changes before formally declaring the Scheme.

**Conclusion**

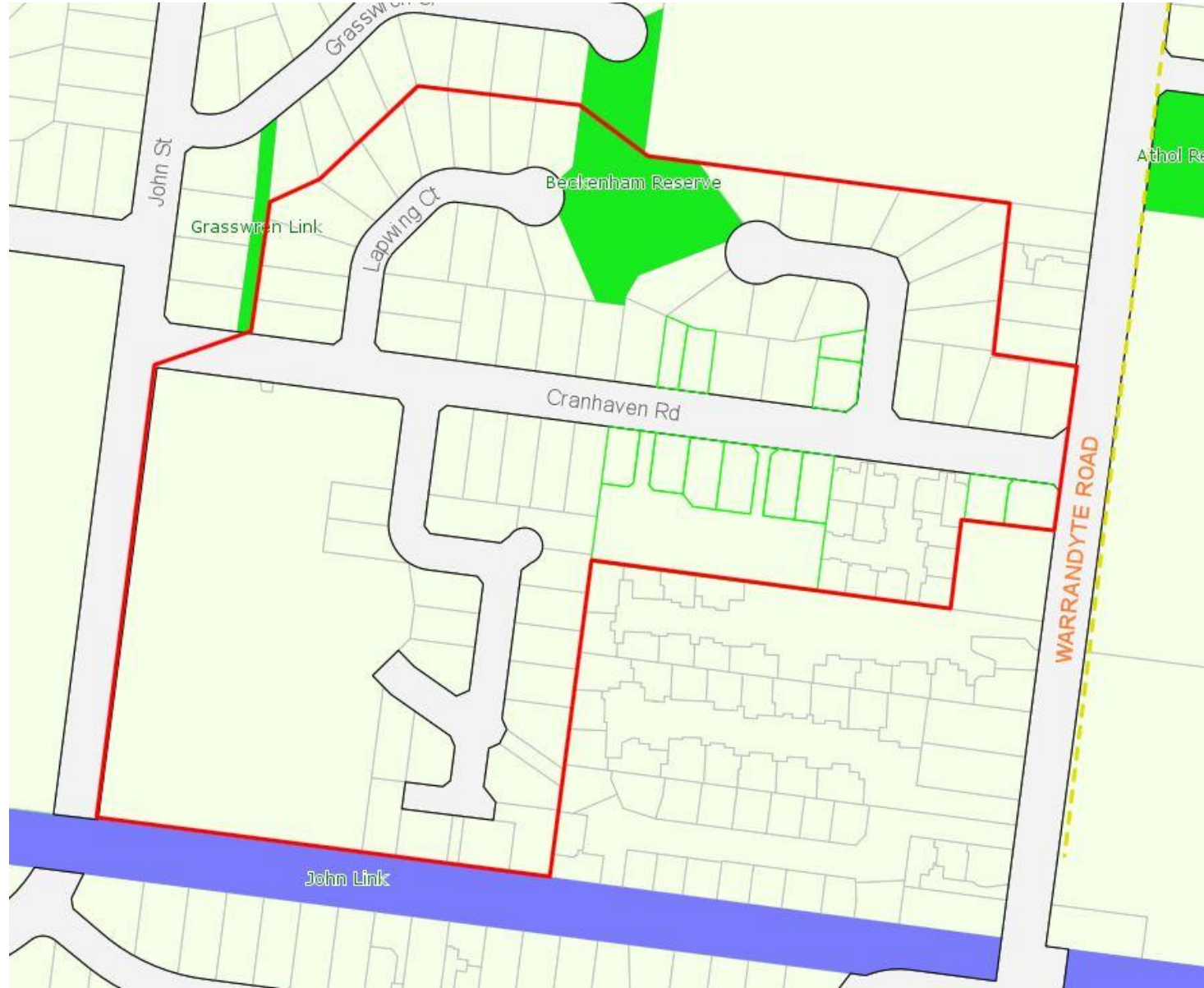
Now that the consultation period has concluded and all outstanding matters have been resolved, it is recommended that Council declare the Special Charge Scheme.

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**ATTACHMENTS**

- Attachment A: [↓](#) Cranhaven Road Stage 2 - Scheme Extents
- Attachment B: [⇒](#) Cranhaven Road Stage 2 - Apportionment (*Under Separate Cover*)
- Attachment C: [↓](#) Cranhaven Road Stage 2 - Calculation of Maximum Levy
- Attachment D: [↓](#) Cranhaven Road Stage 2 - Plans 1 to 4
- Attachment E: [↓](#) Cranhaven Road Stage 2 - Submission 1
- Attachment F: [↓](#) Cranhaven Road Stage 2 - Response to Submission 1
- Attachment G: [⇒](#) Cranhaven Road Stage 2 - Submission 2 (*Under Separate Cover*)
- Attachment H: [⇒](#) Cranhaven Road Stage 2 - Response to Submission 2 (*Under Separate Cover*)

Item 12.6 Attachment A: Cranhaven Road Stage 2 - Scheme Extents



FRANKSTON CITY COUNCIL  
Cranhaven Road Langwarrin (Warrandyte Rd to Lapwing Cl)  
Special Charge Road Construction Scheme

**Statement pursuant to Section 163(2), (2A) and (2B)  
of The Local Government Act 1989  
Calculation of Maximum Total Levy**

**A. DEFINE PURPOSE**

The purpose of the scheme is to construct a sealed road, to provide property access of a suitable standard for the zoning of the land, and to provide for management of local traffic to a minor collector road standard. This will include road pavement and surfacing, kerbing, traffic management devices, and drainage works.

**B. COHERENCE**

The works are physically and functionally connected and related to the purpose.

**C. TOTAL COST**

The total cost of the project has been estimated at \$362,000. This includes a contingency for unforeseeable ground conditions and service alterations as well as design, scheme preparation and administration cost overheads.

**D. IDENTIFY SPECIAL BENEFICIARIES**

There are a total of 80 properties which would enjoy special benefit from the construction works, because they abut the section of road to be constructed, or abut courts which run off the section of road to be constructed and have no other outlet, or are nearby and would have current or future benefit from additional choices of constructed road access.

**E. DETERMINE PROPERTIES TO INCLUDE**

The 80 properties in **D.** are grouped as follows:

- (a) Properties **directly** abutting the **unsealed section**
  - a. 15 existing private properties
    - i. (Nos. 75, 90, 92, 94, 96, 98, 1/99, 2/99, 11/99, 12/99, 102, 104 Cranhaven Road,
    - ii. 2 Beckenham Pl,
    - iii. 73 Warrandyte Rd.
    - iv. 95 Cranhaven Rd – under subdivision into 11 lots and expected to be released prior to Declaration (**NOTE:- these are considered to be under the parent title of 95 Cranhaven Rd for Apportionment**)
- (b) Properties on **sealed roads** adjacent to the unsealed section but having **sole access via unsealed section**
  - a. 64 private properties
    - i. 81, 82, 83, 84, 85, 86, 87, 88, 89, 3/99, 4/99, 5/99, 6/99, 7/99, 8/99, 9/99, 10/99 Cranhaven Road.
    - ii. 79A Cranhaven Road Stage 2 – 1 super-lot with potential 5 lots with indirect access - under subdivision and expected to be released prior to Declaration

- iii. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 Lapwing Close
- iv. 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, 16 Beckenham Place
- v. 1, 2, 3, 4, 5, 6, 7 Isa Court
- vi. 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 27 Stockhaven Place

(c) Council Reserve, 16R between Lapwing Close & Beckenham Place, although 2 parcels are considered having only one access unit.

**F. ESTIMATE TOTAL SPECIAL BENEFITS - TSB<sub>(in)</sub> and TSB<sub>(out)</sub>**

The groups in E. are included or excluded from the special charge:

- Those in (a) are included in the special charge, as they will benefit from the proposed works, and do not currently enjoy existing full construction for which they have already paid. They will derive a benefit in terms of access and a benefit in terms of amenity (1 + 1)
- Those in (b) and (c) are included in the special charge, as they will benefit from the proposed works. They will derive a benefit in terms of access only (1).

$TSB_{(in)} = TSB(a - i, ii, iii) + TSB(a - iv, 95 Cranhaven Road) + TSB(b - ii - 79A Cranhaven Rd) + TSB(b - i, iii, iv, v, vi)$

$TSB_{(in)} = (14 \times 2) + ((6 \times 2) + (11 \times 1)) + (5 \times 1) + ((5 + 16 + 11 + 7 + 13) \times 1)$

$TSB_{(in)} = 108$

There are 2 contiguous Council reserves excluded from the scheme, as per Ec above, hence  $TSB_{(out)} = 1$

**G. ESTIMATE COMMUNITY BENEFITS**

Benefits to external through vehicle usage are minimal as this section of Cranhaven Road is essentially a long Court, with 4 courts off it. However the top section is used by external traffic as a drop-off & pick-up to nearby schools. Usage was measured against local traffic and found to be 30%, hence a CBU of 30 is considered appropriate. The Council Reserve is purely for local use and unlikely to attract remote users. However there is an important walking & cycling connection via the shared path to John St which is heavily used by children to get to the 3 schools in Warrandyte Rd (St Jude's Primary, Langwarrin Primary & Dame Elizabeth Secondary College). Also, when the subdivision at 79A Cranhaven Road is finally constructed, there may be a slight potential for vehicles from north and south of John St and areas west to use the connecting street between John St & Cranhaven Rd, however this is considered unlikely given the other more direct routes which will become available and the tortuosity of the connecting street. Other community benefits are reduced maintenance costs (1 unit), the abovementioned connectivity (1unit) and improved environmental outcomes – ie; water quality in drains (1 unit). The future external traffic use (once the subdivision at 79A Cranhaven Rd is complete) is impossible to quantify at this stage, thus a factor of 2 units is deemed appropriate.

$TCB = 30 + 1 + 1 + 1 + 2 = 35$

**H. CALCULATE “BENEFIT RATIO”**

$$\frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} = R = \frac{108}{108 + 1 + 35} = 76 \%$$

**I. CALCULATION OF MAXIMUM TOTAL LEVY**

Notwithstanding the Benefit Ratio above, Council considers that, due to the importance of the pedestrian / cycling connectivity and the external traffic use, an increase in Council's contribution to 35% is appropriate. This will reduce the Benefit Ratio to 65%.

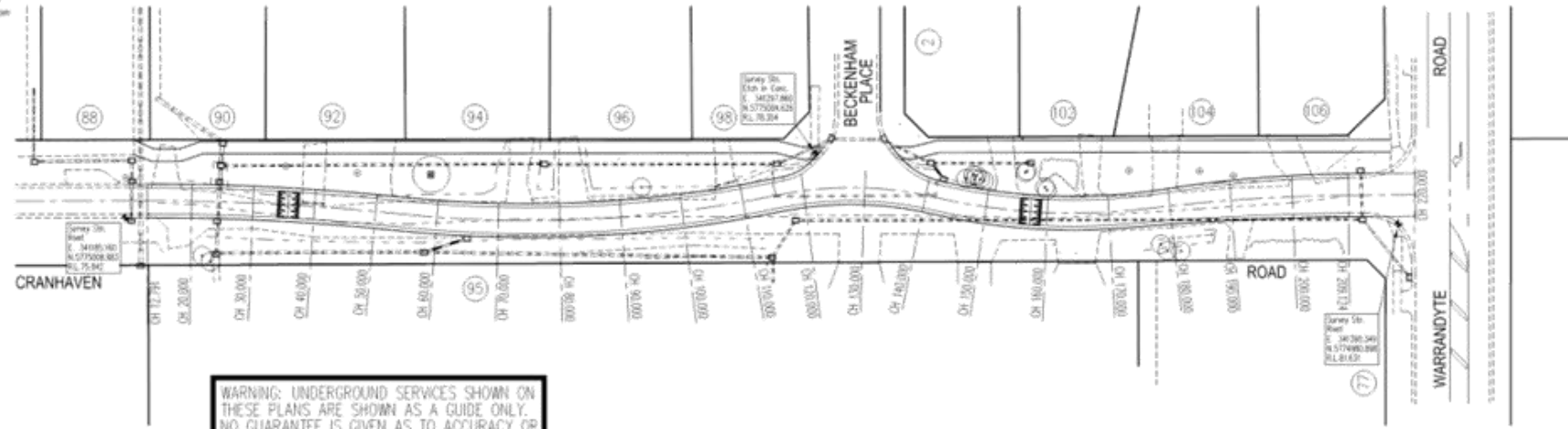
$$R \times C = S = 65\% \times \$362,000 = \$235,300$$



# CRANHAVEN ROAD, LANGWARRIN

## STAGE 2 - FROM WARRANDYTE ROAD TO JUST EAST OF LAPWING COURT

### SPECIAL CHARGE SCHEME FOR ROAD CONSTRUCTION AND ASSOCIATED WORKS



**WARNING: UNDERGROUND SERVICES SHOWN ON THESE PLANS ARE SHOWN AS A GUIDE ONLY. NO GUARANTEE IS GIVEN AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED. THE CONTRACTOR SHALL PROVE ALL SERVICES FOR LOCATION AND DEPTH PRIOR TO THE COMMENCEMENT OF ANY WORKS.**

OVERALL LAYOUT PLAN  
SCALE 1:500



LOCALITY PLAN  
NOT TO SCALE

**GENERAL NOTES**

THE CONTRACTOR SHALL AT ALL TIMES DURING THE CURRENCY OF THE WORK, PROTECT THE PUBLIC FROM THE WORKS, PLANT, TRENCHES ETC., OCCASIONED DURING THE WORKS BY THE USE OF BARRICADES, BARRIERS, WARNING LIGHTS OR OTHER MEANS. PROTECTIVE MEASURES WILL BE SUBJECT TO APPROVAL OF THE SUPERINTENDENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE OR INJURY ARISING FROM THE NEGLIGENCE OR INSUFFICIENCY OF SUCH PRECAUTIONS.

THE LOCATIONS OF SERVICES SHOWN ON THE PLANS ARE APPROXIMATE ONLY AND THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL SERVICES PRIOR TO THE COMMENCEMENT OF ANY WORK. SERVICES OTHER THAN THOSE SHOWN MAY EXIST WITHIN THE LIMITS OF THE WORKS. ALL SERVICE AUTHORITIES SHALL BE CONTACTED BY THE CONTRACTOR TWO(2) DAYS PRIOR TO WORKS COMMENCING TO MARK THEIR SERVICES ON SITE.

THE CONTRACTOR SHALL EXERCISE DUE CARE TO ENSURE THAT SERVICES ARE NOT DAMAGED DURING CONSTRUCTION. REINSTATEMENT OF ANY DAMAGED SERVICES WILL BE CARRIED OUT BY THE RELEVANT AUTHORITY AT THE EXPENSE OF THE CONTRACTOR.

ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE AND LEVELS ARE TO A.H.D.

ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH ANY WRITTEN SPECIFICATIONS AND STANDARD DRAWINGS NOMINATED BY F.C.C. TO THE SATISFACTION OF THE INFRASTRUCTURE MANAGER OR HIS NOMINATED REPRESENTATIVE.

TIPPING FEES, AT RATES WHICH ARE CURRENT AT THE TIME OF CONSTRUCTION SHALL BE CHARGED TO THE CONTRACTOR FOR ANY WASTE MATERIAL DEPOSITED AT F.C.C. WASTE DISPOSAL CENTRE.

THE SITE SHALL BE LEFT IN A CLEAR, SAFE AND Tidy MANNER TO THE SATISFACTION OF THE INFRASTRUCTURE MANAGER OR HIS NOMINATED REPRESENTATIVE ON WEEKENDS, PUBLIC HOLIDAYS AND AFTER HOURS. A CONTACT NUMBER SHALL BE PROVIDED TO FOC TO ENABLE RECTIFICATION SHOULD PROBLEMS OCCUR.

WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. REFER ANY AMBIGUITIES TO THE SUPERINTENDENT OR HIS NOMINATED REPRESENTATIVE.

**CONSTRUCTION HOLD POINTS**

FOR ALL PRE-COMMENCEMENT AND CONSTRUCTION HOLD POINTS PLEASE REFER TO THE FRANKSTON CITY COUNCIL SPECIFICATION AND CONTRACT SPECIFIC CLAUSES WITHIN THE CONTRACT DOCUMENTATION.

**ROADWORK NOTES**

NO TREES ARE TO BE REMOVED UNLESS EXPRESS PERMISSION IS GIVEN BY THE SUPERINTENDENT

THE WORKS SHALL BE UNDERTAKEN IN ACCORDANCE WITH THE ROAD SAFETY ACT 1984, ROAD MANAGEMENT ACT 2004 - CODE OF PRACTICE - WORKSITE SAFETY - TRAFFIC MANAGEMENT

WHERE THE WORKS AFFECT THE MOVEMENT OF PEDESTRIANS, A SAFE ROUTE FOR PEDESTRIANS SHALL BE MAINTAINED AND ADEQUATELY SIGNED AND BARRICADED AS NECESSARY AND AT ALL TIMES DURING CONSTRUCTION BY THE CONTRACTOR.

WHERE THE WORKS AFFECT ACCESS TO ADJACENT PROPERTIES, THE CONTRACTOR SHALL GIVE 24 HOURS NOTICE IN WRITING TO EACH AFFECTED OWNER/OCCUPYER. A COPY OF THIS LETTER SHALL BE SUBMITTED TO THE INFRASTRUCTURE MANAGER OR HIS NOMINATED REPRESENTATIVE FOR APPROVAL PRIOR TO ISSUE.

SET OUT DIMENSIONS/RADIUS LENGTHS, APPLY TO BACK OF KERB UNLESS OTHERWISE INDICATED.

THE WORKS ARE TO INCLUDE THE REINSTATEMENT OF DISTURBED AREAS WITH APPROVED TOPSOIL AND SOWING DOWN OF GRASSED AREAS WITH AN APPROVED SEED MIX.

JOINTS BETWEEN EXISTING AND NEW COMPONENTS (E.G. PAVEMENT SURFACES, FOOTPATHS, KERB & CHANNELS) SHALL BE NEATLY MATCHED TO THE SATISFACTION OF THE INFRASTRUCTURE MANAGER.

MINIMUM CONCRETE COMPRESSIVE STRENGTH SHALL BE 25 MPa AT 28 DAYS UNLESS OTHERWISE INDICATED.

ALL DUE CARE SHALL BE TAKEN TO AVOID DAMAGE TO ROADSIDE ASSETS SUCH AS DRIVEWAYS, SIGNS, STREET FURNITURE, TREES, FENCES, PATHS ETC.. SHOULD ANY DAMAGE OCCUR, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF ANY REPAIRS TO SUCH ITEMS. ASSETS SHALL BE RELOCATED/REPLACED AS NECESSARY TO MAINTAIN SAFETY THROUGHOUT WORKS.

WHERE THE EXISTING UNMARKING IS TO BE REMOVED, THE ACTUAL PAINT IS TO BE MECHANICALLY REMOVED TO THE SATISFACTION OF THE SUPERINTENDENT OR HIS NOMINATED REPRESENTATIVE.

UNMARKING AND TRAFFIC SIGNS ARE TO BE IN ACCORDANCE WITH CURRENT VICROADS STANDARDS AND SPECIFICATIONS. UNMARKING SHALL BE INITIALLY MARKED USING A SOLVENT BORNE PAINT. THE CONTRACTOR SHALL THEN RE-MARK UNMARKING USING THERMOPLASTIC PAVEMENT MARKING MATERIAL AFTER A PERIOD OF EIGHT (8) WEEKS.

WHEN EXCAVATING TRENCHES GREATER THAN 1.5 METRES IN DEPTH, SHAFTS OVER 2 METRES DEEP, OR ANY TUNNELS, HEALTH AND SAFETY ORGANISATION, VICTORIA MUST BE NOTIFIED 3 DAYS PRIOR TO EXCAVATION. AN APPROPRIATELY TRAINED AND COMPETENT EXCAVATION SUPERVISOR MUST BE PRESENT AT ALL TIMES DURING EXCAVATIONS AT THE SITE.

**CONTRACT SPECIFIC NOTES**

EXISTING ROAD PAVEMENT SHALL BE NEATLY SAWN PRIOR TO EXCAVATION WORKS.

NEW KERB AND CHANNEL - SEMI-MOUNTABLE KERB TO FRANKSTON CITY STANDARD (SD 408) SHALL FOLLOW ALIGNMENT INDICATED BY SETOUT COORDINATES, AND BE PLACED AT A LEVEL AS DETAILED ON THE SETOUT PLANS. CONTRACTOR SHALL VERIFY SETOUT LEVELS WITH SUPERINTENDENT PRIOR TO POURING CONCRETE. (HOLD POINT).

THE FINAL 25mm THICK ASPHALT WEARING COURSE SHALL BE COMPOSED OF BASALTIC ASPHALT



PLAN NUMBER	DESCRIPTION
S448 SHEET 1	FACE SHEET - OVERALL LAYOUT PLAN, NOTES, SHEET INDEX AND LOCALITY PLAN
S448 SHEET 2	1:200 DETAIL PLAN AND SETOUT PLAN CH 0.000 TO CH 140.000
S448 SHEET 3	1:200 DETAIL PLAN AND SETOUT PLAN CH 140.000 TO CH 207.209
S448 SHEET 4	1:200 FOOTPATH SETOUT PLAN
S448 SHEET 5	CROSS SECTIONS CH 10.876 TO CH 102.863
S448 SHEET 6	CROSS SECTIONS CH 104.402 TO CH 207.209
S448 SHEET 7	ROAD LONGITUDINAL SECTION
S448 SHEET 8	DRAINAGE LONGITUDINAL SECTIONS, PIT SCHEDULE, TYPICAL CROSS SECTIONS AND PAVEMENT DETAILS

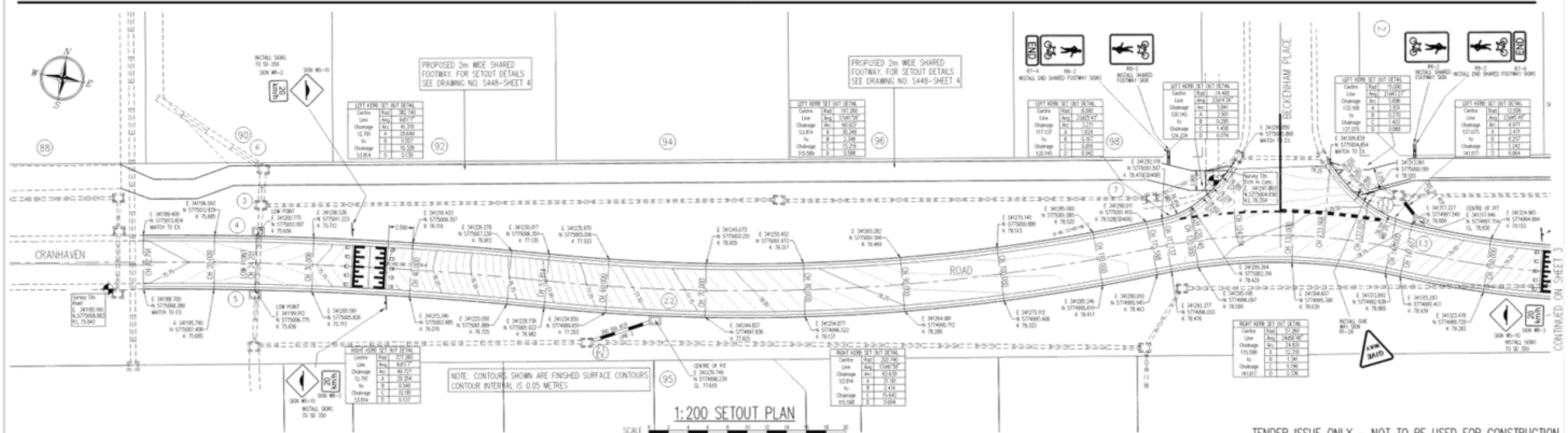
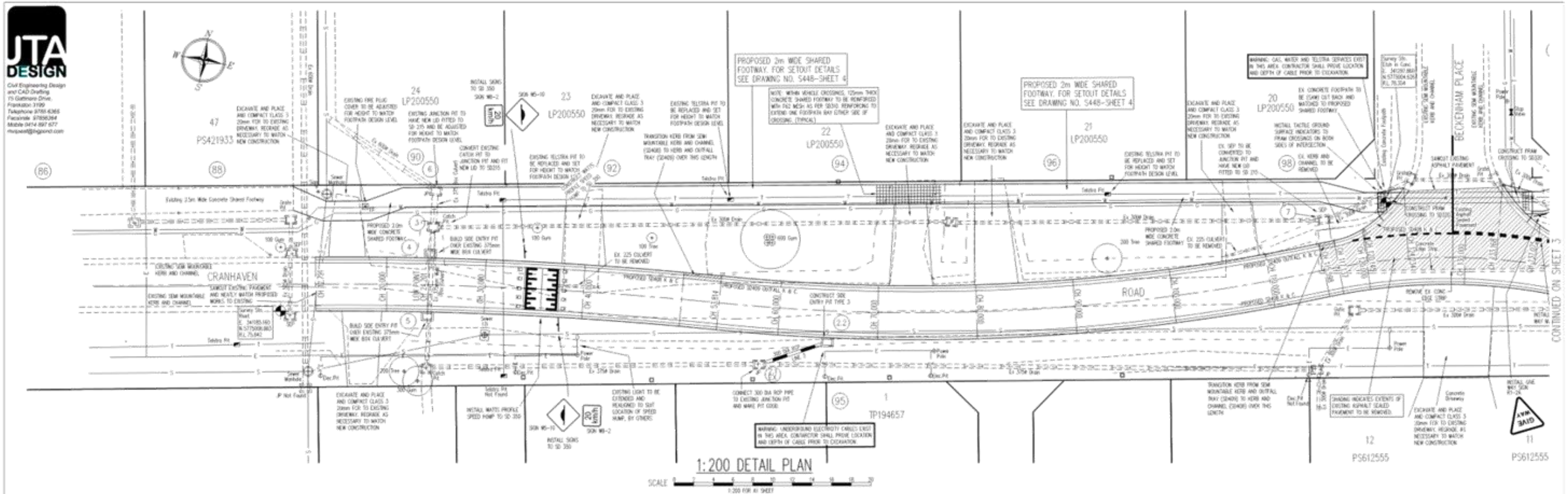
TENDER ISSUE ONLY - NOT TO BE USED FOR CONSTRUCTION

LEGEND			
3 ASPECT LANTERN (200mm)	SIGN	EXISTING PEDESTAL	WATER METER
MAST ARM (OUTREACH AS INDICATED)	PARKING METER	NEW PEDESTAL	TAP
FED. PUSH BUTTON & LANTERN	RUBBISH BIN	NEW JOINT USE POLE	ELECTRIC PIT
INTERNALLY ILLUMINATED SIGN	SIDE ENTRY PIT	UNITED ENERGY POLE	PERMANENT SURVEY MARK
EXISTING STREET LIGHTING LANTERN	GRAVED PIT	DOUBLE SIDED REFLECTIVE ROAD PAVEMENT MARKER	SURVEY MARK OR STATION
PROPOSED STREET LIGHTING LANTERN	FENCE	SINGLE SIDED REFLECTIVE ROAD PAVEMENT MARKER	TREE
	TRAFFIC SIGNAL CONTROLLER	40mm DIA. CONDUIT JUNCTION PIT	WOODEN POST
	EXISTING DETECTOR LOOP	300mm DETECTOR PIT	STEEL POST
			WATER VALVE
			TELSTRA PILLAR
			MAJOR TELSTRA PIT
			MINOR TELSTRA PIT
			GAS VALVE
			SEWER PIT
			FIRE HYDRANT
			FIRE PLUG
			STORMWATER (EXISTING)
			STORMWATER (PROPOSED)
			SEWER
			WATER
			GAS
			TELSTRA
			ELECTRICITY (UNDERGROUND)
			ELECTRICITY (OVERHEAD)
			EXISTING KERB & CHANNEL
			PROPOSED KERB & CHANNEL
			EXISTING KERB
			PROPOSED KERB



AMENDMENTS	DATE	BY	NO.	INFRASTRUCTURE DEPARTMENT	CRANHAVEN ROAD, LANGWARRIN - STAGE 2
				DRAWN JTA	FROM WARRANDYTE ROAD TO JUST EAST OF LAPWING COURT
				DESIGN JTA	SPECIAL CHARGE SCHEME - ROAD CONSTRUCTION
				SURVEY WD	FACE SHEET - OVERALL LAYOUT PLAN, SHEET INDEX, LOCALITY PLAN AND NOTES
				DESIGN CHECKED AM	
				APPROVED BY E.D.C. DATE / /	SCALE AS SHOWN
				APPROVED BY INFRASTRUCTURE MANAGER DATE / /	DRAWING NO. S448
					REV. NO. SHEET 1 OF 8





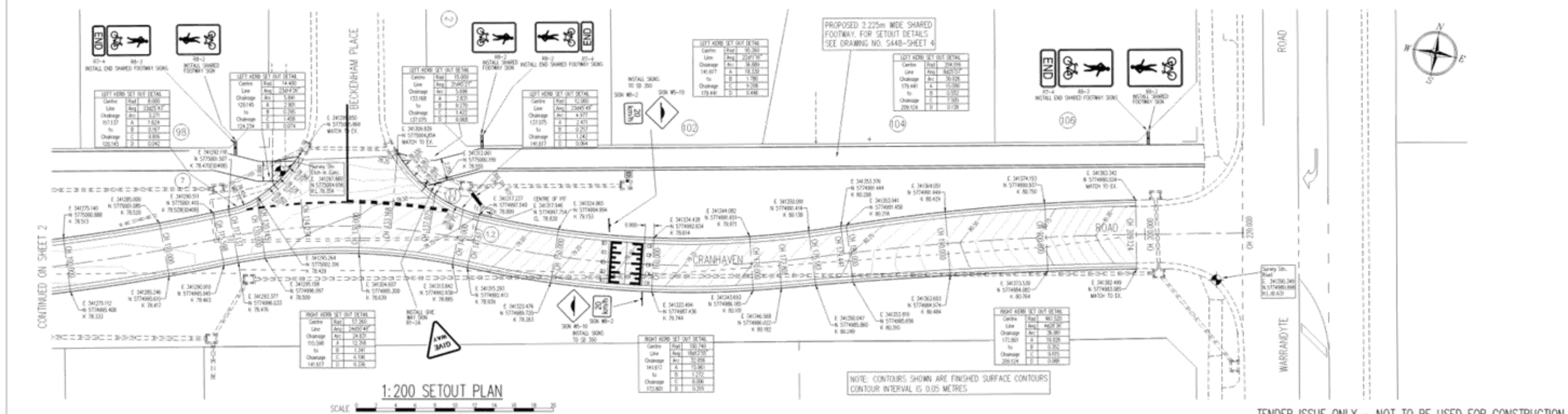
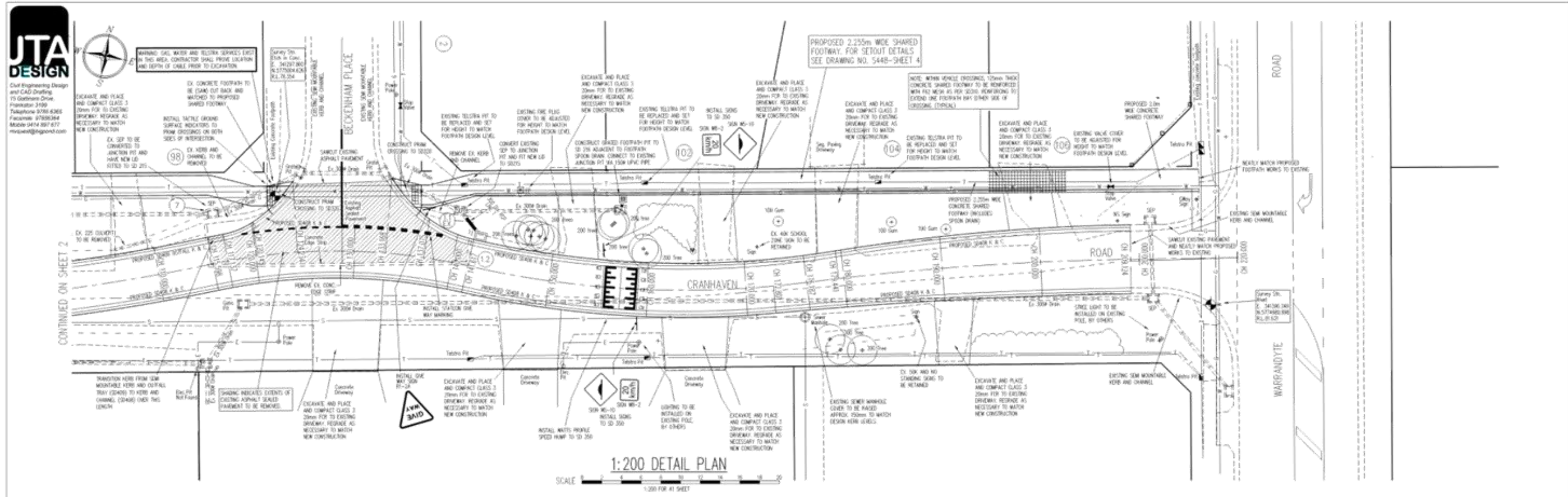
LEGEND		STORMWATER (EXISTING)		STORMWATER (PROPOSED)		SEWER		WATER		TELESTRA		ELECTRICITY (UNDERGROUND)		ELECTRICITY (OVERHEAD)		EXISTING KERB & CHANNEL		PROPOSED KERB & CHANNEL		EXISTING KERB		PROPOSED KERB														
3 ASPECT LANTERN (200mm)	MAST ARM (OUTREACH AS INDICATED)	PED. PUSH BUTTON & LANTERN	INTERNALLY ILLUMINATED SIGN	EXISTING STREET LIGHTING LANTERN	PROPOSED STREET LIGHTING LANTERN	SIGN	PARKING METER	RUBBERISH SIGN	SIDE ENTRY PIT	GRAVED PIT	FENCE	TRAFFIC SIGNAL CONTROLLER	EXISTING DETECTOR LOOP	EXISTING PEDESTAL	NEW PEDESTAL	NEW JOINT USE POLE	UNITED ENERGY POLE	DOUBLE SIDED REFLECTIVE ROAD PAUREMENT MARKER	SINGLE SIDED REFLECTIVE ROAD PAUREMENT MARKER	600mm DIA. CONDUIT JUNCTION PIT	300mm DETECTOR PIT	WATER METER	TAP	ELECTRIC PIT	PERMANENT SURVEY MARK	SURVEY MARK OR STATION	WOODEN POST	STEEL POST	WATER VALVE	TELSTRA PILLAR	MAJOR TELSTRA PIT	MINOR TELSTRA PIT	GAS VALVE	SEWER PIT	FIRE HYDRANT	FIRE PLUG



TENDER ISSUE ONLY - NOT TO BE USED FOR CONSTRUCTION

AMENDMENTS	DATE	BY	NO.	INFRASTRUCTURE DEPARTMENT	FILE NO.
A		JTA		DRAWN	
B		JTA		DESIGN	
C		MO		SURVEY	
D		AM		DESIGN CHECKED	
E				APPROVED BY E.D.C.	
F				APPROVED BY INFRASTRUCTURE MANAGER	

<b>CRANHAVEN ROAD, LANGWARRIN - STAGE 2</b>	
FROM WARRANDYTE ROAD TO JUST EAST OF LAPING COURT	
SPECIAL CHARGE SCHEME - ROAD CONSTRUCTION	
1:200 DETAIL AND SETOUT PLAN	
CH 0.000 TO CH 140.000	
SCALE	1:200
DRAWING No.	S448
REV. No.	SHEET 2 OF 8

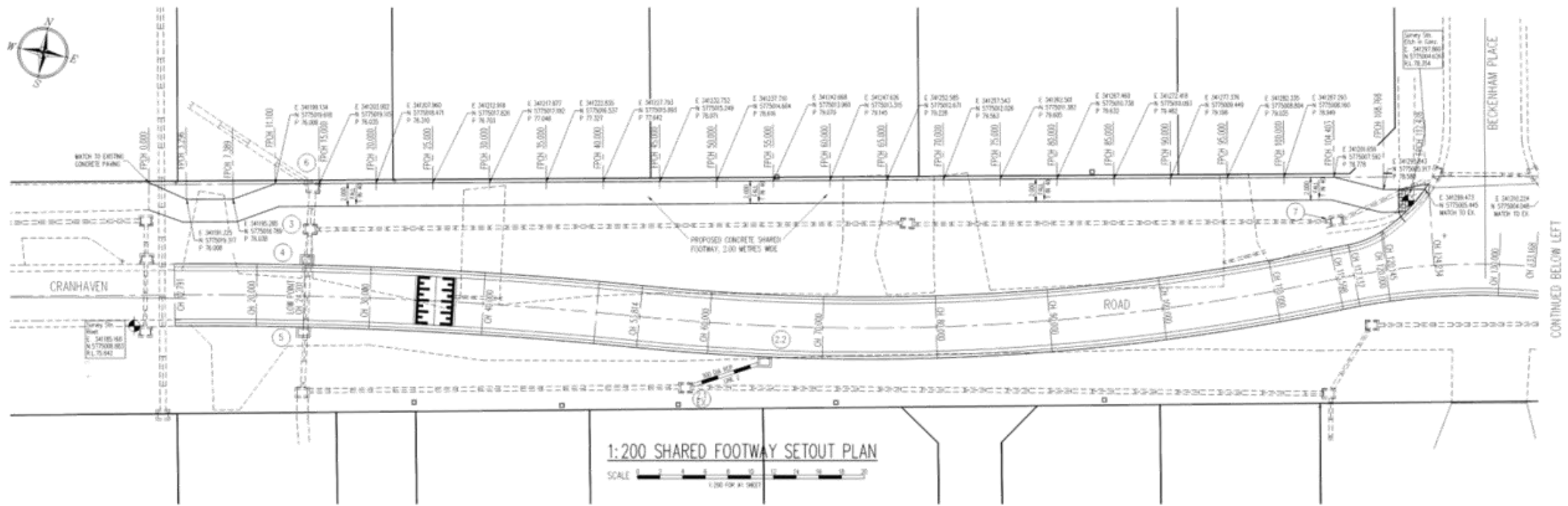


TENDER ISSUE ONLY - NOT TO BE USED FOR CONSTRUCTION

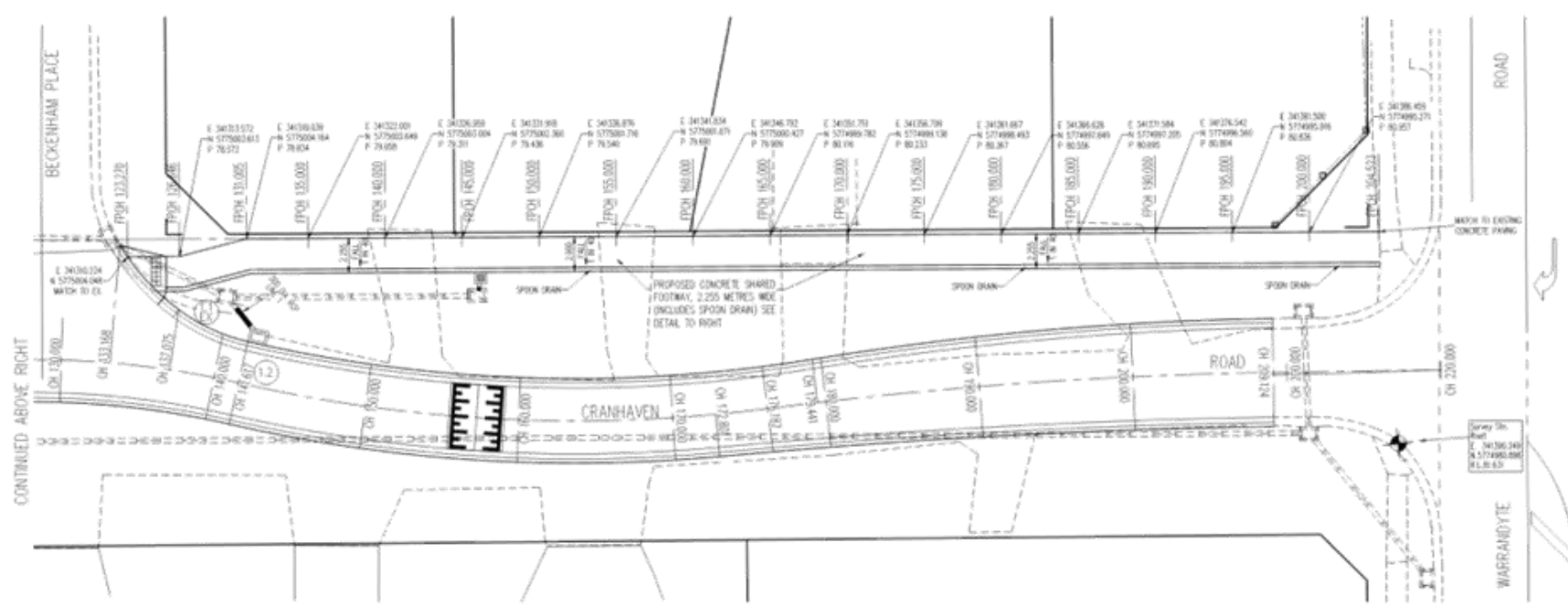
LEGEND		STORMWATER (EXISTING)		STORMWATER (PROPOSED)	
3 ASPECT LAMPIER (200mm)	3 ASPECT LAMPIER (200mm)	WATER METER	WATER VALVE	STORMWATER (EXISTING)	STORMWATER (PROPOSED)
MAST ARM (OUTREACH AS INDICATED)	MAST ARM (OUTREACH AS INDICATED)	TAP	TELSTRA PILLAR	SEWER	SEWER
PED. PUSH BUTTON & LANTERN	PED. PUSH BUTTON & LANTERN	ELECTRIC PIT	MAJOR TELSTRA PIT	WATER	WATER
INTERNALLY ILLUMINATED SIGN	INTERNALLY ILLUMINATED SIGN	PERMANENT SURVEY MARK	MINOR TELSTRA PIT	GAS	GAS
EXISTING STREET LIGHTING LANTERN	EXISTING STREET LIGHTING LANTERN	SURVEY MARK OR STATION	GAS VALVE	TELSTRA	TELSTRA
PROPOSED STREET LIGHTING LANTERN	PROPOSED STREET LIGHTING LANTERN	TREE	SEWER PIT	ELECTRICITY (UNDERGROUND)	ELECTRICITY (OVERHEAD)
		WOODEN POST	FIRE HYDRANT	EXISTING KERB & CHANNEL	PROPOSED KERB & CHANNEL
		STEEL POST	FIRE PLUG	EXISTING KERB	PROPOSED KERB



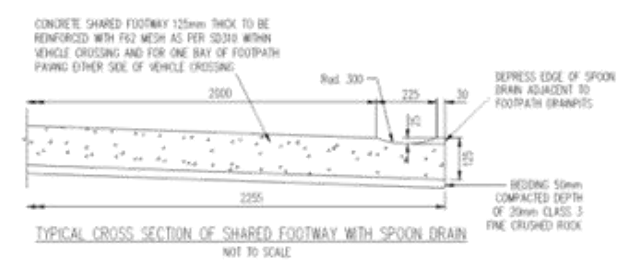
AMENDMENTS	DATE	BY	NO.	INFRASTRUCTURE DEPARTMENT
				CRANHAVEN ROAD, LANGWARRIN - STAGE 2
				FROM WARRANDYTE ROAD TO JUST EAST OF LAPWING COURT
				SPECIAL CHARGE SCHEME - ROAD CONSTRUCTION
				1:200 DETAIL AND SETOUT PLAN
				CH 140.000 TO CH 207.209
				SCALE 1:200
				DRAWING No. S448
				REV. NO.
				APPROVED BY E.D.C. DATE / /
				APPROVED BY INFRASTRUCTURE MANAGER DATE / /



1:200 SHARED FOOTWAY SETOUT PLAN  
 SCALE 1:200 FOR A1 SHEET



1:200 SHARED FOOTWAY SETOUT PLAN  
 SCALE 1:200 FOR A1 SHEET



TENDER ISSUE ONLY - NOT TO BE USED FOR CONSTRUCTION

LEGEND			

	AMENDMENTS	DATE	BY	NO.	INFRASTRUCTURE DEPARTMENT
					FILE NO.
					DATUM A.M.D.
					COUNCIL APPROVAL MEETING NO. / /
					CONTRACT NO.
					SCALE 1:200
					DRAWING NO. S448
					REV. NO.
					SHEET 4 OF 5

Attn: Douglass Dickins  
Manager Engineering Services  
Re: Cranhaven Road Stage 2 – Special Charge Scheme



I wanted to take the time to respond to a recent letter we received in regards to the sealing of Cranhaven Road.

Firstly, I am all for it, it definitely needs to be done. However it is due to the three developments that have been approved by council since 2010 that it needs to be done now more than ever; not to mention the Lapwing court development.

When my wife and I first moved to Cranhaven Road, we were not opposed to it being an unsealed road, but in the last 7-8 years traffic and use of the road has increased to more than double due to the developments.

How were these developments approved without sealing the road that is used to directly access these new developments?

Of course this extra use is going to deteriorate the road creating more dust and cause ongoing issues.

So it seems we have to pay for councils mistakes

The road also gets used as a main thoroughfare and car park when the school car park overflows; weekend market goers, performers and guests in the auditorium and basketball association players and members also make use of this road on a very regular and daily basis.

So why wouldn't the Primary School, Secondary College, Basketball Association etc. have to pay a share as well?

I look forward to a prompt response to this matter.

Thank you for your time.

Kind Regards

**Sent via Email on 1 March 2018**

Thank you for your letter and thoughts on the project, it will be tabled in the next Council report for Declaration of the scheme in April 2018. In response to your concerns I make the following comments:-

*Q1 How were these developments approved without sealing the road that is used to directly access these new developments?*

Planning legislation requires developers to seal existing roads which have direct abuttal to their subdivision. Where only a remote road without abuttal was the link, (as in Lapwing Ct, StockHaven Cct & Beckinham Pl), council planners tried to include a condition on permits requiring the developer to make the remote unsealed road, however this condition was always appealed by developers at VCAT and invariably overturned by VCAT. It is now a precedent which is not contested. The subdivisions which created Beckinham Pl, Lapwing Ct and Stockhaven Cct all fall into this category.

*Q2 The road also gets used as a main thoroughfare and car park when the school car park overflows; weekend market goes, performers and guests in the auditorium and basketball association players and members also make use of this road on a very regular and daily basis. So why wouldn't the Primary School, Secondary College, Basketball Association etc. have to pay a share as well?*

Parking surveys were carried out in June 2017 during school times and showed that, in the AM peak - 8.00 to 9.30am - there were an average of 6 external short term parkers & in the PM peak - 2.30 to 6.00pm - there were an average of 20 external short term parkers. Schools, sporting associations & other community bodies are classed as "Community Benefit" & is explained below.

There are 3 factors used in determining the owner / council split-up (The Benefit Ratio) -

1 "Access Benefit" is one factor & is applied to those who do not have direct abuttal but have to use the road & will benefit from the reduction in potholes/corrugations in travelling over the unsealed section.

2 "Amenity Benefit" which is applied to those who have direct abuttal & will benefit from the reduction of dust & noise, in addition to the Access Benefit for potholes/corrugations in travel.

3 "Community Benefit" – in this case the use of the pedestrian facility by school-children from the west and the use of Cranhaven Rd as a drop-off & pick up point, **which is attributable to council to fund and did reduce the Benefit Ratio.**

This sets the percentage residents are required to contribute – in this case a Benefit Ratio of 65% of the total scheme cost. Once the Benefit Ratio is calculated, an apportionment of costs to each contributing property is done based on area, frontage & benefit unit (which includes subdivision potential & traffic usage). Many trials are done with varying percentages of each factor and the most equitable is chosen based on local conditions. In this case the chosen percentages were:- Area – 33.33%, Frontage – 33,33% & BU – 33.33%.

I trust that the above satisfies your queries. If you require any further information please contact XXXXXXXX – she has the Scheme Book which includes the above documents, which is available at our Engineering Services counter for perusal by any contributor or interested party.

**Executive Summary****12.7 Kananook Creek Management and Sediment Control**

*Enquiries: (Doug Dickins: Community Assets)*

**Council Plan**

Community Outcome:	1. Planned City
Strategy:	1.3 Natural and sustainable environment
Priority Action	1.3.1 Protect the natural and coastal environment whilst maximising the use and enjoyment of the foreshore

**Purpose**

To brief council on the issues in relation to Kananook Creek sediment control management and on the governance arrangements for Kananook Creek, and to update Council on the proposed actions to investigate these matters.

**Recommendation (Director Community Assets and Corporate Development)**

That Council:

1. Notes this updated report and allocates \$50,000 in the 2018/19 Capital Works Program for a project to investigate and develop a preferred option to better manage sediment build-up at the mouth of Kananook Creek.
2. Notes the ongoing discussions with relevant authorities and key stakeholders to clarify the governance arrangements proposed as a part of the Kananook Creek Ministerial Advisory Committee (KCMAC) Final Report.
3. Notes that management of siltation in Kananook Creek itself requires agreement between stakeholders on governance and responsibilities for Kananook Creek with a future update to Council planned when further information is available.

**Key Points / Issues**

- Currently there are three issues of concern in relation to Kananook Creek. These issues are, as follows;
  - Build up and management of sediment at the entrance of the creek predominantly due to tidal impacts.
  - Governance arrangements of the creek following the Kananook Creek Ministerial Advisory Committee and recommended governance structure.
  - Siltation, flows and health of the creek in general from Eel Race Drain downstream to the mouth of the creek, associated with current flows and sediment movement downstream.
- A map of the Kananook Creek corridor is shown in Attachment A
- Build-up of sediment at the entrance to Kananook Creek has been an ongoing issue for many years. Numerous attempts have been made in the past to better control and manage sediment at the entrance to the creek.
- Council was last briefed at OM308 on 16 October 2017 regarding potential Capital Works to address ongoing sediment blockages at the mouth of Kananook Creek and governance arrangements proposed as a part of the Kananook Creek Ministerial Advisory Committee (KCMAC) Final Report.

**12.7 Kananook Creek Management and Sediment Control****Executive Summary**

- This report considers a better way forward to manage sediment build-up at the entrance to Kananook Creek, but not siltation deposit upstream in the creek itself. There may be potential for a solution at the mouth entrance to reduce silt build-up in the creek over the longer term, but this needs further investigation.
- Several studies of sediment build-up in Kananook Creek have been carried out. The most recent one, being the Kananook Creek Dredging Study 2015-2017, determined that tidal impacts contributed to the deposit of sediment at the entrance of Kananook Creek.
- Funding is proposed for inclusion in 2018/19 Capital Works Program in the amount of \$50,000 for analysis of options and concept design of the preferred option to reduce sedimentation at the Kananook Creek entrance.
- The approach will be to analyse the issues and develop solutions while consultation is undertaken with key stakeholders and relevant authorities, followed by a preliminary design phase.
- Ongoing dredging of the mouth entrance of Kananook Creek continues while this analysis is underway. Further consultation with community group stakeholders is being carried out during the concurrent development of a new dredging contract. The new contract is scheduled to be in place by July 2018
- Melbourne Water is investigating sources and quality of siltation along the creek. Council officers will liaise with stakeholders to better understand siltation issues in the creek and consider what actions may arise
- Discussions are also underway with DEWLP, Melbourne Water and other stakeholders to form a view on the proposed future governance arrangements recommended for Kananook Creek by the Ministerial Advisory Committee.
- A simpler and more cost effective governance and management option may be identified through these discussions.

**Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

It is proposed to include \$50,000 for analysis of options and design of a project to reduce sediment at the Kananook Creek entrance in the 2018/19 Capital Works Program.

**12.7 Kananook Creek Management and Sediment Control****Executive Summary**

Currently Council spends over \$250,000 each year dredging in the entrance of Kananook Creek without financial support from State Government. Investigation of alternative treatments or development of an option to reduce sedimentation has the potential to reduce this cost significantly.

There are financial costs associated with ongoing dredging of the entrance of Kananook Creek, however, these costs can be accommodated within existing budgets.

There may be financial costs associated with the governance proposition for Kananook Creek, however, these costs are difficult to quantify until further information is available.

**Consultation****1. External Stakeholders**

There has been consultation conducted by KCMAC throughout the review process in 2016, including consultation with current corridor managers, invited waterway users, advocacy groups and other authorities.

In developing a specification for a new tender for dredging of the entrance to Kananook Creek, key stakeholders will also be consulted.

Officers are currently liaising with relevant authorities to seek clarification in respect of the proposed governance arrangements.

Clarification includes but is not limited to the role of the Surveyor General; existing Committee of Management appointments and current legal agreements for occupation of the Kananook Creek Reserve; the impact on the established Ministerial position with respect to encroachments and sale of occupied portions of the Kananook Creek Reserve, and the ability of a new Committee of Management to override the legal obligations of statutory authorities.

In addition officers may explore whether an alternative, simpler and more cost effective management model is viable, noting the recommendations of the Victorian Assessment Council's Review into Public Land (May 2017).

It is proposed to engage a consultant to development options and design a project to better manage sediment at the entrance to Kananook Creek. Part of this project will include review of previous documentation and consultation with a range of stakeholders.

**2. Other Stakeholders**

Council Departments involved in the consultation include Planning & Environment, Commercial Services, Capital Works Delivery and Engineering Services.

**Analysis (Environmental / Economic / Social Implications)****Sediment Management at the Entrance to Kananook Creek**

A number of attempts have been made to better manage siltation and sediment in Kananook Creek in the past. These date back to early 1900's and include;

- A pump and pipe installed at Seaford Pier, together with a floodgate at Frankston to flush the creek in 1930's and 1940's
- Dredging of Kananook Creek commenced in 1930's along various sections of the creek. Periodically dredging has been carried out by a number of authorities, with ongoing dredging at the entrance by Council.



**12.7 Kananook Creek Management and Sediment Control****Executive Summary**

- Riviera Outfall at Seaford was opened in 1961 and allows for Kananook Creek to be flushed periodically, and also allows for excessive flow to be released to the bay.
- The mouth of the creek has also been formed with training walls to try to minimise the impact of sediment at the entrance and within the bay.
- A channel bed disturbance project was trialled in early 1980. This project was not successful and was soon decommissioned.
- A pumping station installed in 1980 at Patterson Lakes to pump salt water from Patterson Lakes into Eel Race drain to help flush Kananook Creek. These pumps continue to operate.

Many of these projects were focussed on siltation along the length of Kananook Creek rather than at the entrance specifically.

Several studies of siltation and sediment in Kananook Creek have also been done, with the most recent study being of the dredging at the entrance to the creek. This was a two year investigation (Kananook Creek Dredging Study – Findings of Hydrographic Surveys 2015-2017) by Kellogg, Brown and Root Pty Ltd (KBR). On 26 June 2017 KBR made a presentation to Council on the study and some of the potential options to manage sediment at the entrance.

The report found that there was a relatively low tidal water variation in Kananook Creek, which is normally less than 0.6 metres. Sediment deposit at the entrance was due to tidal impacts with waves coming from south west in summer transporting sediment to the north and in winter transporting sediment to the south by north westerly waves. It found that the two offshore sandbars are a more or less permanent feature and the outer bar is not affected by dredging operation.

Possible solution provided by KBR included;

- Channel widening and deepening.
- Improved training walls into the bay at the entrance of Kananook Creek.
- A combination of widening and deepening, with improved training walls.
- Manage siltation within the existing constraints.

At the OM308 on 16 October 2017, Council resolved to consider funding in the 2018/19 Capital Works budget to undertake necessary analysis of options and design of a project to reduce sediment deposit in the Kananook Creek entrance.

The key outcome of the project is to develop feasible options for sediment management at the entrance of Kananook Creek and design of the preferred option to enable costing to be prepared for consideration in a future budget.

The various stages of the project, as follows;

- Stage 1 – May 2018 - Develop Project Brief for consultancy.
- Stage 2 – June/July 2018 - Procurement process to engage consultant
- Stage 3 – August/September 2018 - Consultant investigation and analysis.
  - Stage 3a - Document and literature review – Review of previous studies and other documents, including historic information relating to sediment at Kananook Creek entrance.

**12.7 Kananook Creek Management and Sediment Control****Executive Summary**

- Stage 3b – Consultation with stakeholders including community groups and authorities – Stakeholder engagement to determine what the objectives of the project are and how stakeholders can help in the project development.
- Stage 3c – Development of options with concept estimates. A benefit cost analysis could also be done at this stage to determine whole of life cost and payback period. Also includes identification of a preferred option.
- Stage 4 – October 2018 - Hold Point – Internal review including Council briefing to determine Council's preferred option.
- Stage 5 – December 2018 - Consultant to prepare concept design of preferred option with estimates to enable project phasing. This would include an analysis of the timeframes required for implementation of the project.
- Stage 6 – February 2019 - Preparation of Project Overview Sheet to enable the project to be costed and further developed for consideration in a future Capital Works program.

There may be other benefits to the creek through improved sediment control upstream of the mouth and through a change in the dredging regime.

It is estimated that \$50,000 will be required for Stage 1 to 6 of this project.

#### Siltation Management within Kananook Creek

Over the years there have been several attempts to better manage siltation within Kananook Creek, dating back to the early part of the twentieth century. The increased urbanisation of the area has contributed to increased water runoff, with a number of drains discharging to the creek.

Much of the area around Kananook Creek is low lying and so the creek also plays an important role in managing storm water and flooding events. Previous works in 1961 constructed the Riviera outlet to reduce the impact of flooding and to allow flushing of the creek.

The pumping station at Paterson Lakes, constructed in 1980's, provides an extra flow in the creek to improve water quality through pumping sea water and increased flow to manage siltation

Recently South East Water cleared silt downstream from Wells Street at the time of development of offices in Frankston. This project removed silt from the creek however the extent of the works was limited and the cost relatively high.

Recently Melbourne Water have partnered in a project to investigate silt and sediment sources and the quality of silt in Kananook Creek. The study looked at these issues along much of the length of the creek. Council officers will be liaising with Melbourne Water officers to review the outcomes of the study and consider further actions.

The ongoing discussions with DEWLP, Melbourne Water and other stakeholders will assist in determining roles and responsibilities of the various stakeholders in creek management, which will include management of silt and sediment.

#### Legal

Further development and consideration of governance options will consider statutory obligations.

**12.7 Kananook Creek Management and Sediment Control****Executive Summary**Policy Impacts

Future governance of Kananook Creek may also require development of policy and protocols in relation to future management and usage of Kananook Creek.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

Risks associated with sediment management are around the ability for the project to deliver the desired outcomes, given that there have been several attempts in the past to control sediment in Kananook Creek at the entrance.

There may also be risks associated with the ongoing management, control and governance of Kananook Creek, however further information is required before this can be assessed.

**Conclusion**

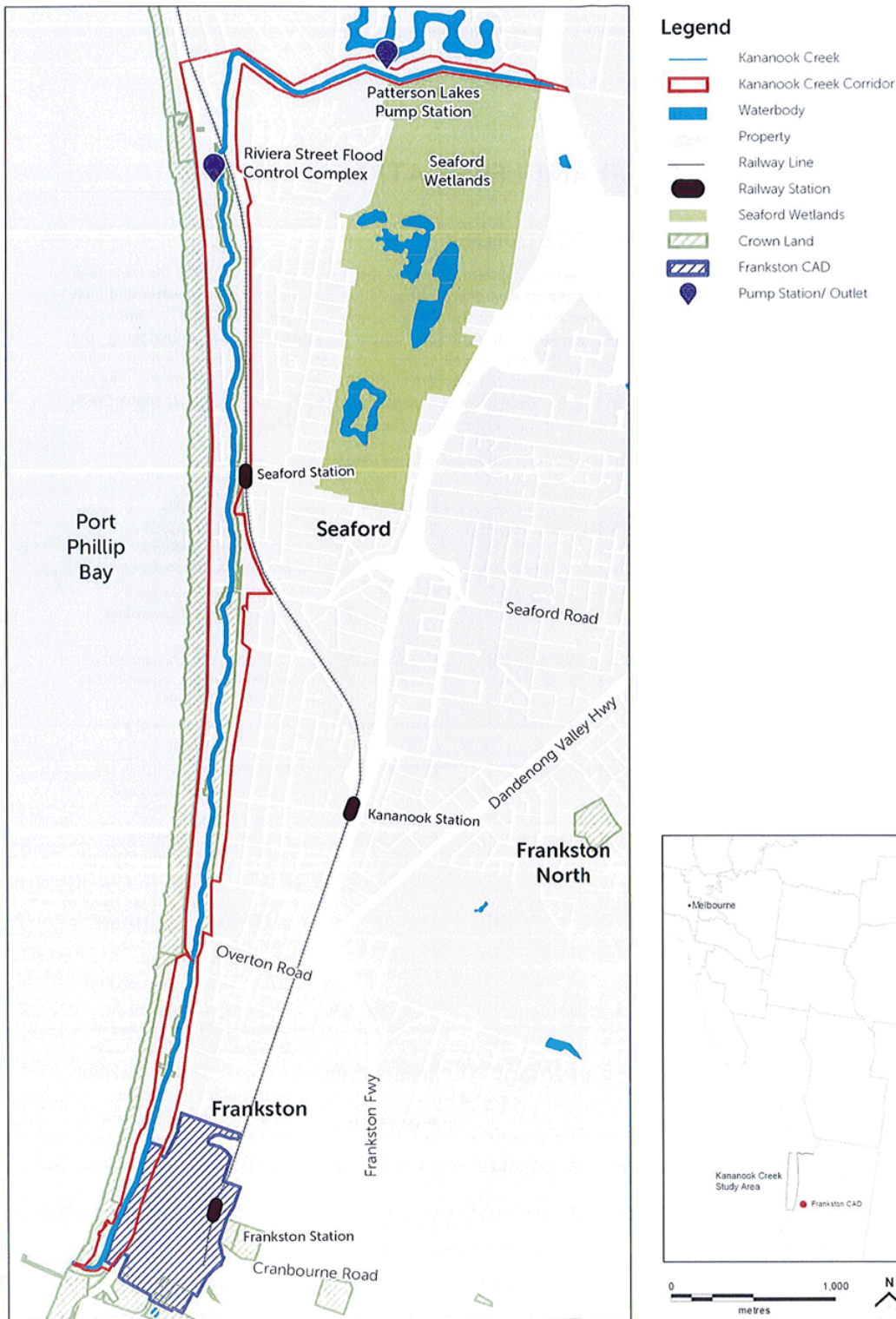
That this report be noted and endorsed for presentation to Council briefing and meeting.

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**ATTACHMENTS**

Attachment A: [↓](#) Kananook Creek Corridor

FIGURE 3: MAP OF THE KANANOOK CREEK CORRIDOR



**Executive Summary****12.8 Minutes of the Frankston Arts Board - 20 March 2018**

*Enquiries: (Andrew Moon: Community Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.2 Promote Frankston City's reputation as an arts, festivals and events destination

**Purpose**

To brief Council on the minutes of the Frankston Arts Board meeting held on 20 March 2018

**Recommendation (Director Community Development)**

That Council:

1. Receives the Minutes of the Frankston Arts Board meeting of 20 March 2018
2. Endorses the statement to LXRA regarding the Skye/Overton Road artwork

**Frankston Arts Board Minutes – 20 March 2018**

The meeting was convened with members of the Frankston Arts Board to discuss the agenda and make recommendations where appropriate to Council for endorsement.

Notable items of the 20 March 2018 meeting were:

- FAB Endorsement of the statement to LXRA regarding the Skye/Overton Road artwork
- Discussed options of an art lighting installation to be commissioned and installed in the station pedestrian tunnel, FAB to draft a letter to Paul Edbrooke, for Council endorsement.
- Walking tour of the street art pieces, where FAB was joined by 'The Big Picture Fest Curator'.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

12.8 Minutes of the Frankston Arts Board - 20 March 2018

**Executive Summary**

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**ATTACHMENTS**

Attachment A: [↓](#) Frankston Arts Board - 20 March 2018 - Minutes

Attachment B: [↓](#) Frankston Arts Board - Formal Statement to LXRA



AGENDA ITEM 1.5

**FRANKSTON ARTS & CULTURE**

**FRANKSTON ARTS BOARD  
 Board Meeting**

**MINUTES OF THE MEETING  
 Tuesday 20<sup>th</sup> March 2018  
 6.00 – 8.00pm  
 Frankston Arts Centre, Frankston**

ITEM		
<b>1</b>	<b>Governance: General</b>	
1.1	Welcome, apologies and introductions	<p><b>Present</b>                      Ms Barbara Crook (Chairperson)                      Ms Jenni Colwill                      Mr Douglas Spencer Roy                      Mr Michael Malignaggi                      Cr Kris Bolam                      Mr Andrew Moon                      Ms Gillian Kay</p> <p><b>Apologies</b>                      Cr Sandra Mayer                      Mr Dennis Hovenden                      Ms Mish Eisen</p>
1.2	Determination of quorum	Confirmed
1.3	Declaration of conflicts of interest	Mr Spencer Roy's employer is a sponsor
1.4	Confirmation of Agenda	Item added 5.4 – Lights for Frankston Railway Tunnel
1.5*	Approval of minutes.	Previous meeting Minutes approved by FAB via email
1.6*	Action items/Matters arising (refer to schedule)	Updated Notes/Approved
<b>2</b>	<b>Management Updates</b>	
2.1*	Arts & Culture Monthly Report including KPI's	Noted
2.2*	Arts & Culture Financials	Noted
2.3	Trust Fund Account Update	
<b>3</b>	<b>Capital Works</b>	
<b>4</b>	<b>Strategy</b>	
<b>5</b>	<b>Any Other Business</b>	
5.1*	Councillor Bulletin	Noted
5.2	Formal endorsement of LXRA - Statement	FAB members endorsed the draft statement, however added an extra sentence relating to working with LXRA to develop a new brief for the artwork and including that FAB was looking forward to working with the LXRA through the selection process. The possibility of attending the

## AGENDA ITEM 1.5

		revitalisation board was raised, this would be to brief the board on the Skye/Overton Road artwork project and the outcomes of 'The Big Picture Fest – Frankston'.
5.3	Street Art – Walking Tours	Friday 23 <sup>rd</sup> – Sunday 25 <sup>th</sup> there will be various activities including: Canon photographic tours, walking tours with a block party in Library Forecourt on Saturday 24 <sup>th</sup> .
5.4	Lights for Frankston Railway Tunnel	Discussed options of an art lighting installation to be commissioned and installed in the station pedestrian tunnel, to help create a friendly and vibrant space. FAB resolved to draft a letter to Paul Edbrooke, letter to be endorsed by Council prior to being sent.
	FAB - Street Art Tour	The formal meeting concluded at 6:35 when FAB then took a walking tour of the street art pieces. For the tour FAB was joined by Joel Van Moore, 'The Big Picture Fest Curator'.
<b>6</b>	<b>Next Board Meeting and forward agenda</b>	
6.1		<p><b>Next Meeting</b> Monday 30<sup>th</sup> April Councillor Briefing – meeting to start at 5:30pm</p> <p><b>Forward Agenda</b></p> <ul style="list-style-type: none"> <li>- Frankston Arts &amp; Culture Strategy</li> <li>- FAC Band Room as a possible holding space, site inspection</li> </ul> <p><b>Meeting Closed</b> Formal Meeting closed 6:35pm Street art walking tour concluded at 7:45pm</p>

Confirmed as a Correct Record

Chairperson: (Barbara Crook)



**Item 5.2 – Formal Endorsement of LXRA Statement**

At its Tuesday 20 February 2018 meeting, the Frankston Arts Board (the Board) considered the North Western Program Alliance's (NWPA) Public Art proposal as part of the Skye/Overton level crossing removal project.

As part of such a significant infrastructure project, the Board acknowledges and supports the integration of public art that celebrates the Frankston identity and place.

However, based on the information made available by the NWPA in relation to the development of the public art concept, the Board has strong concern with and does not endorse the process undertaken for the selection of an artist, the development of the artist brief and the resulting concepts.

At its meeting, the Board unanimously agreed that the concepts that were made available would be inconsistent with the municipality's approach to artwork commissioning and approval.

The Board requests that the NWPA reviews the public art development as part of this project and makes certain there is an appropriate creative strategy in accordance with the LXRA's Urban Design Framework benchmark 6.12 for Integrated Public Art.

The board wishes to work with the NWPA and LXRA to develop a new brief for the artwork and looks forward to working with NWPA and LXRA through the artwork selection process.

To discuss this matter further, please contact Kate Jewel on (03) 9784 1806.

**Executive Summary****12.9 Councillor Representatives to the Mornington Peninsula and Western Port Biosphere Reserve Foundation Board**

*Enquiries: (David Fairbridge: Community Development)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.3 Natural and sustainable environment
Priority Action	1.3.1 Protect the natural and coastal environment whilst maximising the use and enjoyment of the foreshore

**Purpose**

To brief Council on the Mornington Peninsula and Westernport Biosphere Reserve Foundation Council Liaison Committee and seek confirmation of the new nominations of Councillor members of the Biosphere Board.

**Recommendation (Director Community Development)**

That Council:

1. Notes the nomination of Cr David Gill, Mornington Peninsula Shire, as the delegate to the Western Port Biosphere Foundation Board and Cr Quinn McCormack, Frankston City Council, as Alternate Director.
2. Writes to the Board of the Westernport Biosphere Foundation confirming its support of Cr Gill and Cr McCormack as the approved delegates to the Board.

**Key Points / Issues**

- At the Ordinary Meeting of July 3rd 2017 Council resolved to renew its financial membership to the Biosphere for a period of 12 months at \$25,000.
- At that meeting Council made it clear that the renewal was temporary and its continued financial membership of the Biosphere would be contingent upon the appetite of the Board to broaden the visibility of its work including increasing community participation at the Board level.
- Council nominated Councillor Bolam to serve as the Council delegate to the Biosphere until the next review of Board appointments. In 2018 Cr Bolam was succeeded by Cr McCormack as the Frankston City Council delegate to the Biosphere.
- The Biosphere and member Councils have developed a Memorandum of Understanding and have now reached in-principle agreement on a four year MoU incorporating agreed KPIs. Formalisation of this agreement will help to provide the Board with certainty and demonstrate Council support to prospective funding bodies.
- As part of the governance structure of the Western Port Biosphere Foundation, a Council Liaison Committee has been established for the member Councils. The purpose of the Council Liaison Committee is to provide a forum for open communication and two way engagement between the Western Port Biosphere Foundation and the member Councils.
- The Council Liaison Committee is responsible for providing:
  - a) input to the strategic direction and operational plans to be pursued by the Foundation;

**12.9 Councillor Representatives to the Mornington Peninsula and Western Port  
Biosphere Reserve Foundation Board****Executive Summary**

- b) a sounding board for the Foundation's ideas, plans, policies and objectives on such things as research, education and fundraising opportunities, projects, organisational structure, governance, membership, communications, public relations and community engagement;
  - c) direct feedback to Councils on the Foundation's plans and performance in relation to 'a' and 'b'; and
  - d) a forum for member Councils to 'benchmark' existing and planned environmental, ecological, energy saving, advocacy and branding opportunities and projects, and any innovative land-use proposals.
- Cr McCormack represents Frankston City Council on the Biosphere Council Liaison Committee.
  - Under the Terms of Reference of the Council Liaison Committee, Councillors representing the member Councils are to determine which Councillor is to be appointed to the Biosphere Board to represent the views of the Councils to the Board. This doesn't preclude a Council from independently representing its issues or ideas directly to the Board.
  - The Council Liaison Committee recently met and discussed the matter of Councillor Representation to the Board. All Councillors present agreed that Cr David Gill of the Mornington Peninsula Shire will be the delegate to the Board, and Cr Quinn McCormack of the Frankston City Council will be the Alternate Director.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

There are no financial implications associated with this report.

**Consultation****1. External Stakeholders**

Mornington Peninsula and Westernport Biosphere Reserve Foundation and Council Liaison Committee

**2. Other Stakeholders**

Officers from the Planning & Environment Department have been consulted during the preparation of this report.

**12.9 Councillor Representatives to the Mornington Peninsula and Western Port  
Biosphere Reserve Foundation Board****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

The 'Biosphere' provides an opportunity for connecting organisations across government, the private sector, research and academia.

The 'Biosphere' is uniquely placed to address issues that are difficult for communities to manage alone, in the current environment, by fostering collaboration in the delivery of desirable outcomes for the region.

The Biosphere Council Liaison Committee provides an important means for member councils to participate fully in and contribute to shaping the Biosphere's program.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Council has no statutory obligations in this matter.

Policy Impacts

Supporting the 'Biosphere' assists Council to deliver key actions from 'Greening our Future – Frankston City's Environment Strategy 2014-2024'.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**Risk Mitigation**

No inherent risks have been identified.

**Conclusion**

It is recommended that Council:

- Supports the nomination of Cr David Gill, Mornington Peninsula Shire, as the delegate to the Western Port Biosphere Foundation Board and Cr Quinn McCormack, Frankston City Council, as Alternate Director, and
- Writes to the Board of the Westernport Biosphere Foundation confirming its support of these two nominated delegates to the Board.

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**ATTACHMENTS**

Nil

**Executive Summary****12.10 MAV State Council Motions**

*Enquiries: (Michelle Tipton: Chief Executive Office)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To seek approval for ten (10) Notice of Motions (NOMs) to be submitted to the Municipal Association of Victoria (MAV) State Council Meeting being held on Friday 18 May 2018.

**Recommendation (Chief Executive Office)**

That Council endorses the proposed Municipal Association of Victoria (MAV) State Council Motions and that the motions be forwarded to the MAV prior to the deadline date.

**Key Points / Issues**

- Each year Councils across Victoria are invited to submit Motions to be heard at the Municipal Association of Victoria (MAV) State Council Meeting. This provides Council with the opportunity to highlight specific topics and projects at a State level, to clearly demonstrate the level of commitment of Frankston City Council to both local and State issues.
- This year the State Council is being held on Friday 18 May 2018 and the due date for receipt of motions is no later than Friday 20 April 2018. Late motions are not accepted.
- An email was circulated to Managers and Councillors on 8 February 2018 to see if there were any items that they wanted to submit for the State Council Meeting.
- Council staff have prepared ten (10) Notice of Motions for consideration and are seeking Council endorsement to submit the following motions;
  - Self-Funded Retirees Discount:
  - Parks Victoria Maintenance and Consultation:
  - Greater liquor and gambling controls for Local Government:
  - Overreach of unelected bureaucratic entities:
  - Review of emergency SMS system pertaining to both natural and manmade disasters:
  - Defined state funding provisions for improved Kindergarten literacy outcomes;
  - Enhanced relations with other Local Government organisations within Victoria:
  - Consultation, community impact assessments and municipal controls regarding the over-the-counter needle and opioid facilities:
  - Homelessness in Australia
  - Packaged Liquor Policy

**12.10MAV State Council Motions****Executive Summary****Financial Impact**

The State Government has introduced the “Fair Go Rates” system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

There are no financial implications associated with this report.

**Consultation****1. External Stakeholders**

Nil

**2. Other Stakeholders**

Managers and Councillors were consulted on the proposed MAV State Council Motions.

**Analysis (Environmental / Economic / Social Implications)**

This will be addressed within the proposed MAV motions.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

The statutory and legal obligations would be met by the MAV on behalf of all Councils.

Policy Impacts

There are no known policy impacts.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

There are no risks associated with this report.

**12.10 MAV State Council Motions****Executive Summary****Conclusion**

The proposed motions have merit and are commended to Council for submission to the May 2018 State Council meeting for its consideration.

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**ATTACHMENTS**

- Attachment A: [↓](#) MAV State Council Motion - Self Funded Retirees Discount
- Attachment B: [↓](#) MAV State Council Motion - Parks Victoria Maintenance and Consultation
- Attachment C: [↓](#) MAV State Council Motion - Greater liquor and gambling controls for Local Government
- Attachment D: [↓](#) MAV State Council Motion - Overreach of unelected Bureaucratic Entities
- Attachment E: [↓](#) MAV State Council Motion - Review of Emergency SMS system pertaining to both natural and manmade disasters
- Attachment F: [↓](#) MAV State Council Motion - Defined state funding provisions for improved kindergarten literacy outcomes
- Attachment G: [↓](#) MAV State Council Motion - Enhanced relations with other Local Government organisations within Victoria
- Attachment H: [↓](#) MAV State Council Motion - Consultation community impact assessments and municipal controls regarding the over the counter needle and opioid facilities
- Attachment I: [↓](#) MAV State Council Motion - Homelessness In Australia
- Attachment J: [↓](#) MAV State Council Motion - Packaged Liquor Policy



FORM

**MAV State Council Meeting – 18 May 2018**

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<b>Motion</b>	
<b>Self-Funded Retirees Discount</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That the MAV advocates that self-funded retirees (within a certain means tested bracket to be determined by the State Government e.g. those who qualify for a health care benefits card) be entitled to the 'concession' rebate on annual Council rates.	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
Self-funded retirees should be rewarded for cultivating savings for their retirement. Many hardworking and contributing residents of our city are self-funded retirees. To create parity for our senior citizens, and acknowledging the hardships that even self-funded retirees experience in retirement, the existing 'concession' discount for social security users should be applied to all retirees.	
In allowing self-funded retirees a discount on their annual council rates, any scheme must be limited to those in true need and in implementing such as scheme a cap should be placed on those with more than usual wealth. One mechanism may be to limit it to those who receive a health care/benefit card from the Commonwealth Government. Linking any support to those receiving a Health Care / Benefit Card may be an appropriate way to place a cap on those receiving the discount given that this is income tested.	

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FORM

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Motion	
<b>Parks Victoria Maintenance and Consultation</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
<p>That the MAV lobbies the Minister for Planning to undertake a review of the Bushfire Protection vegetation clearance exemptions in Clause 52.48 of the Planning Scheme to consider the relevance of these exemptions to urban and township areas across the State and identify opportunities for a more targeted approach.</p>	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
<p>Many rural-urban fringe or regional Councils, including Frankston City Council are experiencing losses of urban or township trees due to the indiscriminant application of the 52.48 bushfire protection exemptions for reasons other than bushfire protection. The exemptions permit the removal of trees without any permit requirements when located within 10 metres of their house (if constructed or approved prior to September 2009).</p> <p>It is difficult for peri-urban Councils such as Frankston to comprehend the rationale behind this exemption as it applies to urban areas, where bushfire threat is low. While many inner urban Councils are developing 'Urban Forest Strategies' (supported by State Government) recognising the critical role trees and other vegetation play in the creation of resilient, sustainable cities, Councils such as Frankston, Geelong, Ballarat and Whittlesea find that much of their 'urban forest' is unprotected and could be removed without consultation or assessment.</p> <p>The logical approach for municipalities such as Frankston, City of Greater Geelong and other like Councils should be similar to that taken for the City of Knox, where a Bushfire Management Overlay applies to the heavily vegetated and areas of the municipality adjoining forested and rural landscapes, but the 10/30/50 rule does not automatically apply to areas outside the BMO.</p>	

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<b>Motion</b>	
<b>Greater liquor and gambling controls for Local Government</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That the MAV proposes to the Victorian Parliament for greater powers and instruments to enable local government, as opposed to unelected bureaucrats and bodies, to make local decisions on local liquor and gambling licences. This is to also include the ability for local governments to propose moratoriums on liquor and gambling permits in 'high risk' areas where there is demonstrated economic and social disadvantage.	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
Is the subject matter of this motion included in the SWP?	Yes
If yes, identify the following:	
Objective No.	<b>4</b>
Priority No.	<b>4.a</b>
Item No.	
<b>RATIONALE:</b>	
Under their planning schemes, Local Governments are able to consider social, economic and environmental impacts when assessing proposals for liquor and/or gaming premises. However, Council planning officers find they have little statutory weight to rely on when making decisions on cumulative impact and transferred harm resulting from excessive alcohol consumption or from the concentration of gaming facilities in areas of low-socio economic disadvantage.	
The 'overlapping approvals' system as it operates in Victoria for liquor licensing and gaming means that the legitimate and integrated town planning assessment is often compromised by the separate assessment undertaken by the licensing authorities. It is a logical fiction to insist that a planning assessment of social, environmental and economic impacts of a land use at a specific location can be functionally separated from an assessment of whether a liquor licence and/or gaming licence can be issued.	
In undertaking their planning roles for these types of proposals, Council's find that very relevant issues about community impact are 'out of bounds' for Council consideration and instead are the province of the licencing authorities. What should be a technical assessment of whether the applicant is a 'fit person' to hold a licence has intruded into the assessment of whether a new land use should be allowed.	
Frankston is a member of a Group of Councils in Melbourne that is currently sponsoring a planning amendment to allow for better control of the proliferation of packaged liquor outlets. The proposed GC planning scheme amendment seeks to include a new Local Planning Policy within the group of Council's respective planning schemes. The Licensed Premises (Packaged Liquor Outlets) Policy will apply to all applications for a new packaged liquor premises, the expansion of the licensed area for a packaged liquor premises, or the extension of trading hours of an existing packaged liquor premises.	
This is an example of how Councils are working together to strengthen the role of local government in making effective decisions on liquor and gaming approvals for their communities.	

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**Motion****Overreach of unelected bureaucratic entities**

*Submitted by: Frankston City Council*

**MOTION:**

That the MAV is to register concern to all tiers of government about the continued encroachment from unelected bureaucratic bodies on local government in Victoria.

The continued interference from both state government and state government bureaucratic bodies is eroding the democratic impetus and independence of local government decision-making.

Moreover, the MAV is to also express concern about the existing power imbalance between the Victorian Parliament and the bureaucratic branch of the Executive insofar the increasing 'executive creep' into democratic decision-making and funding allotments.

**MAV Strategic Work Plan (SWP):****Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.**

Is the subject matter of this motion included in the SWP?	Yes
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If yes, identify the following:	
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Objective No.	<b>1 (and also 2)</b>
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Priority No.	<b>1, 3</b>
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Item No.	1b, 3c
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**RATIONALE:**

Council's are impeded in achieving integrated outcomes for their communities by the actions of State Government agencies that appear to be set up to duplicate or constrain the decision-making of local government in core areas of service delivery. These unelected bodies, such as the Essential Services Commission (ESC) and Victorian Civil and Administrative Tribunal (VCAT) act to frustrate the effective operation of local government.

➤ *Essential Services Commission(ESC) (which determines rate-capping)*

The ESC and the introduction of rate capping has significantly reduced local government autonomy in that it has essentially provided State Government control over the vast amount of revenue that Council raises and limit Councils role to only being a body that determines how scarce resources are then allocated. The ESC and State Government now determine over 80 per cent of the revenue raised (combination of rates, grants and statutory set fees and charges) by Frankston City Council. Council's ability to raise additional revenue from fees and charges are quite minimal. It would be the preference of Frankston City Council for the ESC's assessments of rate capping to be advisory in nature and not determinative. In this manner, Council could remain accountable to its local community for its rating decisions and retain its autonomy.

➤ *the Victorian Civil and Administrative Tribunal (which often overturns local government decisions on planning matters).*

The overbearing intrusion of VCAT into the Council responsibility of determination of planning applications under local government planning schemes needs to be overhauled to return the VCAT role to one of a technical review of administrative decisions, and not a 'de novo' assessment of planning applications. Instead of considering the material placed before Council by applicants, and reviewing the Council's resulting decision, VCAT goes significantly further and often invites and entertains entirely new development proposals for the subject site with material supplied by the applicant that was never seen by Council. This over-reach has lead to applicants and other sectoral interests 'gaming the planning system' and reserving information so that it can be decided by VCAT rather than dealt with at the local government level. This has the unfortunate effect of unnecessarily extending the time required to come to a final decision on a planning application while undermining trust in the transparency of the planning process.

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<b>Motion:</b>	
<b>Review of emergency SMS system pertaining to both natural and manmade disasters</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That the MAV is to request that the Victorian Minister for Emergency Services (and also forwarded to the relevant Shadow Minister) undertakes an in-depth review to ensure that all Victorians – with mobile phone technology – are adequately advised of imminent natural disasters in their vicinity.	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
<b>Is the subject matter of this motion included in the SWP?</b>	<b>No</b>
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
It was identified through a community meeting in January 2018 that there may be an issue with SMS emergency alerts after the Carrum downs bushfires.	
We recognize that this is an issue for Emergency Management Victoria (EMV) and we see local governments role as communicating the communities concerns back to State Government and relevant agencies.	
Local Government is also an avenue to be able to promote State Agency information and tools to members of the community.	

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<b>Motion</b>	
<b>Defined state funding provisions for improved kindergarten literacy outcomes</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That MAV advocate to State Government for increased program funding for improved literacy outcomes for children 0 - 6.	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
<p>Early language development impacts on children's literacy development and their life long learning. Improving the capacity of parents and early childhood professionals to support language and literacy development has never been more important.</p> <p>A significant number of children are not fairing well locally with regards to literacy in comparison to the state average. Research shows that children who are exposed to fewer words in the first four years of life have a smaller and slower-growing vocabulary which impacts on later achievement.</p> <p>It is known that children's language development is encouraged by warm, responsive and stimulating interactions with caring adults. However many parents in our municipality don't know how to make a difference in their child's early language development or how important their daily interactions are in supporting a strong language foundation.</p> <p>It has also been identified that earlychildhood educators would benefit from further professional development to increase their confidence and capacity to better support children's language development.</p> <p>Despite there being a concerted effort by many professionals who are delivering a variety of early literacy programs, a more collaborative, targeted and sustained approach is required to achieve the maximum long term impact to support the child's educational trajectory.</p>	

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Motion	
Enhanced relations with other Local Government organisations within Victoria	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That the MAV is to approach the Victorian Local Government Association, and other regional local government groups throughout Victoria, with a view to strengthening and creating a more synergetic environment.	
MAV Strategic Work Plan (SWP):	
Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.	
Is the subject matter of this motion included in the SWP?	Yes
If yes, identify the following:	
Objective No.	<b>2</b>
Priority No.	<b>4</b>
Item No.	Support initiatives that raise awareness of Councils' roles, services and performance
<b>RATIONALE:</b>	
For Local Councils to have an effective voice in an increasingly news saturated environment we must make a concerted effort to ensure that any messaging from the sector is on song, loud and clear. Otherwise we will be consigned to being drowned out and not heard at all.	
Whilst peak bodies such as the MAV and VLGA and staff bodies such as LGPRO each largely do their own thing from an often singular point of view we are missing an important opportunity to talk with one voice on keys issues that effect Councils and by extension staff.	
There is currently a missed opportunity to combine the efforts of all parties and the opportunity to work together collectively should be explored.	

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<b>Motion</b>	
<b>Consultation, community impact assessments and municipal controls regarding the over-the-counter needle and opioid facilities</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
<p>That the MAV is to lobby the Victorian Parliament to initiate and integrate Victorian policies and policy outcomes with regard to the Victorian Planning Scheme and Health and Wellbeing Plan to enable Local Government to make better place based decisions with regard to density of rooming houses, opioid maintenance prescribing and dispensing outlets and packaged liquor outlets.</p>	
<b>MAV Strategic Work Plan (SWP):</b>	
<b>Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.</b>	
Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
<p>Currently, the Victorian Planning Scheme operates independantly to the Victorian Health and Wellbeing Plan and as such has the ability to not only undermine health and wellbeing outcomes but increase the costs to tax payers for such things as increased police and ambulance interventions, hospital admissions, magistrates court hearings and custodial sentences together with increased medicare costs for those of the broader community who may also be impacted.</p> <p>Using rooming houses as an example Councils are unable to ensure rooming houses are spread across and integrated into the community. Instead multiple rooming houses can exist in one street. With an indiscriminate mix of clients with complex needs and behaviours the overall health impact on neighbours has a major demonstrable impact which could be minimised or avoided if Council's had the town planning power to better consider density of such accommodation and services.</p>	

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# FORM

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<b>Motion</b>	
<b>Homelessness In Australia</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
That MAV advocate to State and Federal Government for increased housing infrastructure for crisis and transitional housing and program funding for front line agencies to better support the growing number of people to transition out of homelessness including rough sleeping and roofed homelessness (rooming houses and couch surfing) and into secure tenured accommodation.	
<b>Is the subject matter of this motion included in the SWP?</b>	
	<b>No</b>
<b>If yes, identify the following:</b>	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
In 2014-15 in this country 255,657 people received support and almost 7 million nights of accommodation were provided by specialist homelessness services.	
In 2016 there were 105,237 people recorded as homeless in Australia, alarmingly 17,845 were children under 10. Of these 22,773 Victorians are homeless with 7,600 Victorians sleeping out in 2016.	
Homelessness in Victoria costs the State and Federal Governments \$25,615 per person per year (in health, crime and other costs). Accommodation security would preclude some of these costs.	

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<b>Motion</b>	
<b>Packaged Liquor</b>	
<i>Submitted by: Frankston City Council</i>	
<b>MOTION:</b>	
<p>That the MAV advocate to the Minister for Planning under Section 9 of the <i>Planning and Environment Act 1987</i> to prepare a Group of Councils amendment to introduce a Local Planning Policy into the Planning Schemes for Frankston, Casey, Cardinia, Mornington Peninsula, Bass Coast, Kingston, Knox, Maroondah and Greater Dandenong.</p> <p>The South-East Melbourne Council Group (SEMCG) have recently completed a research project which aims to better understand the relationships between packaged liquor outlet density and increases in alcohol related harms taking place, particularly focusing on family violence.</p> <p>The research has aided the group in developing a suite of responses to address the increasing impacts which range from advocacy strategies and office reference toolkits to amendments to the planning scheme through the implementation of planning policies.</p>	
<b>Is the subject matter of this motion included in the SWP?</b>	
	<b>No</b>
<b>If yes, identify the following:</b>	
Objective No.	
Priority No.	
Item No.	
<b>RATIONALE:</b>	
<p>The South-East Melbourne (SEM) region of Melbourne has a population of 750,000 adults and represents some of the city's most socially and environmentally diverse, economically significant, and rapidly growing areas. While these are positive attributes, the region's municipalities also experience significant levels of alcohol-related harm.</p> <p>The SEMCG consists of the seven Chief Executive Officers and Mayors from the Shires of Bass Coast, Cardinia and Mornington Peninsula, and the Cities of Casey, Greater Dandenong, Kingston and Frankston.</p> <p>Victoria Police data has highlighted that these municipalities experience some of the highest levels of alcohol-related harm in Victoria, particularly in respects of family violence with statistics increasing rapidly.</p> <p>The SEMCG have noted that off-premises outlets (packaged liquor outlets) now significantly out-number on-premises venues (bars/hotels). It is believed that packaged liquor outlet density is contributing to higher levels of alcohol consumption, particularly in the home and other private settings.</p> <p>In 2013/14 an SEMGC project team was established to investigate links between licensed venue outlet density, particularly packaged liquor outlets and alcohol-related harms, with the aim of reducing violence in the home (family violence), in and around licensed venues, and associated public places.</p> <p>The Project Team is comprised of representatives from each Council and included officers from Strategic, Statutory and Social Planning, Community Development, Community Safety, and Health Promotion across these Councils. Each Council made an equal financial contribution and agreed to provide Council Officer time to work on the project.</p>	

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# FORM

The project involved the appointment of a number of expert consultants from a range of fields including land use and social planning, economic analysis, and spatial mapping and demography and a number of reports were produced.

Key stakeholders from Victoria Police, Ambulance Victoria, Turning Point Drug and Alcohol Research and the Department of Justice also partnered in support of the work. The SEMCG were granted access to unique and highly sensitive crime data sets through an MOU with Victoria Police. This agreement has provided Councils with unprecedented access to data that reveals crime hot spots at a highly localised level.

Upon completion of phase one it was identified that there would be benefits in including an additional two Councils to ensure the proof of concept in applying a planning policy had broader application. As a result, the Cities of Knox and Maroondah partnered with the South-East Melbourne Council Group and have made a financial contribution to the project, which includes updating relevant data sets and having them spatially mapped alongside a range of harm indicators.

The project is the first of its type in Australia where detailed consideration has been given towards better understanding at a localised level the correlations between packaged alcohol and increase in alcohol related crime and violence. Councils have partnered with agencies and academia to explore the relationships and find appropriate responses.

*\*Note: Motions must be submitted by **one** council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***

**Executive Summary****13.1 Further response to NOM 1312 - Unemployment in Frankston**

*Enquiries: (Sam Jackson: Corporate Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.1 Employment, education and economy
Priority Action	2.1.2 Develop a knowledge, creativity and skills based economy that generates employment opportunities

**Purpose**

To brief Council on:

1. The findings of the South East Regional Skills study with recommendations of where the focus of Council could be best directed, including potential advocacy to state and federal government.
2. The municipal led initiative of Cessnock City Council titled "Youth Employment Initiative" and how Frankston City Council might be able to incorporate some facets of the Cessnock City Council model.

**Recommendation (Director Corporate Development)**

That:

1. Council notes this report.
2. A further report on the South East Regional Skills Study be brought back to Council pending release of the skills survey results and finalisation of the Victorian Skills Commissioner report.
3. Council continues to support organisations within the municipality, such as Brotherhood of St Laurence, White Lion, and Salvation Army which work either exclusively or in partnership with other youth support programs to assist young people into stable employment through training and supported pathways.
4. Council endorses the proposed Frankston City Council Student Workplace Scholarship.
5. Council endorses the proposed expansion and promotion of available work experience placements for secondary and tertiary students.
6. Further investigation is undertaken into developing a Student Scholarship Program, with a report on findings to be presented to Council for consideration in July 2018.

**Key Points / Issues**

- At its meeting on 23 May 2017, Councillor Bolam tabled a Notice of Motion regarding Unemployment in Frankston. Council resolved:  
*"In light of unsatisfactory unemployment statistics which put Frankston in the upper tier of municipalities with significant local unemployment, a report be provided at the September Ordinary Meeting in relation to the following:*
  1. *How the Frankston City Council could increase apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience;*

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary**

2. *How the Council could lobby other major local employers (i.e. Peninsula Health, South East Water etc) to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience;*
3. *How the Council could work with local media, local businesses and the Frankston Business Network to encourage businesses and industries to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience; and*
4. *Identify employment programmes currently not in effect in Frankston – new and existing – which would be beneficial; and prepare a letter (for adoption in September) to relevant state and federal ministers requesting the implementation of such programmes.*

*The report is to provide specific options including costings and resourcing considerations, particularly in relation to Frankston City Council's potential to increase placements."*

- At its meeting on the 25 September 2017, Council considered the Officer's response to this Notice of motion and further resolved:
  1. *Council note this report*
  2. *A further report be brought to the March 2018 Council Meeting on the findings of the South East Regional Skills study with recommendations of where the focus of Council could be best directed, including potential advocacy to state and federal government.*
  3. *That the March 2018 report back to Council also considers the municipal led initiative of Cessnock City Council titled "Youth Employment Initiative" and how FCC might be able to incorporate some facets of the Cessnock City Council model.*

This report responds to the Council resolution of 25 September 2017.

**South East Regional Skills Study**

- The South East Regional Skills Study is a partnership project between the Victorian Skills Commissioner (VSC) and the six South East Melbourne (SEM) Councils and Regional Development Australia (RDA) Southern Melbourne.
- A consultant was engaged by the VSC to complete the study of which there were several components: a survey of up to 1,000 businesses across the six SEM municipalities, an overarching taskforce of business leaders, and a series of industry roundtable discussion groups to validate data from the survey.
- The survey was completed with over 900 responses across the region and survey response data presented to the VSC. In order to validate this data, industry round tables were scheduled to occur in September 2017 but were postponed by the VSC. Initial findings of the survey have not been released to the six SEM Councils despite repeated attempts to obtain the data. No further progress has been made.
- SEM are currently preparing a letter to the VSC inviting him to attend the next SEM CEO's meeting to present the survey findings and discuss next steps.

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary****Cessnock City Youth First Program**

- Administered by Cessnock City Council, the Cessnock City Youth First Program (CCYFP) offered unemployed youth members a 12 week unpaid voluntary work experience program in which Council facilities and employees were utilised to mentor youths into paid employment.
- The program is administered by Cessnock City Council Officers in their usual role across multiple council departments, not by employment or vocational specialists. Upon completion of the program, Cessnock City Council promoted and introduced the participants to local employers encouraging their employment.
- Frankston City is already well supported by a range of youth outreach, training and pathways programs such as the Brotherhood of St Laurence, Salvation Army, the FMPLLEN and White Lion, who are well connected with Frankston City Council's Youth Services team. The staff working on the wide range of programs offered by these organisations are specifically trained in the areas to assist with youth disengagement, unemployment issues and pathways to work.

**Frankston City Council Student Workplace Scholarship**

- In response to the investigation into CCYFP, a Frankston City Council Student Workplace Scholarship (FCCSWS) is proposed to be available to one student per secondary school located within Frankston City.
- The FCCSWS is designed to give eligible students the opportunity to engage in an adult learning space, develop their business and entrepreneurial skills and ideas through the Frankston City Council Build Your Business Program. Scholarship earners will be able to participate free of charge in all Council led and sponsored business workshops and training courses, will be given work experience and project based learning opportunities and will have the opportunity to attend regional business and learning events.

**Student Scholarship Program**

- As part of Council's Workforce Planning internal current or future skills shortages and needs will be identified.
- The development and implementation of a Student Scholarship Program (SSP) will be considered to provide a scholarship or scholarships to students in secondary schools within the City to undertake formal training in those identified areas of need.
- Support could include fee assistance, provision of equipment, and vacation and placement employment.
- Students may be offered employment with Council at the successful conclusion of their course.
- The SSP will support local students to undertake courses which will benefit the community as well providing Council with motivated and capable students and graduates.
- A report will be provided to Council in September 2018 for consideration in the 2019/2020 budget.

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary****Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

The costs associated with establishing an internally administered 'Youth Employment Initiative' as per the Cessnock example are extensive and would require additional staff resources, as well as a new operational budget that is not currently within Council's current establishment or budget. At a minimum, assuming that this program is established as a rolling program (ie consecutive 12 week programs):

- \$96,000 staff (1.0EFT – minimum to administer, promote, evaluate applications, induct and train mentors.)
- \$15,000 marketing expense

This figure does not include officer time from across the organisation as mentors which would take current staff off planned programs.

The FCCSWS is able to be administered within Council's established officer resources. There may be some minor marketing and operational costs associated with the program as well as a loss of revenue generated by the Build Your Business Program.

The establishment of a Student Scholarship Program and its associated costs requires further investigation; a report on the findings will be presented to Council in September 2018.

**Consultation****1. External Stakeholders**

**South East Regional Skills Study:**• The six South East Melbourne Councils: Frankston City Council, City of Greater Dandenong, City of Casey Council, Cardinia Shire Council, Mornington Peninsula Shire Council, City of Kingston. The six councils have worked together to compile business lists for the survey, and approach and select business leaders to form the Taskforce and industry roundtable focus groups.

- Regional Development Australian (RDA) Southern Region has been the primary contact between the VSC, contractors working on the survey and the six

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary**

councils. There has been a recent restructure of the RDA framework and there is no longer a dedicated Southern Region.

- Monash University – Peninsula Campus has been supportive of the project and had offered to contribute financially to initiatives that arose from it once the VSC's survey and industry validation work was complete.
- Chisholm TAFE has been supportive of the project and had offered to contribute financially to initiatives that arose from it once the VSC's survey and industry validation work was complete.
- Frankston Mornington Peninsula Local Learning and Employment Network (FMPLLEN) has been supportive of the project and had offered to contribute financially to initiatives that arose from it once the VSC's survey and industry validation work was complete.

**Cessnock City Council 'Youth Employment Initiative':**

- Cessnock City Council Economic Development Manager was contacted for comments about the Youth Employment Initiative
- Brotherhood of St Laurence was contacted about its range of training programs, partnerships and pathways to employment.
- The FMPLLEN was contacted about its range of training programs, partnerships and pathways to employment.

**2. Other Stakeholders**

- Human Resources - assessed the Youth Employment Initiative in keeping with Frankston City Council's internal capacity and existing Enterprise Agreement as well as investigated the proposed development and implementation of Student Scholarship Fund
- Community Strengthening (Youth Services) were contacted in regard to Cessnock City Council's 'Youth Employment Initiative' about their employment pathways partnerships
- Community Relations (Economic Development) were consulted with in relation to their strategic priority areas and update on the status of the Regional Skills Study as well as the implementation of the FCCSWS.

**Analysis (Environmental / Economic / Social Implications)**

Through a range of different programs being implemented by all tiers of government within Frankston City, as well as attraction or expansion of significant employers (such as South East Water, Peninsula Private, Frankston Private) there has been significant improvement in the City's unemployment rate – now bringing it on par with the National and State level.

There has also been significant growth in local employment opportunities with jobs growth increase by 8,303 between 2011 and 2016. This has been in part due to the strategic focus of Council to attract more investment and create an environment that supports jobs growth and creation.

It is acknowledged that the distribution of unemployment is not consistent across the municipality or age cohorts, therefore there is considerable focus on youth unemployment.

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

All industrial relations legislation has been considered in relation to Council's capacity to support an increase in the level of apprenticeships.

Council's Enterprise Agreement (Agreement) does not envisage or cover volunteers (the program participants) in a capacity that is conducive to implementing a similar model to Cessnock City Councils Youth Employment Initiative. This initiative does not fit into any of the Agreement's work experience, traineeship or supported wage programs. To establish an unpaid work arrangement may leave Frankston City Council exposed to claims of underpayment of staff and action in the Fair Work Commission.

Policy Impacts

The NOM is consistent with the objectives of following strategic documents:

- Frankston City Council Plan 2017-2021 – A Liveable City; Theme 2.1 Employment, education and economy
- Frankston City Economic Development Strategy 2016-2022; Priority 7: Education attainment and employment
- Frankston City Economic Development Policy
- Frankston City Learning City Policy

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**South East Regional Skills Study

The six SEM Councils are currently drafting a joint letter to the VSC inviting him to attend the next SEM CEO's meeting to present the survey findings and discuss next steps. Pending the result of this action, the collaborative Councils will discuss options moving forward.

The next step is to validate these results through roundtable discussions, workshopping the key findings and issues into recommendations and actions. While the SEM group is awaiting and relying on the survey findings to determine further direction, there is also concern that further delays will detract from the integrity of the data and the strategic outcomes of the project.

Youth Employment Initiative

Council does not currently have the capacity within the existing resources to coordinate and implement a Youth Employment Initiative program, which involves significant costs in terms of development of the program, training of staff, selection of participants, equipment and uniforms, as well as time taken away from usual work duties. In addition,



**13.1 Further response to NOM 1312 - Unemployment in Frankston****Executive Summary**

the program does not fit within any of the categories that are covered by Frankston City Council's Enterprise Agreement and is not supported or sanctioned by a Government policy of legislation.

Council undertaking this initiative potentially creates confusion in an already complicated sector, with many not-for-profit organisations already delivering this type of program. Given these organisations have staff with the appropriate skill-set and receive funding support from other levels of Government, Council would place itself at risk if it were to enter this market. Council is able to strengthen its existing work experience program rather than recreating a new program.

No risks have been identified in establishing a FCCSWS,

**Conclusion**

Council will continue to advocate to the VSC to release the results of the South East Regions Skills Survey that will enable the SEM collaborative of Councils to undertake further data validation activities and strategic planning that supports the development of industry skills needs.

Council is already supporting a range of external organisations and activities to address unemployment within the municipality. Many of these are incredibly effective and draw upon a number of key stakeholders to partner. As a result, there has been a significant improvement in the local unemployment rate.

Council can further support these local organisations by promoting the availability of diverse work experience placements and opportunities within Frankston City Council. Furthermore, Council is able to strengthen its existing work experience program by broadening the range of work experience opportunities available and promoting these to local secondary schools and tertiary educators.

In addition, Council can support the establishment of the FCCSWS which gives scholarship earners the opportunity to engage in an adult learning space, develop their business and entrepreneurial skills and ideas through the Frankston City Council Build Your Business Program.

Council will continue to investigate the opportunity to establish a Student Scholarship Program and a report be presented to Council in September 2018 with its findings.

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**ATTACHMENTS**

Nil

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Officers' Assessment****Background**

The purpose of this report is twofold:

- 1) to provide background on the South East Regional Skills Study and its current status.
- 2) to provide background on – and Frankston City Council's potential to replicate – the Cessnock City Council's Youth Employment Initiative.

**South East Regional Skills Study background and current status:**

**Background and project plan:** In 2017, Frankston Council partnered with the six South East Councils, South East Regional Development Australia (RDA) and the Victorian Skills Commissioner (VSC) to conduct a large-scale regional skills study as part of the VSC's Industry Engagement Framework in order to ensure that training aligns with Victoria's labour market requirements.

The study aimed to directly contact 1,000 businesses across the region by phone and online survey to assess their current and future skills requirements, access to staff with suitable qualifications. The survey went into detail about the impact of staff skills on the business' current operations, future projections in terms of growth and diversification and emergence of growth sectors. Each of the six South East Councils provided business lists and promoted the survey through newsletters to their respective business communities to facilitate survey uptake.

The VSC, with assistance from the Councils, also brought together a Regional Skills Taskforce of business leaders with the purpose of validating and discussing the results of the survey with industry leaders in a series of focus groups.

Once the survey and focus groups results were formulated, the Councils planned to work with South East RDA to put together a series of business cases and advocacy documents directed to other levels of government, secondary and tertiary education institutions and the general public jobseekers, as well as other local student pathway and employment stakeholders.

The results were also to enable Council to assess its programs and projects in this space to determine if they continue to be effective and relevant.

**Progress overview:** The business survey took place between July and September 2017, and yielded over 900 total responses. Furthermore, over 800 of these business respondents also provided contact details with the expectation that they would receive a copy of the eventuating report, as stipulated in the written introduction to the survey.

The VSC's office, with assistance from the Councils put together a series of industry roundtable focus groups, to be attended by selected industry business leaders. Their purpose was to validate the data obtained in the survey. These focus groups were booked to be held at Frankston City Council, City of Greater Dandenong and City of Kingston in August and September 2017.

The above mentioned industry roundtable focus groups were postponed at the request of the VSC due to unknown reasons, and dates were not rescheduled despite a clearly articulated willingness on behalf of the participating councils to do so.

Councils were advised by the VSC in October that, with the survey complete, analysis was underway.

**13.1 Further response to NOM 1312 - Unemployment in Frankston  
Officers' Assessment**

The contractor appointed by the VSC to work on the South East project finished their tenure in early November. At this stage no further dates had been booked for the industry roundtable focus groups or further taskforce meetings.

The subsequent contact at the VSC's office indicated that the project would continue in 2018.

**Current status:** Despite repeated enquiries by the RDA and Councils up until the end of 2017, the VSC has not continued with the project or released the survey data or any existing analysis/report.

So far in 2018, there has been no response from the VSC's office to enquiries about the project.

SEM is currently drafting a letter to the VSC, indicating the urgency of the release of the findings so that further work can be undertaken. The letter invites the VSC to attend the next SEM CEO's group meeting in April to present the findings and discuss next steps.

**Cessnock City Council's 'Youth Employment Initiative'.**

The Cessnock City Council developed an in-house program to help young people into employment as a response to high youth unemployment issues. From this they developed and distributed a handbook "The Youth First Employment Toolkit – A Youth employment toolkit to deliver structured mentoring, core skills training, personal development and employment opportunities for young people."

The key elements of Cessnock City Council's 'Youth Employment Initiative' are:

- Utilising existing Council facilities and Officers to mentor unemployed youth and assist them into employment;
- The program is administered by Council staff in their usual role and not by employment or vocational specialists;
- Council officers act as role models for the participants, assisting the participants to refine and develop their worker traits by providing support, guidance and structured feedback throughout the Program;
- Council provides 12 weeks of unpaid work experience within various Council departments;
- Council promotes and introduces the participants to local employers encouraging their employment.

The program is selective and targets:

- Jobseekers without issues but who lack the core employability skills or worker attributes, have little or no work experience and/or referees;
- Jobseekers without any significant barriers.

The program does not target:

- Jobseekers with significant non-vocational barriers eg homelessness, drug and alcohol problems, criminal history, serious mental illness;
- Jobseekers with other barriers that require expert intervention eg non-stabilise health or mental health issues, unstable accommodation, poor literacy and numeracy, low education attainment, poor personal hygiene, very low motivation history or program non-compliance.

**13.1 Further response to NOM 1312 - Unemployment in Frankston  
Officers' Assessment**Council commitments and resource requirements for program:

- Each participant is matched with an in-house Mentor
- Council provides a 12 unpaid week placement for each volunteer
- The Mentor supports the volunteer by assisting with development of core employability skills, including specific training
- Council then promotes and introduces the volunteer to local employers

**Issues and Discussion**

There are many issues associated with initiating a Program similar to Cessnock City Council's 'Youth Employment Initiative' at Frankston Council.

Each staff member acting as a mentor requires considerable extra resources, including a recruitment, induction and training process, and additional equipment specific to the roles.

Issues include:

- Selection of Volunteers (participants) – Council does not have the capacity to interview and support participants
- The selective nature of the target audience for participation
- The selection of Mentors and suitable qualifications (e.g. training and assessment qualifications)
- The extra resources involved in training and inducting Mentors – Council would have to fund all additional costs
- Additional work involved in coordination of the program
- Access to Council systems, confidential data and information
- Cessnock City Council's 'Youth Employment Initiative' is not sanctioned by any Government policy or legislation
- Council's Enterprise Agreement (Agreement) does not envisage or cover volunteers in this capacity. Cessnock City Council's 'Youth Employment Initiative' model does not fit into any of the Agreement's work experience, traineeship or supported wage programs. To establish an unpaid work arrangement may leave FCC exposed to claims of underpayment of staff and action in the Fair Work Commission.

**Non-Frankston City Youth Employment Initiatives**

The Frankston City is well supported by a range of youth outreach, training and pathways programs such as the Brotherhood of St Laurence, Salvation Army, the FMP LLEN and White Lion, who are well connected with Frankston's Youth Services team. The staff working on the wide range of programs offered by these organisations are specifically trained in the areas to assist with youth disengagement, unemployment issues and pathways to work, whereas FCC employees are not.

For Frankston City Council to implement a program such as the Cessnock City Council's 'Youth Employment Initiative' would require many policy/Award changes and significant additional budget commitments. Frankston City Council could more effectively direct its support to the abovementioned organisations for which youth engagement and pathways to employment are their core service and area of expertise.

**13.1 Further response to NOM 1312 - Unemployment in Frankston  
Officers' Assessment**

Council would be better placed to support these existing RTO'S by encouraging participation within Councils existing work experience programs.

**Potential Frankston City Council Youth Initiatives:****1. Frankston City Council Work Experience/Placements Program**

Council currently participates in and supports a work experience/placement program that sees approximately 30 students participate from Secondary and Tertiary education. Council may be able to expand this program by identifying additional placements across the organisation and promoting this to all local secondary, tertiary and other training providers.

As part of the Enterprise Agreement, Council has agreed with Professionals Australia (the Association of Professional Engineers, Scientists and Managers of Australia) to facilitate a graduate development program for engineering graduates. The aim of the program is to employ graduate engineers and provide a range of employment and development opportunities to enable them to establish their career as engineers in local government. Details of the program are currently being developed for implementation in 2019.

**2. Frankston City Council Student Workplace Scholarships (FCCSWS)***Purpose*

The FCCSWS is designed to give eligible students the opportunity to engage in an adult learning space, develop their business and entrepreneurial skills and ideas through Frankston City Council's *Build Your Business Program*. Scholarship earners will be able to participate free of charge in all Council led and sponsored business workshops and training courses, will be given work experience and project based learning opportunities and will have the opportunity to attend regional business and learning events.

*Program*

The *Build Your Business Program* has been designed to support local small business operators by providing them with the tools to successfully establish, manage and operate their business whether being in the domestic or international markets. Workshops and training is provided on a range of topics including marketing and sales; managing money, profit and accounting; Hiring and managing staff; export and the global markets; disputes, managing disasters and succession planning; as well as introductory courses in setting up a small business.

The Program runs on an annual basis and incorporates 'Start-Up Month' in August, an entire month of workshops, training and events dedicated to supporting the development of Start-Up businesses.

*Scholarship Fundamentals*

- Scholarships will be available to one student per secondary school located within the Frankston municipality
- Scholarships will be awarded on an annual basis
- Scholarships will be awarded on the recommendation of the individual schools principals and be presented by the Council's Youth Mayor
- Principals will be given scholarship selection criteria in which to govern their recommendation/s

**13.1 Further response to NOM 1312 - Unemployment in Frankston****Officers' Assessment**

- FCCSWS winners will be sponsored to attend all *Build Your Business* events, training sessions, workshops, regional events etc
- FCCSWS winners will be given opportunities to participate in Council work experience placements as well as exposure to project based learning opportunities

**3. Student Scholarship Program**

As part of Council's Workforce Planning, Council is investigating the opportunity to establish a Student Scholarship Program that will assist in addressing Council's future skills shortages and needs.

Consideration will be given to the development and implementation of a scholarship or scholarships to be offered to students in secondary schools within the municipality to undertake formal training in those identified areas of need.

Support could include fee assistance, provision of equipment, and vacation and placement employment. They may be offered employment with Council at the successful conclusion of their course.

In this way, local students will be supported to undertake courses which will benefit the community and Council will have access to motivated and capable students.

A report will be presented to Council for consideration in September 2018.

**Options Available including Financial Implications****South East Regional Skills Study**

- Continue to work with the six regional Councils to progress with the South East Regional Skills study.

**Youth Employment Initiative**

- Council continues to support organisations within the municipality, such as Brotherhood of St Laurence, White Lion, and Salvation Army which work either exclusively or in partnership with other youth support programs to assist young people into stable employment through training and supported pathways.
- Consider resourcing and funding the establishment of an internally administered and operated Youth Employment Program as part of the Annual Budget Process – not recommended
- Consider working collaboratively with a RTO to establish a work experience program within Frankston City Council but administered and managed by the RTO
- Expand the existing Work Experience Program currently offered by Council - recommended

**Frankston City Council Student Workplace Scholarship (FCCSWS)**

- Council establishes the FCCSWS
- Council does not establish the FCCSWS

In addition, the establishment of a FCCSWS is able to be administered within Council's established operating budget. There may be some minor establishment, marketing, operational costs associated with the program and a minor loss of revenue generated by the Build Your Business Program.

**Executive Summary****13.2 Response to 2018/NOM1 - Visitor Information Centre**

*Enquiries: (Melanie Boulton: Corporate Development)*

**Council Plan**

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.2 Promote Frankston City's reputation as an arts, festivals and events destination

**Purpose**

To seek a Council review of its decision to relocate the Frankston Visitor Information Centre to the Library precinct following the receipt and consideration of additional information that has been provided through the consultation process with staff and volunteers.

This report also encompasses a response to Notice of Motion 2018/NOM1 requesting a meeting with the VIC volunteers, and a response to the petition lodged at the Council meeting held on 29 January 2018.

**Recommendation (Director Corporate Development)**

That:

1. Council notes its previous decision on 16 October 2017 to realign tourism and visitor services to better support:
  - a. the promotion of Frankston City as a visitor destination;
  - b. the growth of the tourism business community to better assist with visitor support and dispersal;
  - c. the encouragement of more tourism attraction operators and tourism event organisers to invest in Frankston;
  - d. the provision of information and services to our visitors – including enhanced digital information to assist with trip planning and word of mouth promotion.
2. Council notes the feedback provided by the Frankston Visitor Information Centre volunteers and their concerns regarding the proposal to relocate the centre from Frankston Waterfront.
3. Council resolves to retain the Frankston Visitor Information Centre at the Frankston Waterfront.
4. Council notes that changes need to be made to Council's current visitor servicing model for it to remain relevant, functional and effective in light of modern day travelling expectations and information & visitor dispersal.
5. A Visitor Services Sub-Committee is to be established to:
  - a. Identify opportunities for improvement – including essential services, delivery models, centre layout improvements, marketing and digital initiatives
  - b. Suggest Key Performance Indicators (against which the performance of the Frankston Visitor Information Centre is to be measured)
6. The Visitor Services sub-committee is to be comprised of:
  - a. Two Councillors, including the Mayor, Cr Hampton
  - b. Two Volunteers

## 13.2 Response to 2018/NOM1 - Visitor Information Centre

**Executive Summary**

- c. Manager Community Relations and Coordinator Tourism & Visitor Services
7. Council notes Volunteers concerns that a protracted decision making process will further exacerbate uncertainty in the sector and that the recommendations of the sub-committee to be presented to Council at its meeting on 14 May 2018.
  8. Officers will provide a report to Council no later than June 2019 as to the performance of the Frankston Visitor Information Centre against the KPI's and to determine if further modifications are needed
  9. Council endorses the reallocation of \$100,000 of the draft 2018-2019 Capital Works funding originally allocated towards the relocation of the Frankston Visitor Information Centre towards:
    - a. any reconfiguration required to better support co-location within the Centre at the Frankston Waterfront
    - b. the development of infrastructure for mobile/pop-up visitor services that can be used at events or other locations within the City.
  10. Council notes that there is a further allocation in the draft 2018-2019 Capital Works budget of \$100,000 to assist with provision of improved digital visitor information and services.
  11. The Head Petitioner be advised of Council's decision.

**Key Points / Issues**

- Council resolved on 16 October 2017 to realign its tourism and visitor services to respond to:
  - Council's desire to continue to support tourism within the City.
  - Decline in visitor numbers to the Frankston Visitor Information Centre (FVIC)
  - Industry-wide disruption through increased online services (eg. Air B'n'B, Trivago, Facebook) which are affecting VIC's throughout Victoria resulting in closures or co-location with other services.
  - Its inability to achieve the objectives of the Frankston Destination Development Plan within existing resources. Specifically:
    - Destination development
    - Destination marketing
    - Industry engagement and capacity building
    - Local engagement and visitor services
  - Acknowledgement that Frankston City doesn't have a traditional tourism market, but instead it is predominantly a day-tripper market, with a key market segment of visiting friends and relatives, therefore providing information to locals is critical.
- Key outcomes of this decision included:
  - Co-location of the FVIC to the library precinct
  - Enhanced digital promotion and communications
  - Expanded delivery of visitor information throughout the municipality



**13.2 Response to 2018/NOM1 - Visitor Information Centre****Executive Summary**

- Market test opportunities for tourism operators to operate from the current waterfront VIC location
- Recognition of the importance of volunteers in the operations of the FVIC and to ensure that there be enhanced opportunities to volunteer
- Councillors were approached by volunteers of the FVIC who raised concerns about the decision to relocate from the waterfront, and their reluctance to continue to volunteer if it is relocated.
- At its meeting on 29 January 2018, Mayor, Councillor Colin Hampton, tabled a Notice of Motion (2018/NOM1) regarding the FVIC. Council resolved:

*“Notwithstanding the decision taken by Council at its meeting held on 16 October 2017 to move the Visitor Information Centre at the foreshore to a more central location in the CAA, the Chief Executive Officer is requested to provide a report on options for a continued Visitor Information Centre presence at the current location on the foreshore. In developing the report, the Chief Executive Officer shall ensure that the current volunteers and staff are consulted on the options.*

*Such consultation, in the first instance, is to include a meeting of interested Councillors, appropriate volunteers and staff of the Visitor Information Centre (VIC) to discuss various possibilities.*

*That this meeting be held in the next fortnight, preferably in the evening, to better enable Councillors, volunteers and staff to attend. If a further meeting is required, then that can be decided at the conclusion of the initial meeting.*

*The report is to be brought back to Council at its meeting held on 13 March 2018.”*

- A petition objecting to the relocation of the FVIC was tabled at the Council meeting of 29 January, with further signatures provided at the meeting of Volunteers on 15 March 2018. In total, this petition has 1,208 signatories (with a further 92 signatures that are deemed not legitimate). The pleading of this petition is as follows:

*The Visitor Information Centre has occupied a prime position at Frankston Waterfront for over 10 years offering a wide range of local experience and expertise. At a recent meeting, which was closed to the public, the Frankston City Council voted to move the Centre to the Library precinct where space and parking will be strictly limited. The retail, hospitality and tourism services provided by the Information Centre have been widely acclaimed by beachgoers, local residents and visitors from within Australia as well as International visitors and any relocation of the Centre would greatly diminish the value and quality of these services. This national award-winning Centre (Australian Tourism Awards Hall of Fame) is situated at Frankston’s number one attraction, the Waterfront.*

*We seek your support in persuading the Council to reverse this regrettable decision and maintain the Visitor Information Centre in its current location.*

*We the undersigned petition Frankston City Council not to move the Visitor Information Centre.”*

- The requested meeting was held 15 March 2018, and was attended by two Councillors, 21 volunteers and various Council officers (including two that work at the FVIC). Key discussion points at this meeting include:

**13.2 Response to 2018/NOM1 - Visitor Information Centre****Executive Summary**

- The FVIC should remain at the Frankston Waterfront as this is our key tourism attractor and where there is suitable parking provisions (including for RV's/caravans)
  - Digital communications is increasingly important, but the face to face aspect of the centre is something Council and the community cannot put a price on
  - Acknowledgement that visitation numbers at the Centre have declined
  - Change needs to occur for the visitor services in Frankston to remain relevant
  - Delays in any future decision is causing further uncertainty and anxiety for industry, staff and volunteers
  - Selling of local produce/gifts is an important aspect of the centre
  - There are opportunities to reduce the cost burden of the centre (reduce overheads, increase income – including through having another business in the back of the centre)
  - The volunteers want to support and work together with Council find the best visitor services model for Frankston.
- While the volunteers declared their strong opposition to the relocation from the Waterfront the meeting was extremely positive, with many volunteers agreeing that there needs to be changes made to improve the future viability of the FVIC, and that they are willing to work with Council to achieve this.
  - Council also recognises the valuable contribution made by the volunteers over the life of the VIC, and looks forward to their engagement with the subcommittee over the coming weeks so that their experience and knowledge is harnessed in establishing future directions.

**Financial Impact**

The State Government has introduced the "Fair Go Rates" system, placing a cap on Council rates which has restricted the level of increases that Council can apply to its rate revenue. Rate revenue constitutes 63 per cent of all Council revenue.

The rate cap over the past two financial years has been 2.5 per cent and 2.0 per cent respectively and will be 2.25 per cent in 2018-2019.

The rate cap percentages are based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services. The cost of providing Council services has been increasing well in advance of the rate cap applied by State Government.

Over time this trend may lead to a reduction in the levels of service provided to the community and in Councils ability to fund both new facilities and the ongoing renewal of existing facilities.

Council will continue to evaluate the impacts of rate capping annually and needs to be mindful of these outcomes in all Council decisions.

**13.2 Response to 2018/NOM1 - Visitor Information Centre****Executive Summary**

Through this process it is expected that the Centre layout will need to be reconfigure/designed. To enable this, it is recommend that Council reallocates the 2018-2019 Capital Works funding (previously appointed for the Centre relocation) towards the reconfiguration/design of the centre to better suit co-location, while also facilitating acquiring infrastructure required for pop-up/mobile VIC facilities at other locations/events.

All other costs can be accommodated within the existing budget.

**Consultation****1. External Stakeholders**

Council has received a petition with 1,208 signatures (there are a further 92 signatures that were deemed not legitimate).

Additionally there was an online petition (on Change.org) which also featured many comments opposing the relocation.

**2. Other Stakeholders**

The meeting on 15 March was attended by 21 volunteers (out of 30), The Mayor, Cr Hampton and Cr Aitken, Council's CEO, Director Corporate Development, Manager Community Relations - as well as staff from the Tourism and Visitor Services Team.

Prior to Council's decision on 16 October 2017, Councillors were briefed on five separate occasions about the review of Council's tourism and visitor services.

**Analysis (Environmental / Economic / Social Implications)**

Frankston City Council was inducted into the Victorian and Australian Tourism Awards Hall of Fame in 2014 for excellence in the provision of visitor information and services.

Since 2014, across the sector, consumer demand for information in digital, dynamic and accessible form has changed the tourism landscape. This is particularly apparent with the likes of Uber, Air B'n'B, Trivago and social media platforms sharing word-of-mouth recommendations resulting in significant changes in the broader tourism sector.

Frankston is no exception, with usage of Council's FVIC at the waterfront declining by an average of 8,000 visitors per annum since 2003, a total of 38.2% decline in visitation in the past five years. The centre is now servicing only 6% of visitors to Frankston City.

As usage continues to decline, the cost of providing the service is escalating, with costs per visitor increasing to 57.6% above the state average (2016-2017).

Throughout the state, other Council's and operators have either closed or col-located their VIC's with other services. Considering co-location options within the FVIC is critical to ensure its future viability.

Currently Council is investing 66% of its tourism and visitor services budget into visitor servicing from the one location – rather than supporting, industry growth, destination development and destination marketing – while also providing visitor information at other locations throughout the City.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

**13.2 Response to 2018/NOM1 - Visitor Information Centre****Executive Summary**Legal

There are no legal implications stemming directly from this report.

Policy Impacts

The review considered how Council could best resource its tourism and visitor service requirements stemming from the Destination Development Plan. Without realigning (through co-location and reviewing service inefficiencies – such as accommodation bookings) or providing additional resources Council may be limited in its ability to deliver on this plan.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

If Frankston City's current tourism and visitor services model isn't modified and realigned Council runs the risk of a delivering an irrelevant and dysfunctional service that does not meet residents, business' and visitor's requirements. Reviewing the services being delivered from the FVIC should overcome this risk.

Feedback from the volunteers indicated that relocating the FVIC poses significant risk of loss of engagement as they do not support the move. Retaining a FVIC at the waterfront overcomes this.

If a timely decision/direction isn't provided productivity, industry reputation and volunteer/staff morale will continue to decline.

**Conclusion**

Volunteers have voiced their strong concerns about the proposal to relocate the FVIC from the waterfront. However, while doing so, they have indicated their understanding of the need to refresh the service to continue to make it relevant, and a willingness to work with Council to achieve this.

It is recommended that a sub-committee be developed to assist with some of the logistics of improvement and identification of relevant key performance indicators.

Volunteers have also stated their concern that any protracted decision making process will create anxiety for volunteers, staff and industry.

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**ATTACHMENTS**

Nil

**13.2 Response to 2018/NOM1 - Visitor Information Centre****Officers' Assessment****Background**

Since September 2015, Council has been undertaking a review of its tourism and visitor services. This review took into account the need to develop and market Frankston as a tourism destination, strengthen the local tourism industry, as well as how Council provides services and information to visitors.

The external factors to be considered from the findings of the review include:

- Frankston attracts 11% of total visitors to the Mornington Peninsula tourism region, which includes 17% of day-trippers and just 5% of overnight visitors. Despite this, Frankston contributes 9% to regional tourism direct expenditure and is home to 15% of the region's tourism jobs.
- Promotion of Frankston as a visitor destination is important to the local community as it is seen to help boost pride and sense of belonging (93.8% of residents believe that visitors are important to Frankston and 82% believe that tourism development and marketing of Frankston as a tourism destination improves community pride).
- Frankston has minimal tourism attractions and experiences to make it a destination in its own right (five hero products for tourism include: the waterfront, Sand Sculpting Australia, Frankston Arts Centre, McClelland Sculpture Park + Gallery and PARC).
- Existing tourism businesses are not investing in growing their businesses or the visitor experience and there is minimal new investment coming to Frankston to support the City's growth in tourism.
- Frankston's business community relies on Council to undertake many activities which are led by industry in other locations; this includes marketing and communications, professional development, customer service and engagement
- The emerging Sharing Economy is having the greatest impact on the tourism industry and this, coupled with a shift towards digital technology and communication, is making innovation the corner stone of maintaining market share.

From an internal perspective, the review noted that:

- Frankston is not leveraging its strengths and is not focussed on growth.
- Frankston needs to focus on a broader visitor economy which includes residents and their visiting friends and relatives, the health and education sectors, business, retail and manufacturing as well as service provision to neighbouring regions.
- Council's current model of tourism and visitor services does not empower, develop or strengthen the destination, local industry or economy.
- The current team structure focuses on the operation of the visitor information centre at the waterfront rather than the delivery of strategic objectives including destination development, marketing and communications and industry engagement and capacity building programs. This imbalance in resource allocation is highlighted in the following graph.

## 13.2 Response to 2018/NOM1 - Visitor Information Centre

**Officers' Assessment**

- The activities of the team are competing with and duplicating the work of better resourced nearby associations and regional bodies, resulting in minimal cut-through and return on investment for Council.

Officers noted the declining performance of Council's provision of visitor information and services was in line with state-wide trends.

Across the sector consumer demand for information in digital, dynamic and accessible form has changed the tourism landscape. This is particularly apparent with the likes of Uber, Air B'n'B, Trivago and social media platforms sharing word-of-mouth recommendations resulting in significant changes in the broader tourism sector.

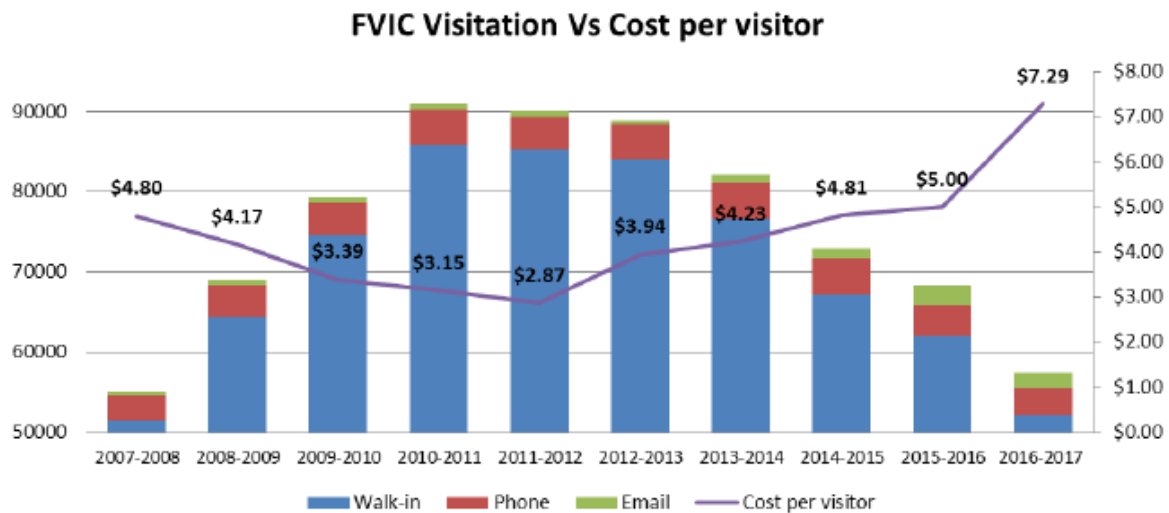
Throughout the state, other Council's and operators have either closed (Healesville, Murray Region) or co-located their VIC's with other services. Considering co-location options within the FVIC is critical to ensure its future viability.

In Frankston and across the state, trends in visitor information and services and visitor information consumption preferences are changing; customers are seeking more dynamic, integrated and accessible information across multiple platforms and locations.

These changes are being reflected in the declining usage of Frankston's centre. Making no change to the way visitor servicing is undertaken by Council will ultimately result in a complete closure of the service and loss of the associated volunteer opportunities.

Council's current visitor information centre at the waterfront has seen a 38.2% decline in usage since 2013 (average decline of 8,000 per annum) and is operating at a cost of \$160,000 more than similar sized centres in Victoria and well above state and industry averages.

## 13.2 Response to 2018/NOM1 - Visitor Information Centre

**Officers' Assessment**

Officers recommended that there need to be a realignment of resources to focus on grass-roots growth including:

- **Destination Development** to support year-round economic prosperity  
Proactive investment attraction, business growth, product and experience development and event attraction
- **Destination Marketing** to create promotions and communications which speak to the broader visitor economy  
Celebrate Frankston's urban bayside location and lifestyle, invest in digital platforms and experiences and strategic campaigns which attract new visitors.
- **Industry Engagement and Capacity Building** to support industry to service their visitors, market their business and grow the destination  
Increase participation and engagement, facilitate partnerships and packaging programs, promote collaboration and the benefits of creating a business community and support the growth of membership to our local tourism association
- **Local Engagement and Visitor Services** which increase resident and visitor engagement, interactive and aid dispersal throughout the municipality.  
Reframing visitor information and services to support a broader visitor economy, access to information in the location where people are in the form that they want to receive it by implementing a dynamic and integrated approach which responds to the needs of our customers.

A range of alternative service delivery models which engage residents as well as visitors and industry to ensure the long-term future and delivery of visitor information and services were presented to Council. These options ensure best value for our community and return on investment for Council.

One outcome of the review supported by Council on 16 October 2017, was the relocation of the FVIC to the library precinct. The intended outcomes of doing so included:

- Creation of a community hub that embeds the service into the community profile within the library, arts and culture precinct

**13.2 Response to 2018/NOM1 - Visitor Information Centre****Officers' Assessment**

- Ongoing viability of Council's visitor and information services
- Increased volunteering opportunities
- Better engagement of residents
- Improved dispersal and linkages to the revitalised city centre and station
- Enhancement of the City's arts and culture precinct
- Addressing the issues relating to staff and volunteers working in isolation
- Better opportunity to engage with industry and therefore further assist in supporting the economy and ongoing jobs growth

**Issues and Discussion**

At its meeting on 29 January 2018, Mayor, Councillor Colin Hampton, tabled a Notice of Motion (2018/NOM1) regarding the Frankston Visitor Information Centre. Council resolved:

*"Notwithstanding the decision taken by Council at its meeting held on 16 October 2017 to move the Visitor Information Centre at the foreshore to a more central location in the CAA, the Chief Executive Officer is requested to provide a report on options for a continued Visitor Information Centre presence at the current location on the foreshore. In developing the report, the Chief Executive Officer shall ensure that the current volunteers and staff are consulted on the options.*

*Such consultation, in the first instance, is to include a meeting of interested Councillors, appropriate volunteers and staff of the Visitor Information Centre (VIC) to discuss various possibilities.*

*That this meeting be held in the next fortnight, preferably in the evening, to better enable Councillors, volunteers and staff to attend. If a further meeting is required, then that can be decided at the conclusion of the initial meeting.*

*The report is to be brought back to Council at its meeting held on 13 March 2018."*

The meeting was held 15 March 2018, and was attended by two Councillors, 21 volunteers (out of the 30 volunteers of the FVIC) and various Council officers (including two that work at the FVIC).

The meeting was chaired by Dennis Hovenden. After a brief overview of the rationale behind the original Council decision the volunteers were invited to provide feedback, suggestions and comments. The meeting was a very positive discussion and provided the following key feedback:

- The FVIC should remain at the Frankston Waterfront as this is our key tourism attractor and where there is suitable parking provisions (including for RV's/caravans)
- Digital communications is increasingly important, but the face to face aspect of the centre is something Council and the community can not put a price on
- Acknowledgement that visitation numbers at the Centre have declined – especially with EastLink leaving and Sand Sculpting being able to EFTPOS facilities at the gate
- Delays in any future decision is causing further uncertainty and anxiety for industry, staff and volunteers
- Selling of local produce/gifts is an important aspect of the centre
- There are opportunities to reduce the cost burden of the centre (reduce overheads, increase income – including through having another business in the back of the centre)



**13.2 Response to 2018/NOM1 - Visitor Information Centre**

**Officers' Assessment**

- Change needs to occur for the visitor services in Frankston to remain relevant
- The volunteers want to support and work together with Council find the best visitor services model for Frankston.

The volunteers also voted in favour of Mr Des Schultz being their spokesperson at the Ordinary Meeting of Council on 3 April 2018.

**14.1 2018/NOM13 - Rescission Motion - Response to NOM 1391 - Apsley Place**

On Wednesday 14 March 2018, Councillors Kris Bolam, Lillian O'Connor and Glenn Aitken gave notice of their intention to move the following motion:

We, Councillors Bolam, O'Connor and Aitken, hereby give notice that at the next appropriate meeting of Council, we will move that the following decision of Council made at Ordinary Meeting 2018/OM3 held on Tuesday 13 March 2018 regarding Response to NOM 1391 – Apsley Place be rescinded:

*That Council notes:*

1. *The current actions being undertaken by officers.*
2. *The community meeting was held Tuesday 27 February 2018.*
3. *Officers continue to follow up with EPA.*

Should the rescission be carried, we give notice of our intention to move the following motion:

*That Council notes:*


1. *The current actions being undertaken by officers.*
2. *The community meeting was held Tuesday 27 February 2018.*
3. *Officers continue to follow up with EPA.*
4. *That a letter be sent to all residents and ratepayers within the proximity of Apsley Place at thirty days (outcomes and commitments from the recent public meeting) and ninety days (VCAT update – proceeding or not).*
5. *That all factories and businesses within close proximity to residential properties be reminded – in the form of a mail out -of their obligations in relation to both Frankston City Council and Environmental Protection Agency (EPA) rules and regulations (i.e. noise, presentation, disposal of substances etc.).*
6. *That the CEO be requested to provide a report on the following:*
  - a) *Update on 6-7 Apsley Place, Seaford;*
  - b) *Audit of all existing factories and businesses (without reasonable buffer and/or neighbouring residential zones) to determine whether they possess existing permits;*
  - c) *The creation and maintenance of a 'red flag' system to keep track of properties and factories, operating without permits and/or properties and factories where ongoing grievances have been recorded due to activities at a given commercial/industrial address;*
  - d) *How to improve Frankston City Council's relationship, and information sharing, with/between the EPA; and*
  - e) *Frankston City Council performing its own independent and thorough site audits in 'extenuating circumstances' where either (or all) environment, wellbeing and amenity are being undoubtedly impacted upon by a commercial/industrial entity. The CEO should report to Council what funding and resources might be required to enable the organisation to have this ability in 'extenuating circumstances'.*

*This report is to be presented by the June 2018 Ordinary Meeting.*


14.1 2018/NOM13 - Rescission Motion - Response to NOM 1391 - Apsley Place

7. *Writes to the appropriate Minister and Shadow Minister, outlining the need for clear legislative direction to ensure that complaints in relation to all aspects of discharge from industries be investigated in a timely and thorough manner.*

Signed:

  
.....  
Cr Kris Bolam  
Date: 19 / 03 / 18

  
.....  
Cr Lillian O'Connor  
Date: 19 / 03 / 18

  
.....  
Cr Glenn Aitken  
Date: 19 / 03 / 18

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**ATTACHMENTS**

Nil

**14.2 2018/NOM14 - National and International Accreditation**

On 20 March 2018 Councillor Kris Bolam gave notice of his intention to move the following motion:

That a report investigating gaining municipal accreditation for the following schemes be provided back to Council at the June Ordinary Meeting:

- a) World Health Organisation (WHO) 'Safe City' Accreditation;
- b) The United Nations Children's Fund (UNICEF) 'Child Friendly City' Accreditation;
- c) Ramsar 'Wetland City' Accreditation;
- d) Fair Trade Association of Australia and New Zealand 'Fair Trade Council/Town' Accreditation;
- e) White Ribbon Workplace Accreditation; and
- f) The United Nations Educational, Scientific and Cultural Organization (UNESCO) 'Learning City Award'.

**COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	NO
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	YES
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	YES
6. Is the NoM within the powers of a municipal Council?	YES
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	YES
8. Is the NoM consistent with all relevant legislation?	To be considered fully as part of an investigation

## 14.2 2018/NOM14 - National and International Accreditation

Question for Consideration	
9. Is the NoM consistent with existing Council or State policy or position?	<b>NO</b> No policy exists requiring the accreditations
10. Is the NoM consistent with Council's adopted strategic plan?	<b>NO</b>
11. Can the NoM be implemented without diversion of existing resources?	<b>NO</b> Staff are considerably stretched with the number of NOMs and reports currently being sought. This would take considerable research to understand the ongoing obligations, costs, impact of required change to meet individual accreditation status and whether there are likely to be any conflicts between the separate accreditations.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>NO</b> Cost of staff time on other existing priorities
13. Are funds available in the adopted budget to implement the NoM?	<b>NO</b> Other priorities would need to be reprioritised.
14. What is the estimated cost of implementing the NoM?	<b>YES / NO</b> Year 1: approximately \$1,500 Recurring: \$ Comments: if applicable

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**ATTACHMENTS**

Nil

**14.3 2018/NOM15 - Seaford Wetlands Stakeholders Meeting**

On 20 March 2018 Councillor Kris Bolam gave notice of his intention to move the following motion:

That a meeting is to be organised – comprised of interested councillors, relevant officers, State Member of Carrum, Ms Sonya Kilkenny MP, appropriate representatives of Melbourne Water, appropriate representatives of any liaison committee/s that have the Frankston portion of the Seaford Wetlands within their remit and Victoria Police – in relation to anti-social behaviour within the Seaford Wetlands. The meeting is to also consider resumption of wholesale public access to the Seaford Wetlands.

A report is to be provided to Council upon the completion of the aforementioned meeting. The meeting should be in the same vein as NOM 1385.

**COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>NO</b>
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b>
3. Is the NoM clear and well worded?	<b>YES</b>
4. Is the NoM capable of being implemented?	<b>YES</b> Insofar as convening a meeting <b>NO</b> – the issue of restricting all hours access may not be within the power of Council to control.
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b>
6. Is the NoM within the powers of a municipal Council?	<b>YES</b> Insofar as convening a meeting.  <b>NO</b> Council is not the landowner or manager of the majority of the Seaford Edithvale Wetlands so has limited ability to control activity on the land.

## 14.3 2018/NOM15 - Seaford Wetlands Stakeholders Meeting

Question for Consideration	
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>NO</b> DEWLP and Melbourne Water as well as the Commonwealth have responsibilities in relation to the management of the wetlands.
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>
9. Is the NoM consistent with existing Council or State policy or position?	This would need to be determined in consultation with state and federal authorities.
10. Is the NoM consistent with Council's adopted strategic plan?	<b>YES</b>
11. Can the NoM be implemented without diversion of existing resources?	<b>YES</b> To the extent of arranging the initial meeting there is not diversion of resources.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b> To the extent of arranging the initial meeting there is not diversion of resources.
13. Are funds available in the adopted budget to implement the NoM?	<b>NO</b> To the extent of arranging the initial meeting there is not diversion of resources.

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**ATTACHMENTS**

Nil

**14.4 2018/NOM16 - Seaford RSL Advocacy**

On 20 March 2018 Councillor Bolam gave notice of his intention to move the following motion:

That on the basis that the Seaford RSL is located on State Government owned land and that the Seaford RSL are intending to upgrade its facilities, Council is to formally request in conjunction with the Seaford RSL, that the State Member for Carrum, Ms Sonya Kilkenny MP is to provide bona fide clarity on the future of the Seaford RSL at its present site (Station Street, Seaford).

**COMMENTS BY DIRECTOR CORPORATE DEVELOPMENT**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	YES
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	<p><b>YES</b></p> <p>The Seaford RSL is located on Crown Land partially managed by Vic Track, with the balance managed by Council (Kananook Creek Reserve).</p> <p>The main building is subject to a Lease agreement between the RSL and Vic Track, and expires in 2025.</p> <p>The Beer Garden is subject to Lease agreements between the RSL and Council, which expire in 2021.</p>
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<p><b>NO</b></p> <p>Officers are able to prepare the correspondence for the Mayor's signature.</p>
6. Is the NoM within the powers of a municipal Council?	YES
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	YES
8. Is the NoM consistent with all relevant legislation?	YES
9. Is the NoM consistent with existing Council or State policy or position?	YES
10. Is the NoM consistent with Council's adopted strategic plan?	YES



## 14.4 2018/NOM16 - Seaford RSL Advocacy

Question for Consideration	
11. Can the NoM be implemented without diversion of existing resources?	YES
12. Can the NoM be implemented without diversion of allocated Council funds?	YES
13. Are funds available in the adopted budget to implement the NoM?	YES
14. What is the estimated cost of implementing the NoM?	YES There are no direct financial costs in respect of implementing the NOM, save for officers time to prepare, review, finalise and have authorised correspondence, which is estimated at a total of 2 - 3 hours.

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**ATTACHMENTS**

Nil

**14.5 2018/NOM17 - Support Neighbourhood Houses Funding Campaign**

On Tuesday 20 March 2018 Councillor Quinn McCormack gave notice of her intention to move the following motion:

That Council, in recognition of the assistance Neighbourhood Houses provide to communities, through the development and delivery of services and programs that specifically respond to the needs of their communities, supports the Neighbourhood Houses Budget and Electoral Campaign, by:

1. Writing to Hon Jenny Mikakos MP, Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs; Georgie Crozier MP, Shadow Minister for Families and Children, Prevention of Family Violence and Housing; and all local State Members of the Legislative Assembly and Legislative Council, seeking increased funding for Neighbourhood Houses so they can meet their community's needs; support for the 35 Neighbourhood Houses who currently do not receive any Neighbourhood House funding; and increased funding for Neighbourhood House networks to provide vital support to Neighbourhood Houses and volunteer committees.
2. Showing support for the Neighbourhood Houses campaign for increased State Government funding by advertising Council's support on Council's website and social media sites.

**COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	NO
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	YES
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	NO
6. Is the NoM within the powers of a municipal Council?	YES
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	While Local Government build and lease /licence buildings to Neighbourhood Houses the committees rely on state funding for staffing and operations.

## 14.4 2018/NOM17 - Support Neighbourhood Houses Funding Campaign

Question for Consideration	
8. Is the NoM consistent with all relevant legislation?	YES
9. Is the NoM consistent with existing Council or State policy or position?	YES
10. Is the NoM consistent with Council's adopted strategic plan?	This helps support 2.2.3 and 2.3.5 in the Council Plan.
11. Can the NoM be implemented without diversion of existing resources?	YES
12. Can the NoM be implemented without diversion of allocated Council funds?	YES
13. Are funds available in the adopted budget to implement the NoM?	Should the NOM be adopted a letter will be sent to the Minister.
14. What is the estimated cost of implementing the NoM?	<b>YES / NO</b> Year 1: \$ Recurring: \$ Comments: if applicable

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**ATTACHMENTS**

Nil

**17. CONFIDENTIAL ITEMS**

Section 89(2) of the Local Government Act 1989 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

**Recommendation**

That the Ordinary Council Meeting be closed to the public to discuss the following Agenda items and all documents associated with the consideration and discussion of it, that are designated confidential information by me, pursuant to Section 77(2)(c) of the Local Government Act 1989 (the Act) on the following grounds

**C.1 Outcomes of the Audit and Risk Management Committee meetings**

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

**C.2 Peninsula Leisure Pty Ltd - Management Services Agreement**

Agenda Item C.2 Peninsula Leisure Pty Ltd - Management Services Agreement is designated confidential as it relates to contractual matters (s89 2d), and legal advice (s89 2f)

**C.3 Advertising and Frankston City News**

Agenda Item C.3 Advertising and Frankston City News is designated confidential as it relates to contractual matters (s89 2d)

**C.4 Frankston Basketball Stadium Expansion Project - Alternate Proposal for Redirection of Funds**

Agenda Item C.4 Frankston Basketball Stadium Expansion Project - Alternate Proposal for Redirection of Funds is designated confidential as it relates to contractual matters (s89 2d):



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Signed by the CEO