

COUNCIL MEETING AGENDA 2019/OM10 Monday 12 August 2019



COUNCIL CHAMBERS

Phil Cantillon Chief Executive Officer	Cr Michael O'Reilly Mayor	Tim Frederico Director Corporate Development
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EA to Mayor & Councillor	Business Support Officer
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Cr. McCormack

Cr. O'Connor

Cr. Cunial

Cr. Hampton

Cr Bolam

Cr. Mayer

EMT

Cr. Aitken

Cr. Toms

MEDIA

EMT

Guest
Speaker

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. 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 the Councillors Office 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.

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 is now Live Streaming its Council Meetings.

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 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 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.

“Questions with Notice” are to be submitted before 12 noon on the Friday before the relevant Ordinary Meeting either in person at the Frankston Civic Centre, online using the Question Time web form or via email to questions@frankston.vic.gov.au.

“Questions without Notice” are to be submitted between 12 noon on the Friday before the relevant Ordinary Meeting up until 4pm on the day of the relevant Ordinary Meeting either in person via the designated Question Time box located at the Frankston Civic Centre front reception or the after-hours mail box or via email to questions@frankston.vic.gov.au.

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.

- **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.

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

ALL COUNCILLORS

NOTICE is hereby given that an Ordinary Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 12 August 2019 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. OM9 held on 22 July 2019.
3. **APOLOGIES**
Nil
4. **DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST**
5. **PUBLIC QUESTIONS AND SUBMISSION TIME**
Nil
6. **HEARING OF SUBMISSIONS**
7. **ITEMS BROUGHT FORWARD**
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Phil Cantillon

CHIEF EXECUTIVE OFFICER

7/08/2019



Executive Summary**10.1 National General Assembly, Canberra - June 2019**

Enquiries: (Phil Cantillon: Chief Executive Office)

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 Deputy Mayor, Cr Hampton and Cr Bolam's attendance at the National General Assembly of Local Government, held in Canberra from 17 – 19 June 2019.

Recommendation (Director Chief Executive Office)

That Council receives this Delegates report from the Deputy Mayor, Cr Hampton and Cr Bolam on their attendance at the National General Assembly of Local Government 2019

Key Points / Issues

- The National General Assembly (NGA) is convened by Australian Local Government Association (ALGA) as a service to the National Local Government Community.
- The theme for this year's NGA was 'Future Focused' which was a mark of the NGA's 25th anniversary, celebrating past achievements whilst firmly focused on the future.
- This year the Deputy Mayor, Cr Hampton and Cr Bolam attended the NGA.

National General Assembly

- The NGA attracts in excess of 800 Mayors and Councillors each year. The event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of Councils and communities.
- Cr Hampton and Cr Bolam represented Council at the NGA during the debate on motions. There were approximately 121 motions submitted for debate.
- Out of the 121 motions, three (3) motions were submitted by Council which were as follows:
 - Motion 68: That the National General Assembly calls on both the Government and Opposition to ensure that there are tangible outcomes of/from the \$300M+ National Ice Taskforce.
 - Motion 73: That the National General Assembly expresses its concern to both the Government and Opposition on current deficiencies in the current NDIS funding arrangements and calls on both the Government and Opposition to make funding arrangements offered by the government to providers more attractive.

10.1 National General Assembly, Canberra - June 2019**Executive Summary**

- Motion 105: That the National General Assembly calls on the Australian Government to address the need for strong food security measures to protect the public from food contamination. This request is to be made due to various instances of interference in food security (ie. Needles found in vegetables) over the past twelve months.
- All motions were carried.

Ministerial Appointments

- Due to the recent federal election, Federal Ministers and Federal Shadow Ministers in Canberra were not available to meet, therefore not providing Councillors the opportunity to advocate on behalf of Frankston.

Councillor Comments*Cr Kris Bolam*

I attended the motions component of the NGA (unofficially). At this juncture of the conference, motions were debated and voted upon. Of the hundreds of Councils in attendance, and with over 160 motions to be determined, Frankston City Council lodged three motions for the consideration of the NGA - improved food security measures, more funding from the federal government to address localised illegal drug use and enhanced value for money relating to the NDIS. I accompanied Cr Hampton for this portion of the NGA to provide advice if the motions encountered opposition. Ultimately, all three motions were heavily supported and did not require debate and/or intra lobbying. This was the sum of my participation at the conference.

Cr Colin Hampton

The dual purpose of the visit to the conference was to lobby for the items that were promised to Frankston in the Federal election by both the Liberal and Labor Parties as Parliament would be sitting when the conference was on. Unfortunately this changed, as the Government elect chose to delay the opening of Parliament for a week so no lobbying was achieved.

Also I was to speak to the NOM's that Frankston had in the agenda of the conference, all of which passed overwhelmingly.

There were many interesting speakers over the three days but one that stood out above all the others - Dr. Jon Sigfusson, Director, Planet Youth and Icelandic Centre for Social Research and Analysis, Reykjavik University.

Iceland has reduced their binge drinking problem in young people between the ages of 14 and 21 from as high as 85% down to only 9% now. This programme took 8 years of research and implementation and is still on going. He would make an excellent speaker at any Drug and Alcohol conference if one were to be held in Frankston.

I have included the Program for anyone to look at to see who spoke and the subject matter of the discussion. Many of the topics were ones that Frankston were experiencing, for example technology changes, infrastructure, social housing, recycling and drugs and alcohol.

One of the hidden benefits of the conference is the discussions you have with Councillors from different parts of Australia and the problems they have and the way they go about trying to resolve them.

10.1 National General Assembly, Canberra - June 2019**Executive Summary**

It was unfortunate that an officer was not assigned to accompany me to the conference as this would have been beneficial with more information coming back to Council in regards to programmes being undertaken by other Councils.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

Costs	Cr Hampton (Deputy Mayor)	Cr Bolam
Registration for National General Assembly (including social functions, networking and buffet dinner and welcome reception)	\$1,239.00	\$1,239.00
Accommodation - Four nights	\$ 840.00	\$ 0
Airfare (Melbourne to Canberra Return)	\$ 472.02	\$ 0
Airport Parking	\$ 75.00	\$ 0
Breakfasts/Meals/Refreshments	\$ 135.00	\$ 0
Taxis	\$ 122.12	\$ 0
Totals	\$2,556.25	\$1,239.00

Consultation**1. External Stakeholders**

Due to the Federal election, Federal Ministers and Federal Shadow Ministers were not available to meet for the duration of the NGA.

2. Other Stakeholders

National General Assembly 2019 attracts Mayors, Councillors and Officers from all from metropolitan, regional and rural Councils across Australia.

Analysis (Environmental / Economic / Social Implications)

There are no implications involved with this Delegate's report.

10.1 National General Assembly, Canberra - June 2019**Executive Summary****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

There are no legal issues currently.

Policy Impacts

There are no impacts to 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 mitigation identified.

Conclusion

Frankston City being represented at the National General Assembly of Local Government by the Deputy Mayor, Cr Colin Hampton and Cr Kris Bolam was beneficial in relation to the networking opportunities with other Councils and discussion on the issues they face. Noteworthy guest speakers also provide great insights on both nationwide and worldwide problems and the programs they have in place to combat them.

Although, advocacy campaigning did not provide opportunity on this occasion, the above mentioned activities deemed the conference valuable.

ATTACHMENTS

Attachment A:[↓](#) National General Assembly 2019 - Program

Program

SUNDAY 16 JUNE

05:00pm Welcome Reception & Exhibition Opening
07:00pm National Convention Centre
Sponsored by: **Tyre Stewardship Australia**
Lina Goodman, CEO, Tyre Stewardship Australia
Mat Jones, CEO, Soldier On Australia

MONDAY 17 JUNE

09:00am Opening Ceremony
Wally Bell, Welcome to Country
David O'Loughlin, ALGA President

09:15am Acting Prime Minister's Address
The Hon Michael McCormack MP

09:45am ALGA President's Address
David O'Loughlin, ALGA President

10:00am MORNING TEA

10:30am Keynote Address – The Federal Election and Local Government
Karen Middleton, Chief Political Correspondent, The Saturday Paper

11:15am Post Election Opportunities for Local Government
Mayors from across Australia will discuss the implications for local government of incoming Federal Government policy.

12:00pm LUNCH Sponsored by: Jardine Lloyd Thompson

01:00pm Keynote Address – Crowd Powered Communities
Exploring a future in which the technology of design and production are in the hands of our communities.
Steve Sammartino, Australian Futurist, Author, Technologist and Speaker

01:40pm Councils Using Technology to Excel
Lifesaving Communications During Natural Disasters
Eileen Deemal-Hall, CEO, Wujal Wujal Aboriginal Shire Council
Bundaberg Region's Intelligent Community
Ben Artup, Executive Director, Strategic Projects and Economic Development, Bundaberg Regional Council
Let's Talk About 21st Century Government
Colin Fairweather, CIO, City of Melbourne
Daniela Mazzone, Principal Lead, IT Capability and Partnerships, City of Melbourne

02:55pm MobileMuster Awards
Spyro Kalos, Manager, MobileMuster, AMTA

03:00pm AFTERNOON TEA

03:30pm Unlocking the Treasure of Australia's First Languages
Melinda Holden, Director, First Languages Australia
Karina Lester, Director, First Languages Australia
Geoff Anderson, Director, First Languages Australia

MONDAY 17 JUNE - CONTINUED

04:00pm Debate on Motions

04:55pm ALGA President's Closing Address

05:00pm Close of Day 1

07:00pm Networking Dinner
11:00pm Australian War Memorial
Sponsored by: **Paladin Risk Management Services**
Rod Farrer, Managing Director, Paladin Risk Management Services

TUESDAY 18 JUNE

09:00am Housing, Infrastructure and Population
Australia's Future Infrastructure Challenges: The 2019 Australian Infrastructure Audit and What it Means for Local Government — Romilly Madew AO, Chief Executive, Infrastructure Australia
The Role of Local Government in Housing Australians in the 21st Century — Professor Andrew Beer, Dean of Research and Innovation, UniSA Business School
Why and How Local Government and the Private Sector Should Work Together to Increase Affordable Housing — Robert Pradolin, Founding Board Member, Housing All Australians
Gary Spivak, Housing Development Officer, City of Port Phillip

10:30am MORNING TEA Sponsored by: Australian Packaging Covenant Organisation

11:00am Disasters – Are You Ready?
Naomi Westwood, Acting Assistant Commissioner, Business Registry, Australian Taxation Office

11:10am Debate on Motions

12:25pm Charles Sturt University Innovation in Community Leadership Education
Jenny Kent, Associate Dean Academic, Faculty of Business Justice and Behavioural Sciences, Charles Sturt University

12:30pm LUNCH Sponsored by: Charles Sturt University

01:30pm **Concurrent Sessions**
Housing your Community – Menzies Theatre
Australia is confronted by escalating housing challenges. This has fueled a search for new policy solutions and a new range of actors, including local governments.
Australia's Local Governments: Comparing Sydney and Melbourne With Other Metro, Regional and Rural Centres — Professor Alan Morris, University of Technology Sydney
The Impact of Airbnb on Housing Markets — Laura Hodgson, PhD Scholar, UniSA
How Councils Can Assist With Affordable Housing — Lenka Thompson, PhD Scholar, UTS
Affordable Housing in Waverley LGA: Challenges and Ideas — Tim Sneesby, Manager Strategic Planning, Waverley Council

TUESDAY 18 JUNE - CONTINUED

01:30pm **Concurrent Sessions**

Reducing Community Harm – Bradman Theatre

Alcohol and other drug harms are prevalent in our communities. To provide insights into the benefits of preventative initiatives, international expert and council experiences will be explored.

Working With Local Government in Alcohol and Drug Misuse in Youth – A Preventative Approach from Iceland — Dr Jón Sigfússon, Director, Planet Youth, Icelandic Center for Social Research and Analysis, Reykjavik University

An Australian Community Led Approach to Alcohol and Drug Misuse — Dr Erin Lalor, CEO, Alcohol and Drug Foundation

Blue Mountains Local Drug Alcohol Team — Lead organisation: Blue Mountains City Council, Representative: Cr Don McGregor

Murray Bridge Safe Drug Action Team — Lead organisation: Rural City of Murray Bridge, Representative: Cr Brenton Lewis

Moree Local Drug Action Team — Lead organisation: Moree Plains Shire Council, Representative: Mark Connolly, Economic and Community Development Manager

Your Community, Your Environment – Royal Theatre

Recycling and Climate Change are the two biggest environmental issues facing Local Government. To explore these issues further, we have a panel specializing in these topics.

How the Australasian Recycling Label will Assist Local Government in Reducing Recycling Contamination Rates — Peter Brisbane, Government Partnership Manager, APCO
 Ryan Collins, Head of Sustainable Resource Programs, Planet Ark

Developing Australia's Circular Economy — Rose Read, CEO, National Waste Recycling Industry Council

Promoting Regional Circular Economy through use of Glass Sand and Recycled Organic Compost in Council Projects — Tony Farrell, Deputy CEO, Lake Macquarie City Council

Climate Change Action in Alice Springs — Damien Ryan, Mayor, Alice Springs Town Council

03:00pm **AFTERNOON TEA**

03:30pm **Taking Smart Cities Off Grid**

David Wilson, Managing Director, Green Frog Systems

03:35pm **Debate on Motions**

04:30pm **Address by Opposition Spokesperson**

05:00pm **Close of Day 2**

07:00pm **National General Assembly Dinner**

EPIC, Exhibition Park in Canberra

WENESDAY 19 JUNE

09:00am **Engaging with your Community into the Future**

Kylie Cochrane, Community Engagement Specialist, Aurecon

09:30am **Dealing with Disaster – New Zealand Perspective**

Samantha Kennedy, Head of Australia, New Zealand and Asia Pacific, Pivotel
 Andrew Howe, Emergency Management Advisor, Civil Defence and Emergency Management, Canterbury

10:00am **MORNING TEA**

10:30am **Six Layers of Intentional Leadership**

David Pich, Chief Executive, Institute of Managers and Leaders

11:00am **Minister for Regional Services, Decentralisation and Local Government**

The Hon Mark Coulton MP

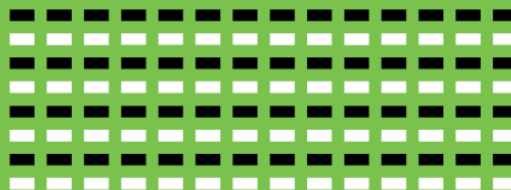
11:30am **Keynote Address – Overcoming the Odds**

Kurt Fearnley, Paralympic Champion

12:15pm **ALGA President's Closing Address**

ALGA National Lobbying Priorities

12:30pm **LUNCH**



**Join the
 Conversation
 #NGA19**

Executive Summary**11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**

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 undertake building and works to the existing RSL building, alteration of the Red Line of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGMs)

Recommendation (Director Community Development)

1. That a Planning Permit be issued for the property at 183 Cranbourne Road, to undertake building and works to the existing RSL building, alteration of the Red Line of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGMs) subject to the conditions contained in the officer's assessment.
2. Council notes that the permit holder will require a liquor licence to be issued by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) under a separate approval process.

Key Points / Issues

- It is proposed to undertake building and works to the existing RSL building, modify the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines. As a result of the proposed works, fourteen (14) car spaces will be required to be removed.
- The proposed works are aimed at improving the prominence of the RSL entry and internal layout of the existing building and as a result requires re-adjusting the red and green line areas to the modified internal layout. The increase in the building footprint (384m²) is mostly comprised of the foyer/reception area and service areas.
- Planning approval is required for the building and works, alteration of the Red and Green Line areas in accordance with the General Residential Zone, Clause 52.27 Licensed Premises and Clause 52.28 Gaming under the Frankston Planning Scheme.
- The proposal is supported as the works proposed will improve external appearance of the building and the internal layout. The changes to the Red Line and Green Line areas are to accord with the new internal layout and do not increase the number of EGMs or the area where alcohol is consumed. The loss of car spaces on site is acceptable given that 407 car spaces remaining on site and are adequate to cater for parking demand.

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

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Executive Summary****Financial Impact**

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

The permit application fee paid to Council is \$8,939. The average cost to process a planning application is \$1,729.

Consultation**1. External Referrals**

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

2. Internal Referrals

The application was referred internally to Traffic Engineers and Drainage Engineers who raised no concerns in relation to the proposal. The application has been referred to Community Strengthening for comment.

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) sign erected on the Cranbourne Road site frontage

As a result of the public notification, no objections were received.

Analysis (Environmental / Economic / Social Implications)

The proposed alterations and renovations to the building are designed at improving the facility for patrons and the community. There is no impact on the environment as a result of the proposed works and no material change to the existing operation of the premises, particularly in regard to operating hours or increase in EGM’s. In this regard, the proposal should have no material social implications.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**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 application 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 11, 15, 17, 21.03, 21.04, 21.08, 21.10, 22.04 and 22.10.

Zone and Overlays – Clause 32.01 – General Residential Zone and Clause 44.09 – Special Building Overlay

Particular Provisions – Clause 52.06 – Car Parking, Clause 52.27 – Licensed Premises, Clause 52.28 – Gaming, Clause 65 – Decision Guidelines

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 matter.

Conclusion

The proposed building and works will enable the internal rearrangement of existing uses within the building and allow for an enhanced entrance into the RSL Building.

The changes to the Red Line for the liquor license and Green Line for the EGM's are relatively minor and required to retain consistency with the internal rearrangements.

No changes are proposed to the number of EGMs, patron numbers or operating hours. As such, it is unlikely that there would be any adverse material amenity impacts as a result of the proposal.

It is recommended the proposal be supported subject to conditions.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)

Executive Summary

ATTACHMENTS

- Attachment A: [↓](#) Development Plans
- Attachment B: [↓](#) Locality Map - 36 2019 P - 183 Cranbourne Road Frankston.PDF
- Attachment C: [↓](#) Locality Map Aerial - 36 2019 P - 183 Cranbourne Road Frankston.PDF

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)

Officers' Assessment

Summary

Existing Use	Frankston RSL Entertainment Venue
Site Area	3.2 ha
Proposal	Building and works, alteration to the Red Line area of the Liquor License and Green Line area for the Electronic Gaming Machines (EGMs)
Zoning	General Residential Zone
Overlays	<ul style="list-style-type: none"> • Special Building Overlay (part)
Reason for Reporting to Council	Application associated with Liquor

Background

Planning approval (472/2007/P) was granted by VCAT in 2009 to increase the number of existing Electronic Gaming Machines (EGMs) from 77 to 82. The RSL has operated since 1976 and has had 77 EGMs there since 1992.

Planning approval (257/2013/P) was given for an extension to the red line area of the existing liquor licence relating to proposed extensions to the existing RSL building in December 2013.

Subject Site

The subject site is a large irregular shaped allotment situated on the south side of Cranbourne Road in Frankston.

The subject site has a frontage of 132 metres to Cranbourne Road and an overall area of 3.2 hectares.

The Frankston RSL has occupied the site since 1975. The main building is situated near the Cranbourne Road frontage with vehicle access to its east and car parking to the south. Native vegetation and a waterway traverses the southern boundary of the site.

The existing building has a total floor area of 4,047m² and provides for:

- A formal foyer and reception area;
- Gaming room with 82 EGM's;
- Sports Bar;
- Snooker Room;
- Two function rooms catering for 200 patrons;
- Four Seasons Bistro catering for 200 patrons;
- Cracked Pepper Restaurant
- Outdoor smoking area;

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment**

- Welfare and administration area
- Associated kitchen, storage and service rooms.

The RSL is served by a car park containing 421 car spaces.

The topography of the land is undulating with substantial fall to the south, west and east.

Locality

The site is located centrally between Frankston Metropolitan Activity Centre and Karingal Major Activity Centre on a major arterial road.

The RSL venue is located within a residential area with land to its east and west developed for housing. On the west boundary, a medium density develop abuts that part of the boundary proximate to the RSL building. To the east, single detached dwellings on larger allotments abut the boundary.

To the south is Jubilee Park, a regional recreation reserve.

Site History

Previous planning permit applications for the site include approvals relating to the expansion of the existing building, vegetation removal and modifications to the car park to increase the number of car spaces on the site and removal of the bowling greens.

Proposal

Planning approval is sought for:

- Renovations and extension of the existing building;
- Amendment to the Red Line area;
- Amendment to the Green Line area; and;
- Removal of 14 car spaces to facilitate the buildings and works.

Building and Works

The proposed buildings and works will comprise of:

- The proposed building and works will see a minor increase in the building footprint of 384m².
- Renovations to the existing entry and increased foyer area, repositioned concierge desk and reception office.
- Renovations to the existing kitchen and storage area to the west of the existing entrance. It is proposed to provide the kitchen and store rooms with access to the loading area to provide direct access for deliveries.
- Internal rearrangement within the gaming room, sports bar and snooker room together with modifications to the outdoor areas. A gaming lounge and terrace will be added along the southern façade. The number of existing EGM's remains the same.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment**

- Works towards the rear of the building include replacement of the sports bar with casual café/lounge areas, a revised TAB room and provision of additional alfresco, DOSA and play areas.
- The works provide façade upgrades to the venue and include mesh screening with climbing plants to create a green wall.

Amendment to the Red and Green Line areas

- It is proposed to modify the existing red and green line areas to accord with the proposed internal modifications.
- There is no proposed to increase the number of EGMs or alter the hours of operations or increase the number of patrons permitted on the site.

Removal of car spaces

- The works proposed to the entrance to the building require amendments to the car park layout and the removal of fourteen (14) car spaces near the entrance to the building, leaving a total of 407 car spaces on site.

Landscaping

- The proposed works make provision for new landscaping at the entrance to the venue and within the outdoor areas. There will be no impact on the existing memorial garden and Lone pine tree as a result of the proposed works.

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
- Clause 17 – Economic Development

Local Planning Policy Framework relevant to this application are summarised as follows:

- Clause 21.03 – Vision and Strategic Framework
- Clause 21.04 – Settlement
- Clause 21.08 – Economic Development
- Clause 21.10 – Built Environment and Heritage
- Clause 22.04 – Non Residential Uses in Residential Zones Policy
- Clause 22.10 - Gaming

Planning Scheme Controls

A Planning Permit is required pursuant to:

- Clause 32.08 – General Residential Zone of the Frankston Planning Scheme for building and works.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment**

- Clause 44.05 – Special Building Overlay of the Frankston Planning Scheme. No planning approval is required as the building and works are outside the area subject of this overlay.
- Clause 52.27 – Licensed premises of the Frankston Planning Scheme for the extension of the red line area.
- Clause 52.28 – Gaming of the Frankston Planning Scheme to vary the Green Line area.

Notification of Proposal

No objections were received.

External referrals

The application was referred externally to Victoria Police who offered no objection to the proposal.

Internal referrals

The application was referred internally to Council's Traffic Engineers and Drainage Engineers who offered no objection to the proposal. The application has been referred to Community Strengthening for comment. Internal comments provided have informed the Council officer position in the recommendation.

Discussion***State and Local Planning Policy***

The principal use of the land for a Place of Assembly has been established for considerable time and a number of planning permits have been approved that have allowed substantial extensions to the existing building and works including the removal of the bowling greens to facilitate the expansion of the car parking facilities and an extension to the red line area of the liquor license.

The proposed buildings and works are consistent with the existing use and aimed at improving synergies between various internal uses already existing within the building.

Upgrading and renovations to existing buildings that achieve improved urban design outcomes are consistent with State and Local Planning Policies that encourage high quality architectural and good urban design outcomes as well as creating a sense of place for members of the community.

No changes to existing uses or increase in approved patron numbers is proposed.

Building Design

A large percentage of the buildings and works relates to the internal re-arrangement of the existing entry, gaming room, sports bar, kitchen, outdoor smoking area, TAB and snooker room.

The overall building footprint will be increased both towards Cranbourne Road boundary and towards the existing car park as a result of the improvements to the entrance to the building to include a new reception, revised loading area, storage areas, lounge and terrace.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment**

To the Cranbourne Road frontage, minimal setback to the boundary is proposed as the play area, covered alfresco and sports bar will occupy the space between the existing building and the front boundary.

The architectural response of the building and works within the front setback to Cranbourne Road is acceptable and complements the existing building design in terms of height, scale and architectural detail.

Views of the existing RSL building can be obtained from the east approach along Cranbourne Road but otherwise the existing building and proposed extensions should have little visual impact from the streetscape.

The existing Memorial Garden will remain and continue to provide a landscaped entrance to the site.

It is unlikely that the proposed activities within the extension proposed to the road frontage will have an adverse amenity impact on neighbouring properties given the elevated nature of this part of the site, and its separation to existing residential dwellings to the west and east.

The building extension associated with the entry to the building is generally internal to the site and unlikely to result in unacceptable amenity impacts on residential properties nearby as there is no significant material change to the existing loading bay location and the existing traffic movement will remain the same.

The design of the entry will integrate with the existing building design and provide a safe and functional access point for patrons.

Clause 52.06 - Car parking

As a Place of Assembly, the Frankston RSL is required to provide 0.3 car spaces per patron.

The applicant has advised that there will be no increase in the number of patrons as a result of the proposed increase in floor area and has not sought to increase the maximum number of patrons allowing on the site under Planning permit 565/2007/P and 174/2011/P.

Pursuant to Clause 52.06 car parking requirements are based on the number of patrons for a Place of Assembly. However, as there is no increase to the number of patrons there is no requirement for additional car parking to be provided.

As a result of the proposed extensions to the entrance to the building, a total of 14 car spaces are proposed to be removed.

It is noted that planning approval was recently given for the demolition of the bowling greens for replacement with car parking facilities. A total of 120 additional parking spaces were provided with no increase in the building floor area.

The loss of 14 car spaces will reduce the total number of existing car spaces from 421 to 407 spaces.

The applicant provided a traffic report which made an assessment of parking demand based on three spot parking occupancy surveys undertaken in November 2018. Based on these surveys, the results showed that there was a significant number of vacant spaces during peak operating times within the existing car park.

Given the minor loss of car parking proposed and the current over-supply versus demand, the proposed reduction of car spaces is considered acceptable.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment*****Clause 52.28 - Gaming***

No change is proposed to the existing number of EGMs already approved (82 EGMs) which are currently operating in the Gaming area. The area in which the existing EGMs are located has slightly decreased from 338m² to 300m² and now also includes a small lounge.

The changes to the Green Line area that contains the existing number of EGMs is considered immaterial.

The Gaming Policy at Clause 22.10 only applies to new applications or applications that seek to increase the existing number of EGM's on a site.

Clause 52.27 Licence Premises

There is a current liquor licence that includes the existing RSL building and the area formerly occupied by the Bowling Greens. No change to the type of liquor licence or the hours of operation permitted with the licence is proposed.

It is proposed to extend the red line area associated with the liquor licence to include the increased floor area of the building (Gross floor area 4246m²). It is proposed to reduce the red line area covering the car park to the existing outbuilding which has an area of 221m².

It is considered that the red line should follow the external building line and the "play area" for children and the loading bay should be excluded as locations undesirable for the consumption of alcohol. This can be included as a condition of permit.

Given the size of the proposed extensions and their purpose it is considered that the increase in the licensed floor area is minor and will not result in any significant social or amenity impacts as there will be no increase in the number of patrons or change of hours of operation.

Liquor Accord

Council supports the responsible serving of alcohol in a consistent manner throughout the municipality. A permit note will be included on any planning permit issued encouraging the permit holder to become a member of the Frankston Liquor Industry Accord.

Conclusion

The proposed building and works will enable the internal rearrangement of existing uses within the building and allow for an enhanced entrance into the RSL Building.

The changes to the Red Line for the liquor license and Green Line for the EGMs are relatively minor and required to retain consistency with the internal rearrangements.

No changes are proposed to the number of EGMs, patron numbers or operating hours. As such, it is unlikely that there would be any adverse material amenity impacts as a result of the proposal.

It is recommend the proposal be supported subject to conditions.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment****Recommendation (Director Community Development)**

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 36/2019/P for Building and works to the existing RSL building, alterations to the existing Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines at 183 Cranbourne Road, Frankston, subject to the following conditions:

Plans

1. Before the use and/or 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 prepared by BSPN Architecture, 6 January 2019, Revision A, A10.01, A20.01, A00.00, A12.01, A13.01, A15.01, A22.01, A22.02, A23.01, A30.01, A31.01, A32.01, A80.01, A80.02, A80.03, A90.01, A90.02, A90.03 and A90.04, but modified to show:
 - (a) Red Line area to correlate to the external wall of the building and exclude the "play area" for children and loading bay;

No Alterations

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. The Red Line area of the Liquor License as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
4. The number of patrons currently allowed on the site must not be increased unless with the further written consent of the Responsible Authority.

Prior to Occupation

5. On completion of the extensions to the RSL Building, all landscaping as shown on the endorsed plans, must be completed within three (3) months to the satisfaction of the Responsible Authority. Landscaping must thereafter be maintained to the satisfaction of the Responsible Authority.

Amenity

6. The amenity of the area must not be detrimentally affected by the development through the:
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour steam, soot, ash, dust, waste water, waste products, etc.to the satisfaction of the Responsible Authority.

11.1 Planning Permit Application 36/2019/P - 183 Cranbourne Road Frankston - External and internal alterations to the existing RSL building, modification of the Red Line area of the Liquor Licence and Green Line area for the Electronic Gaming Machines (EGM)**Officers' Assessment****Satisfactorily Completed**

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

Permit Expiry

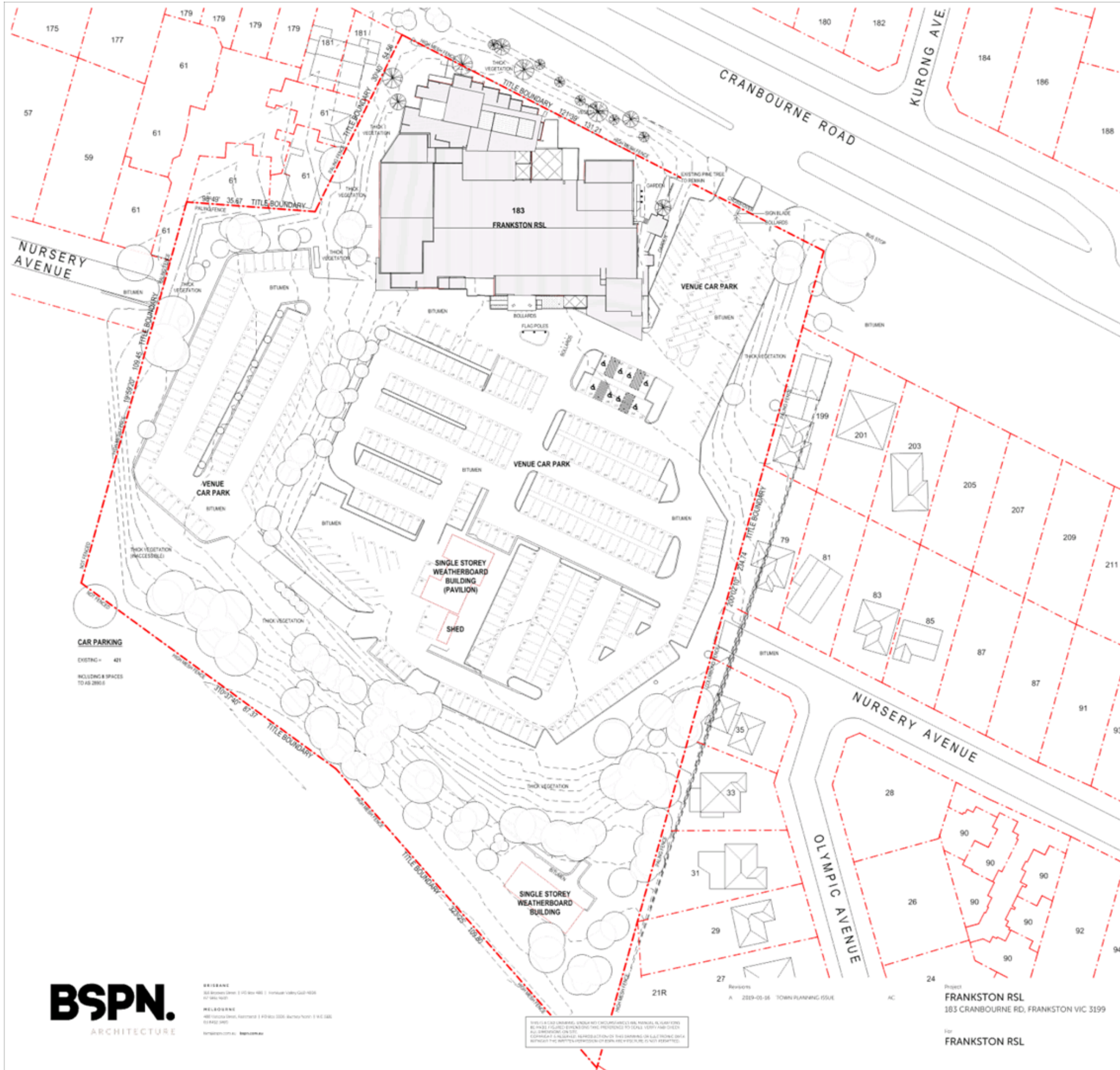
8. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the issued date of this permit.

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.



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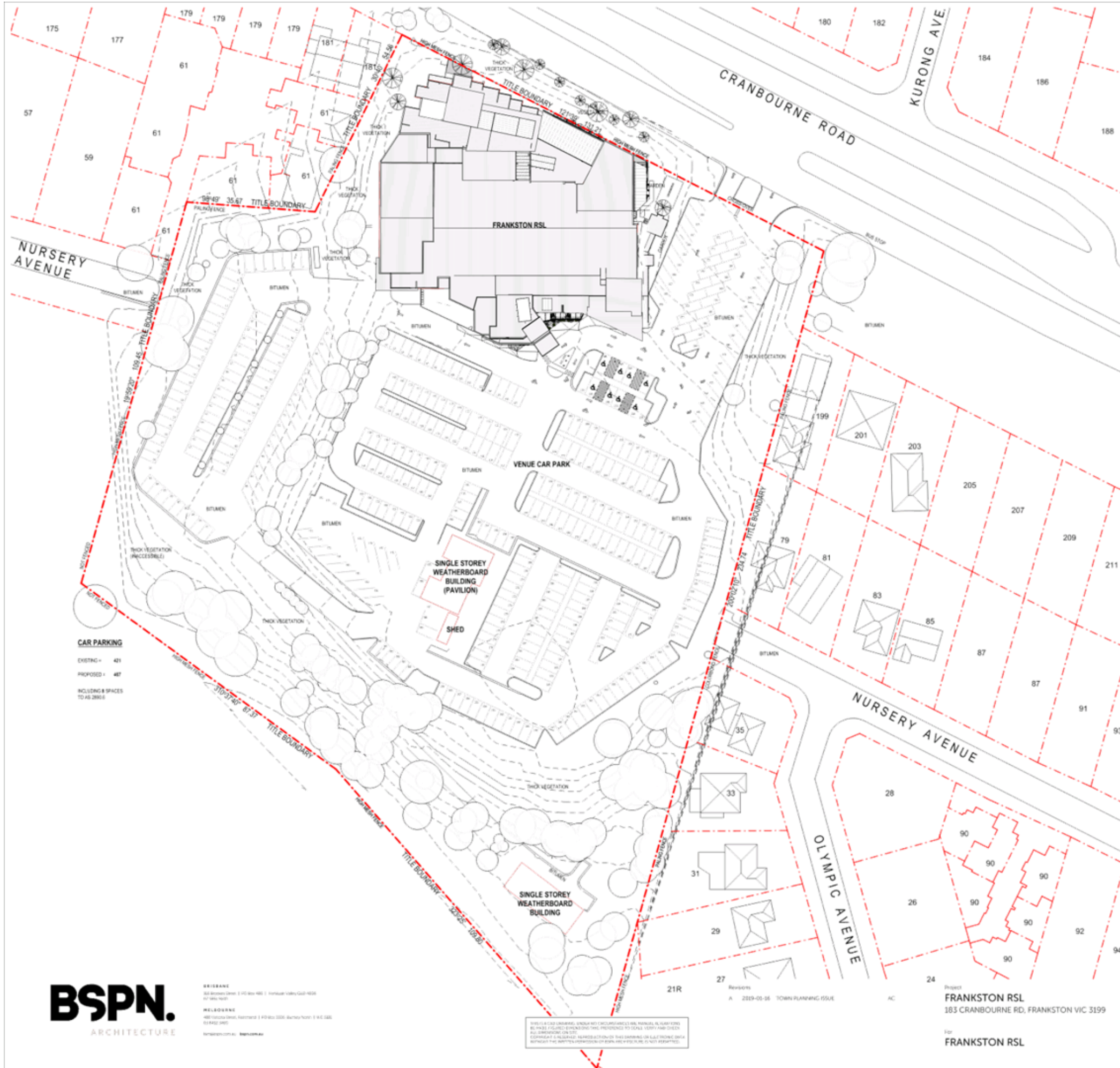
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21R Revisions
 A 2019-03-26 TOWN PLANNING ISSUE AC

Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199
 For
FRANKSTON RSL

Drawing
EXISTING SITE PLAN
 TOWN PLANNING

Drawn: JTO
 Scale: As Indicated at A1
 Project No: R0170005
 Drawing No: A10.01
 Version: A



BSPN.
 ARCHITECTURE

111 GERRARD ST. VIC 3046
 111 GERRARD ST. VIC 3046
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 111 GERRARD ST. VIC 3046

Drawing: PROPOSED SITE PLAN
TOWN PLANNING



FRANKSTON RSL

FRANKSTON RSL

183 CRANBOURNE RD, FRANKSTON VIC 3199

FRANKSTON RSL SHEET LIST			
Sheet Number	Sheet Name	Current Revision	Current Revision Date
00.00	COVER SHEET	A	2019-01-16
10.01	EXISTING SITE PLAN	A	2019-01-16
12.01	EXISTING FLOOR PLANS	A	2019-01-16
13.01	EXISTING ROOF PLAN	A	2019-01-16
15.01	GROUND FLOOR DEMOLITION PLAN	A	2019-01-16
20.01	PROPOSED SITE PLAN	A	2019-01-16
22.01	PROPOSED GROUND FLOOR PLAN	A	2019-01-16
22.02	PROPOSED FIRST FLOOR PLAN	A	2019-01-16
23.01	PROPOSED ROOF PLAN	A	2019-01-16
30.01	EXISTING ELEVATIONS	A	2019-01-16
31.01	DEMOLITION ELEVATIONS	A	2019-01-16
32.01	PROPOSED ELEVATIONS	A	2019-01-16
80.01	PERSPECTIVE VIEWS - External	A	2019-01-16
80.02	PERSPECTIVE VIEWS - External	A	2019-01-16
80.03	PERSPECTIVE VIEWS - External	A	2019-01-16
90.01	RED LINE - EXISTING	A	2019-01-16
90.02	RED LINE - PROPOSED	A	2019-01-16
90.03	GREEN LINE - EXISTING	A	2019-01-16
90.04	GREEN LINE - PROPOSED	A	2019-01-16



LOCALITY PLAN

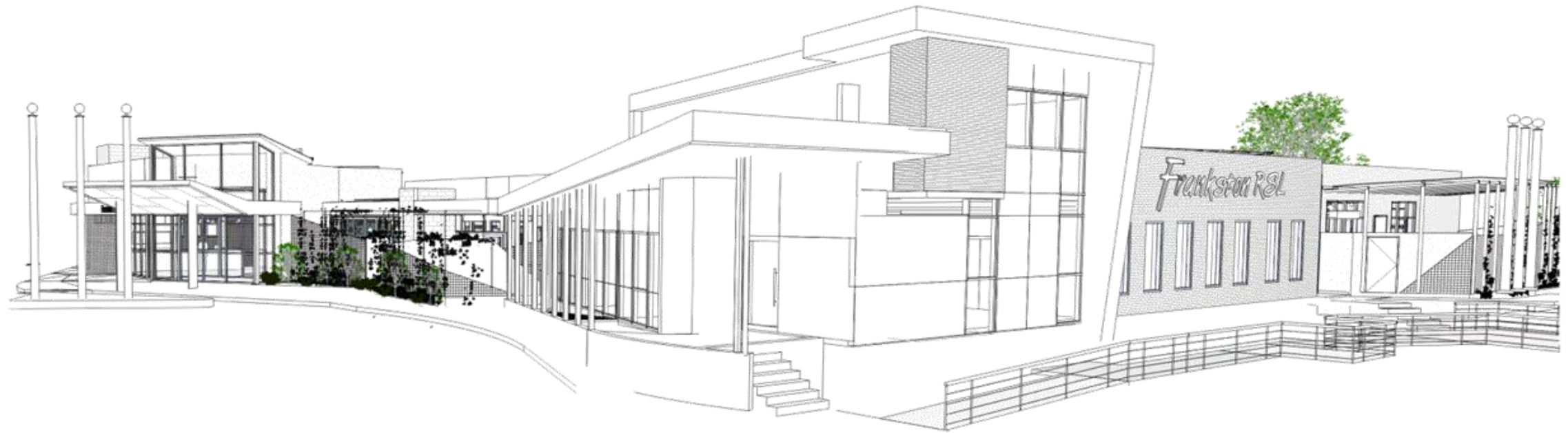
AREA

EXISTING

BACK OF HOUSE	961 m2
COURTYARDS	187 m2
PAVILION	221 m2
OTHER AREAS	2427 m2
TOTAL	3796 m2

PROPOSED

BACK OF HOUSE	1254 m2
COURTYARDS	170 m2
PAVILION	221 m2
OTHER AREAS	2535 m2
TOTAL	4180 m2



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 A 2019-03-26 TOWN PLANNING ISSUE

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Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199

For
FRANKSTON RSL

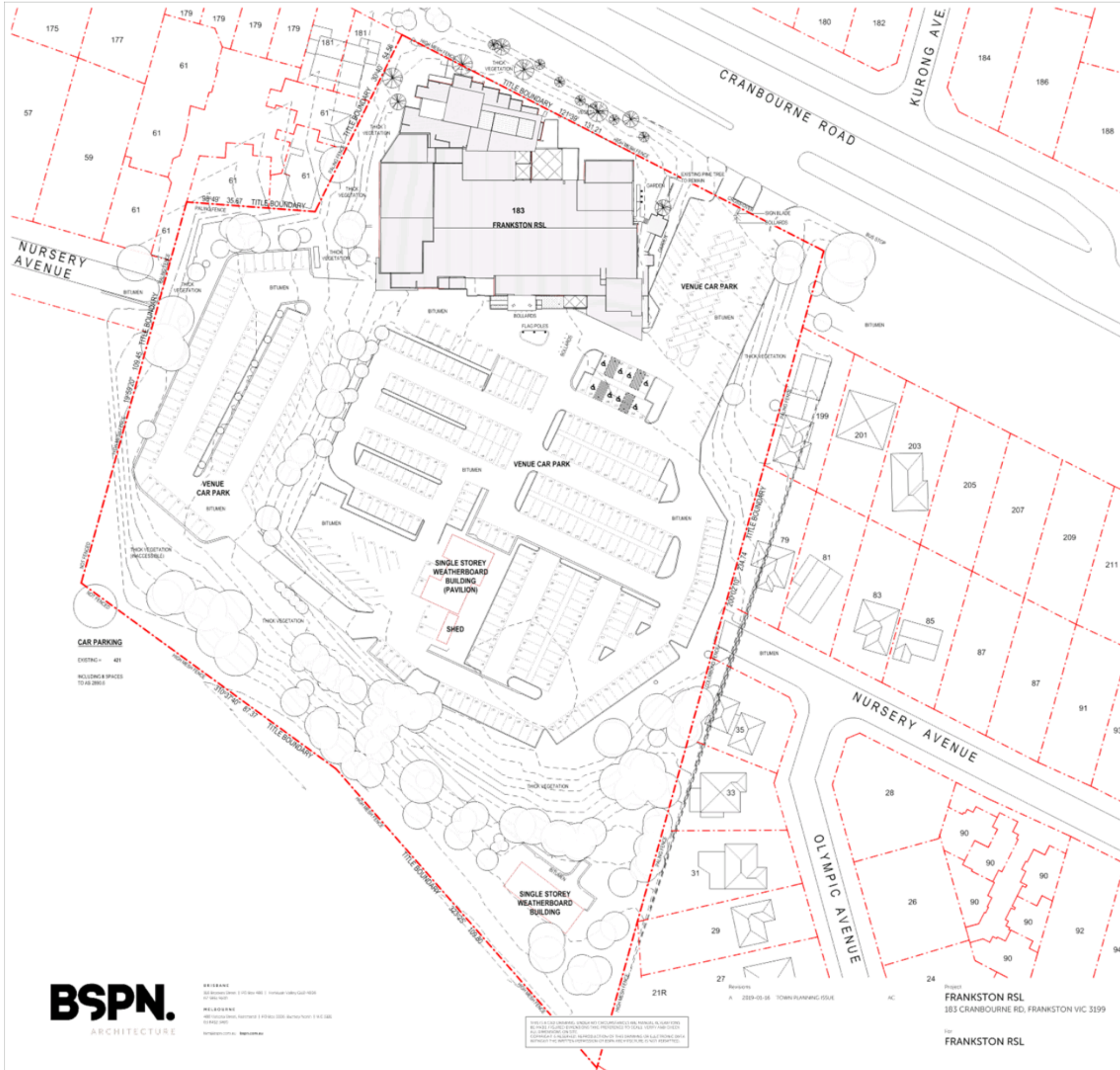
Drawing
COVER SHEET

TOWN PLANNING

Drawn: ITD
 Scale: As Indicated at RL

Project No. R0170005
 Drawing No. A00.00
 Revision A





CAR PARKING
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 INCLUDING 8 SPACES TO AS 2886.1



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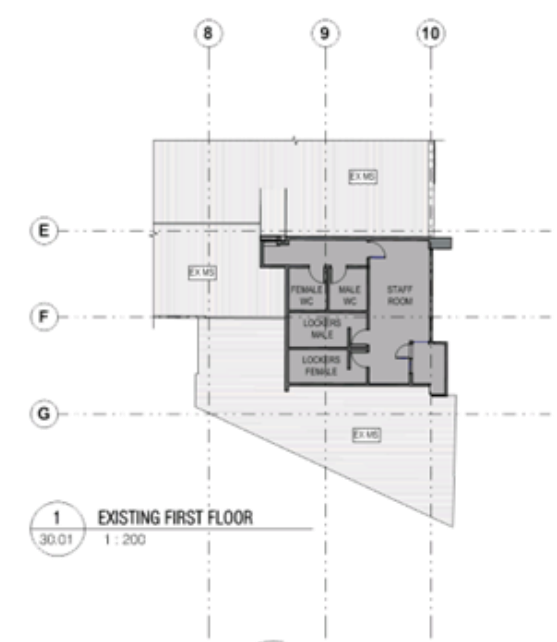
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Revisions
 A 2019-03-26 TOWN PLANNING ISSUE

Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199
 For
FRANKSTON RSL

Drawing
EXISTING SITE PLAN
 TOWN PLANNING

Drawn: JTO
 Scale: As Indicated at A1
 Project No: R0170005
 Drawing No: A10.01
 Version: A



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Revisions
 A 2019-03-26 TOWN PLANNING ISSUE AC

Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199

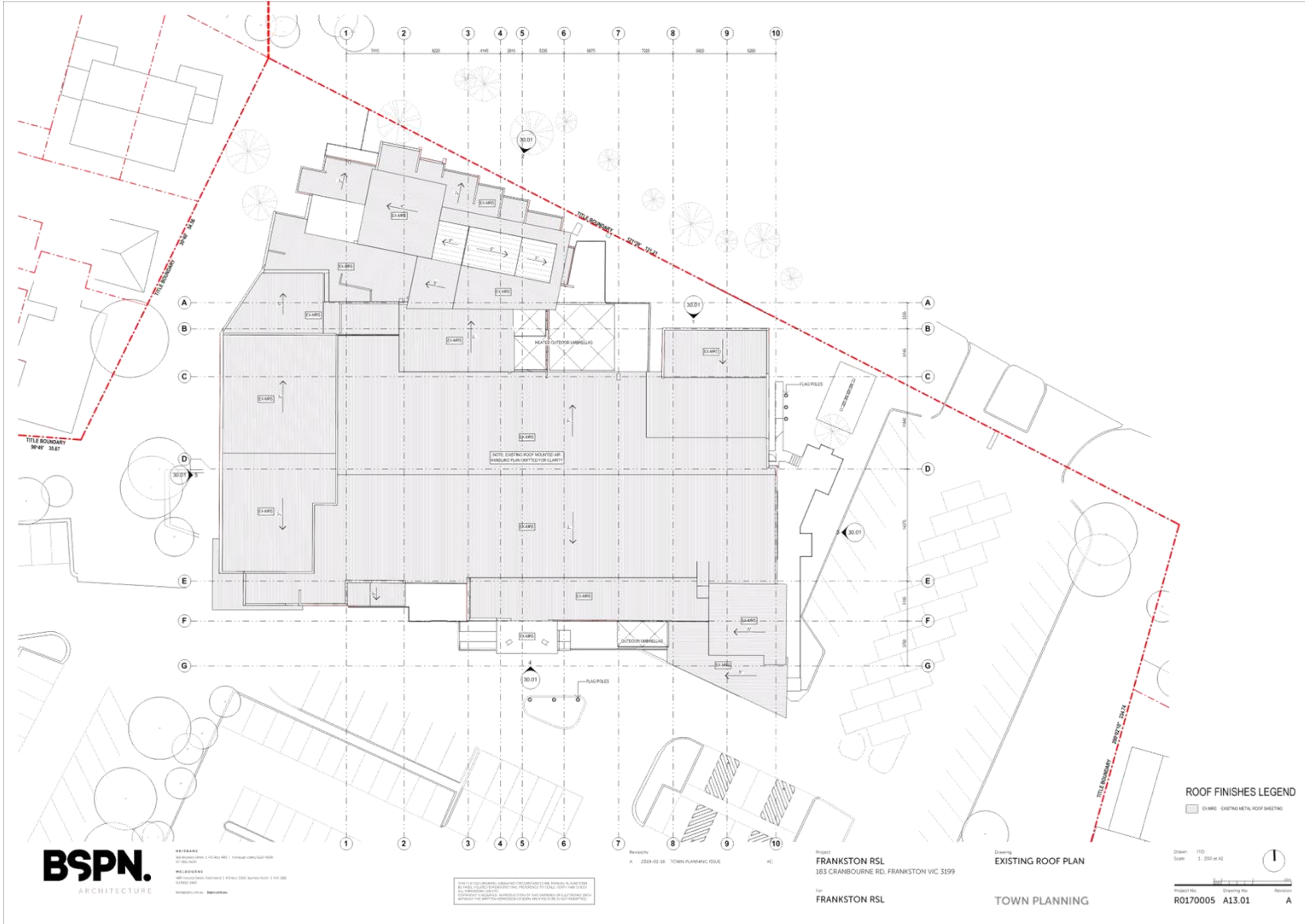
For
FRANKSTON RSL

Drawing
EXISTING FLOOR PLANS

TOWN PLANNING

Drawn: JTD
 Scale: 1:200 w/ A1

Project No: R0170005
 Drawing No: A12.01
 Version: A



ROOF FINISHES LEGEND
 [Hatched Box] EXISTING METAL ROOF SHEETING

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MEMORANDUM
 33 Cranbourne Road, Frankston VIC 3199
 03 9492 2400
MEMORANDUM
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 03 9429 2400
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Revisions
 A. 2019-03-26 TOWN PLANNING ISSUE AC

Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199
 For
FRANKSTON RSL

Drawing
EXISTING ROOF PLAN
TOWN PLANNING

Drawn: 110
 Scale: 1:200 w/ A1
 Project No: R0170005
 Drawing No: A13.01
 Revision: A

DEMOLITION NOTES

1. **GENERAL**
 - A. DEMOLISH WALLS AND CONCRETE SLABS AS REQUIRED. REFER TO STRUCTURAL ENGINEER'S DETAILS FOR EXTENT OF NEW FOOTINGS, SLABS AND PROPPING OF EXISTING STRUCTURE.
 - B. ALLOW TO REMEDIATE AND MAKE GOOD TO ORIGINAL CONDITION ANY DAMAGE TO EXISTING AND/OR ADJOINING SURFACES DUE TO THE DEMOLITION AND CONSTRUCTION OF NEW WORKS.
 - C. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS INCLUDING CONSULTANT'S DOCUMENTATION FOR THE FULL EXTENT OF DEMOLITION WORKS. THERE SHALL BE NO EXTRAS GIVEN FOR FAILURE TO READ AND COORDINATE THE EXISTING AND NEW WORKS.
 - D. ALL NECESSARY MEASURES SHALL BE TAKEN TO PREVENT NUISANCE FROM DUST DURING DEMOLITION.
 - E. ON COMPLETION, ALL TEMPORARY PROTECTION SHALL BE REMOVED AND ALL AREAS MADE GOOD.
 - F. ALL EXISTING MATERIALS FOUND TO BE DEFECTIVE WHERE THE EXISTING CONSTRUCTION IS INTERFERED SHALL BE REPLACED WITH NEW MATERIALS TO MATCH THE EXISTING. CONTRACTOR TO NOTIFY THE ARCHITECT OF ALL DEFECTIVE MATERIALS BEFORE PROCEEDING WITH DEMOLITION.
 - G. ALL WORK DAMAGED OR DEEMED DEFECTIVE FROM DEMOLITION BY ANY TRADE SHALL BE REINSTATED TO MATCH EXISTING WORK.
2. **SERVICES**
 - A. THE CONTRACTOR IS TO LOCATE AND IDENTIFY ALL EXISTING SERVICES PRIOR TO COMMENCING DEMOLITION WORKS AND PROVIDE APPROPRIATE ALTERNATIVE CONNECTIONS TO ENSURE AND RESTORATION TO ANY SERVICES TO THIS FACILITY, INCLUDING TENANCIES AND PROPERTIES.
 - B. REFER SERVICES CONSULTANT'S DOCUMENTATION FOR DEMOLITION, TERMINATION AND CAPPING OF EXISTING SERVICES. WHERE NOT SHOWN ON THE DRAWINGS, ALLOW TO REMOVE ALL REDUNDANT EXISTING SERVICE CONDUITS, PIPES AND EQUIPMENT AND MAKE GOOD AS NECESSARY. REDUNDANT SERVICES SHALL BE SEALED OFF AT THE MAINLINE AND REMOVED.
 - C. CONFIRM SET OUT OF UNDERGROUND SERVICES PRIOR TO COMMENCEMENT OF EARTHWORKS.
3. **SITE**
 - A. REFER TO CIVIL ENGINEER'S DOCUMENTATION FOR BULK EARTHWORKS AND LOCATION.
 - B. DEMOLISH, BREAK APART AND REMOVE EXISTING LANDSCAPING SLABS, PAVING AND GRASS AS REQUIRED FOR EXTENT OF NEW WORKS.
 - C. ALLOW TO MAKE GOOD ALL SOTTINGS DUE TO DEMOLITION WORKS. REFER TO LANDSCAPE ARCHITECT'S DOCUMENTATION FOR FULL EXTENT OF DEMOLITION TO THE SITE, TREE RETENTION AND PROTECTION.
4. **ROADS AND FOOTPATHS**
 - A. ALL ROADS, FOOTPATHS AND PUBLIC SERVICES DISTURBED OR DAMAGED AS A RESULT OF THE WORKS SHALL BE MADE GOOD AND REINSTATED UPON COMPLETION.
5. **WALLS**
 - A. REMOVE EXISTING PARTITION AND MASONRY WALLS WITHIN THE BUILDING DEMOLITION AREA AS SHOWN ON THE DRAWINGS AND AS REQUIRED TO COMPLETE THE NEW WORKS. THE CONTRACTOR IS TO COORDINATE THE WORKS AND ALLOW FOR AREAS THAT MAY NOT BE INDICATED ON THIS DRAWING.
 - B. SAWN CUT OPENINGS IN WALLS AND/OR FLOORS WHERE REQUIRED TO COMPLETE THE WORKS INCLUDING WHERE REQUIRED FOR AIR SERVICE PENETRATION. ALLOW TO RECTIFY AND MAKE GOOD TO MATCH EXISTING WHERE ANY SERVICE PENETRATION OCCURS.
 - C. REFER TO STRUCTURAL ENGINEER'S DOCUMENTATION FOR ALTERNATIVES TO EXISTING STRUCTURE.
6. **CEILING**
 - A. DEMOLISH CEILING AS REQUIRED TO COMPLETE NEW WORKS.
 - B. REFER TO REFLECTED CEILING PLANS FOR THE FINAL CEILING LAYOUTS, TYPES AND FINISHES.
 - C. MAKE GOOD TO EXISTING CEILING WHERE DAMAGED BY DEMOLITION OR FOR THE INSTALLATION OF NEW SERVICES AS REQUIRED TO COMPLETE THE NEW WORKS. ALLOW FOR PART FINISH TO THE ENTIRE AREA WHERE CEILING HAS BEEN PATCHED.
7. **FLOORS**
 - A. REMOVE FLOOR COVERINGS INCLUDING UNDERLAY, FINISHES AND CONCEALS TO AREAS AS SPECIFIED. MAKE NEW FLOOR FINISHES SCABBLE AND PREPARE EXISTING SUBSTRATES FOR THE INSTALLATION OF NEW FLOOR FINISHES IN ACCORDANCE WITH THE SPECIFICATION. THIS IS TO INCLUDE THE INSTALLATION OF AN APPROVED TOPPING COMPOUND WHERE REQUIRED TO PROVIDE A SUITABLE LEVEL SUBSTRATE FOR THE SPECIFIED FLOOR FINISH.
 - B. ALLOW TO REMEDIATE ALL FLOORS AND FLOOR FINISHES AS REQUIRED TO MATCH EXISTING WHERE FLOORS ARE TRENCHED FOR NEW SERVICES.
 - C. ALL FLOORS ARE TO FALL TO FLOOR FINISHES WITH A MINIMUM OF 1:10 FALLS UNLESS NOTED OTHERWISE ON DRAWINGS.
 - D. ALLOW FLOOR FINISH BETWEEN ALL ADJACENT FLOOR FINISHES UNLESS NOTED OTHERWISE.
8. **ROOF**
 - A. REMOVE ALL ROOFS, FLASHINGS, CAPPING, GUTTERS ETC AS REQUIRED FOR THE COMPLETION OF THE WORKS.
 - B. ALLOW TO REMEDIATE ALL ROOFS AS REQUIRED WHERE EXISTING SERVICES ARE RELOCATED AND/OR NEW SERVICES ARE INSTALLED. THIS INCLUDES THE INSTALLATION AND REINSTATEMENT OF ALL FLASHINGS, CAPPING, GUTTERS ETC AS REQUIRED TO COMPLETE THE WORKS AND LEAVE THE ROOF WATER TIGHT.
 - C. ALLOW TO REMOVE ALL REDUNDANT SERVICES, VENTS, EQUIPMENT TO ROOFS AND FLASH AND/OR LAP TO ENSURE THE ROOF IS WATER TIGHT.
9. **JOINERY, FITTINGS AND FIXTURES**
 - A. REMOVE ALL JOINERY, FITTINGS AND FIXTURES AS REQUIRED TO COMPLETE NEW WORKS. ALLOW TO RELOCATE AND/OR TERMINATE EXISTING SERVICES THAT ARE PART OF FIXTURES AND FITTINGS AS REQUIRED TO COMPLETE NEW WORKS.
 - B. ALL LOOSE AND REMOVABLE ITEMS ARE TO BE RETURNED TO THE PRINCIPAL UNLESS NOTED OTHERWISE. LISTS WITH PRINCIPAL AS TO THE EXTENT OF ITEMS TO BE RETURNED AND RETURNED. ALLOW TO REMOVE AND REINSTATE ITEMS THAT ARE TO BE REUSED IN THE FINISHED AREAS AS REQUIRED.
 - C. RELOCATE ASSOCIATED SERVICES THAT REQUIRE REFINISHING DUE TO NEW WORKS.
10. **FOOD SERVICES (BAR, KITCHEN, CAFE)**
 - A. ALL LOOSE FINISHES, COOKING EQUIPMENT, REMOVABLE ITEMS ARE TO BE RETURNED BY THE CLIENT UNLESS NOTED OTHERWISE. REFER TO SERVICES CONSULTANT'S DOCUMENTATION FOR THE EXTENT OF EQUIPMENT TO BE RELOCATED AND RETAINED AND RE-USED. REFER TO SERVICES CONSULTANT'S DOCUMENTS FOR EXTENT OF RELOCATED AND NEW SERVICES. REMOVABLE ITEMS TO BE DEMOLISHED.
 - B. DEMOLISH ALL BARS, PLUNTS, BENCHTOPS, FRIGES ETC AS REQUIRED TO COMPLETE THE WORKS.
 - C. ALL REDUNDANT SERVICES TO BE REMOVED, CAPPED OFF AND TERMINATED.
11. **SIGNAGE**
 - A. PRINCIPAL DISPLAYS AND SIGNAGE THAT ARE REQUIRED TO BE REMOVED ARE TO BE RETURNED TO THE PRINCIPAL.
12. **OTHER CONTRACTORS (AV, BEER, POST BOX ETC)**
 - A. THE CONTRACTOR IS TO ALLOW FOR THE ATTENDANCE AND COORDINATION OF SEPARATE CONTRACTORS INCLUDING BUT NOT LIMITED TO AV, SECURITY, SIGNAGE, BEER & POST BOX, GAMING ETC. THE CONTRACTOR IS TO ALLOW TO UNISE WITH OTHER CONTRACTORS AND PROVIDE SUFFICIENT NOTICE FOR THE WORKS OF OTHERS.



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Revisions
 A 2019-03-26 TOWN PLANNING ISSUE AC

Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199

For
FRANKSTON RSL

Drawing
GROUND FLOOR DEMOLITION PLAN

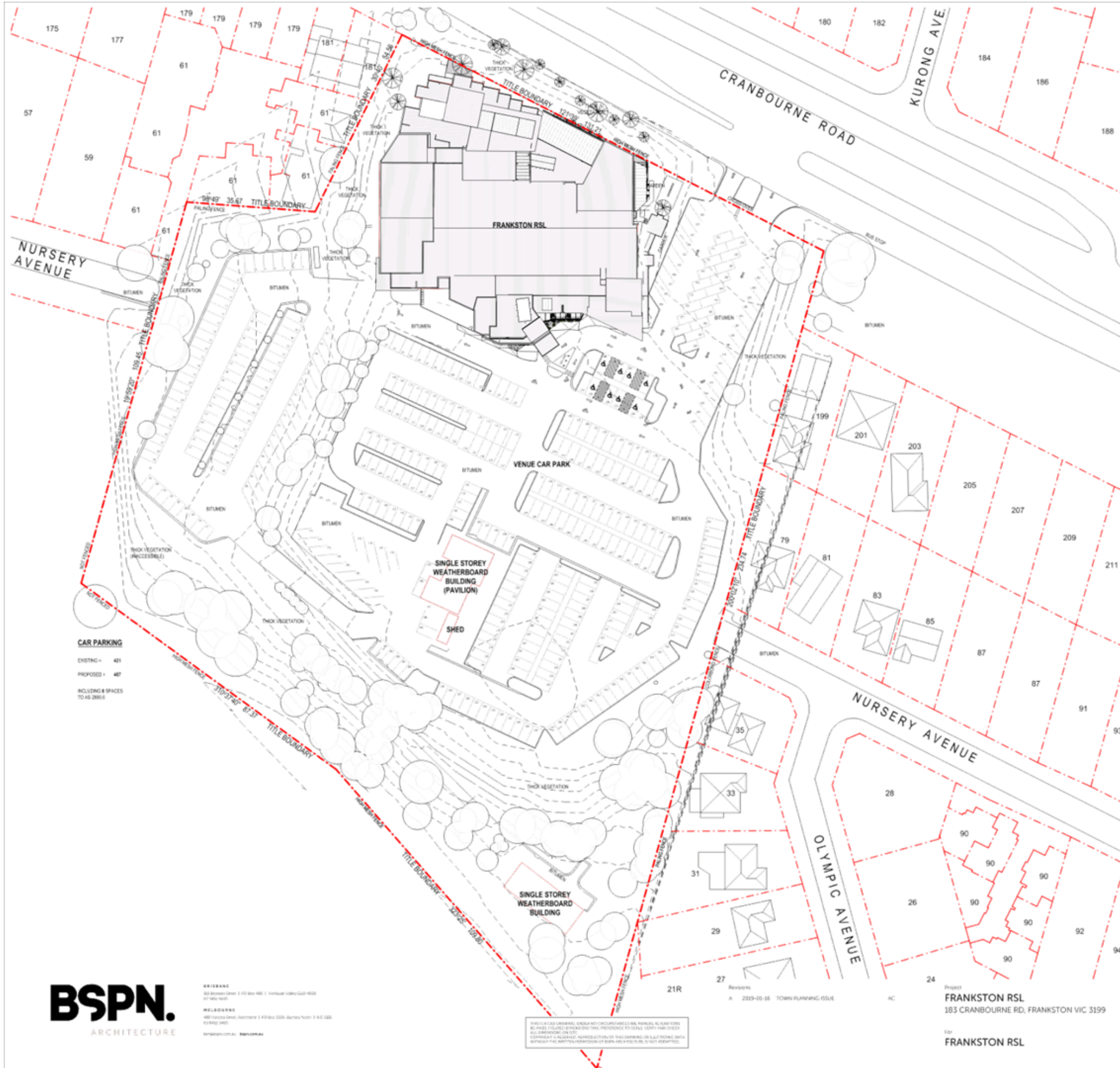
TOWN PLANNING

DEMOLITION LEGEND

- EXTENT OF WORKS
- FLOOR TO BE DEMOLISHED
- FLOOR FINISH TO BE DEMOLISHED
- EXTERNAL HARDWARE TO BE DEMOLISHED
- LANDSCAPING TO BE DEMOLISHED
- ELEMENTS TO BE DEMOLISHED

Drawn: JTD
 Scale: 1:200 at A1

Project No: R0170005 Drawing No: A15.01 Revision: A



CAR PARKING
 EXISTING = 421
 PROPOSED = 487
 INCLUDING 8 SPACES TO AS 2890.0



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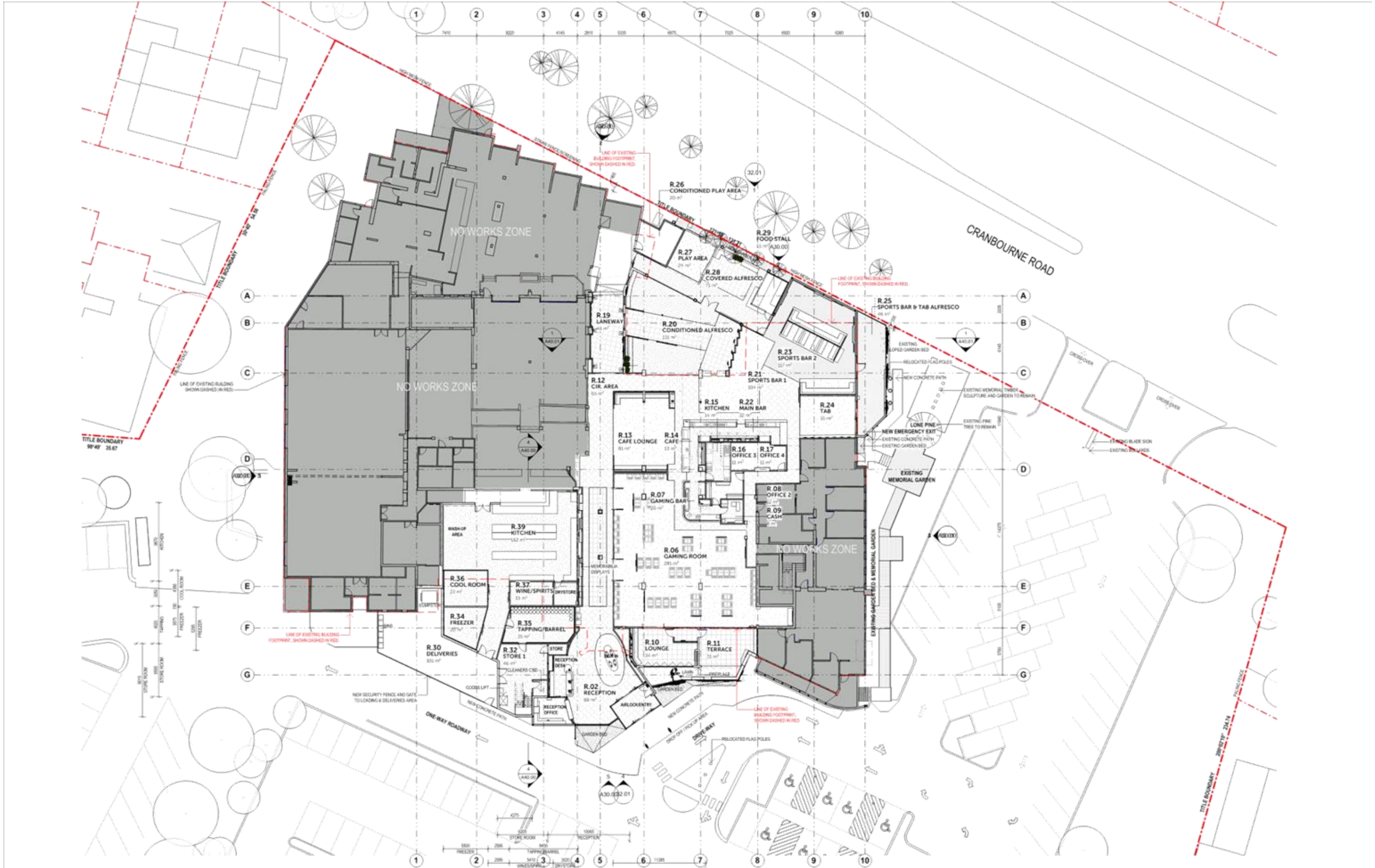
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Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199
 For
FRANKSTON RSL

Drawing
PROPOSED SITE PLAN
 TOWN PLANNING

Drawn: JTO
 Scale: As Indicated at A1
 Project No: R0170005
 Drawing No: A20.01
 Version: A



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Revisions
A 2019-03-26 TOWN PLANNING ISSUE

Project
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For
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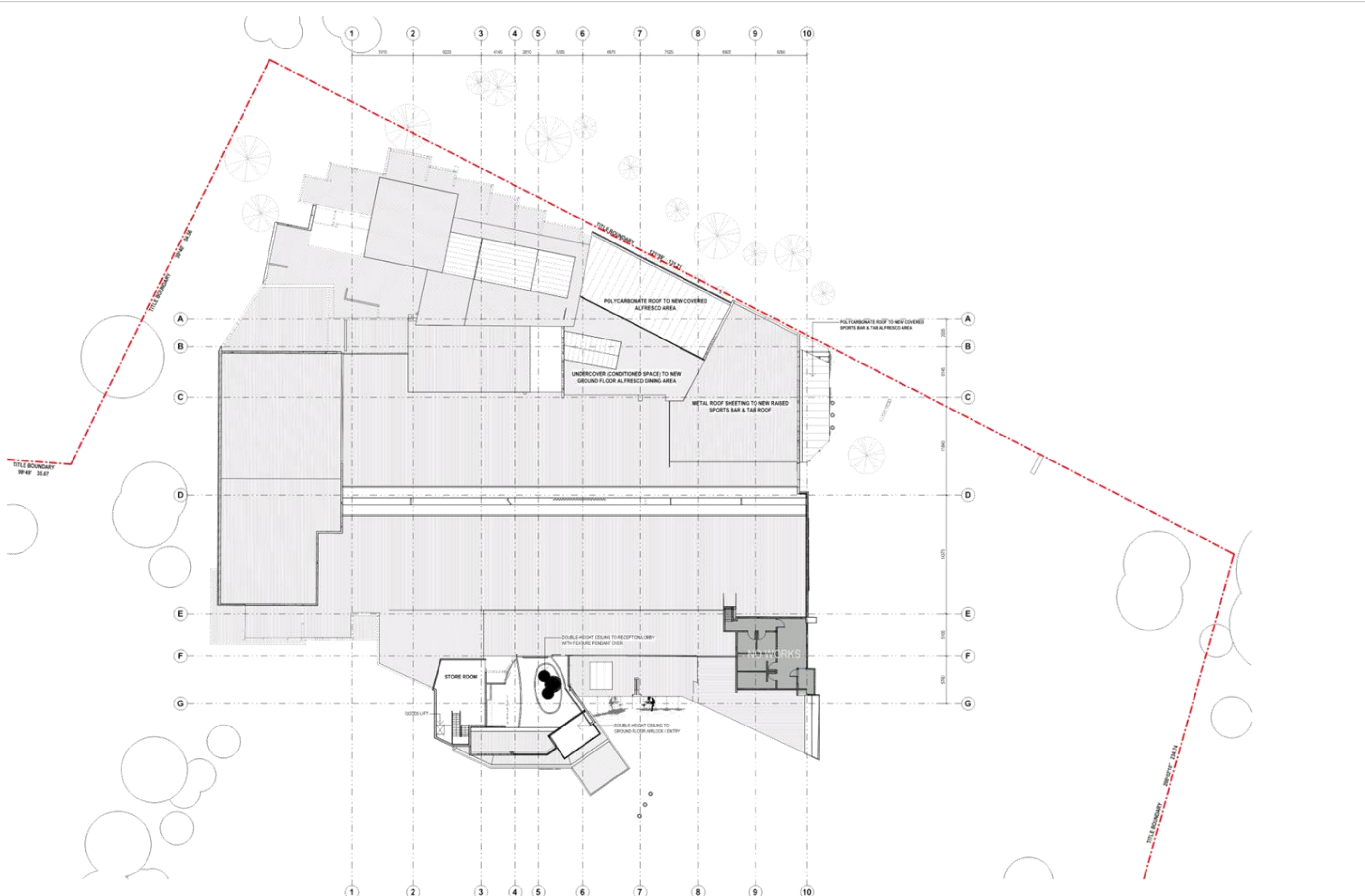
Drawing
PROPOSED GROUND FLOOR PLAN

TOWN PLANNING

Drawn: 110
Scale: 1:200 w/ RL

Project No: R0170005
Drawing No: A22.01
Revision: A

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Revisions
 A. 2019-03-26 TOWN PLANNING ISSUE AC

Project
FRANKSTON RSL
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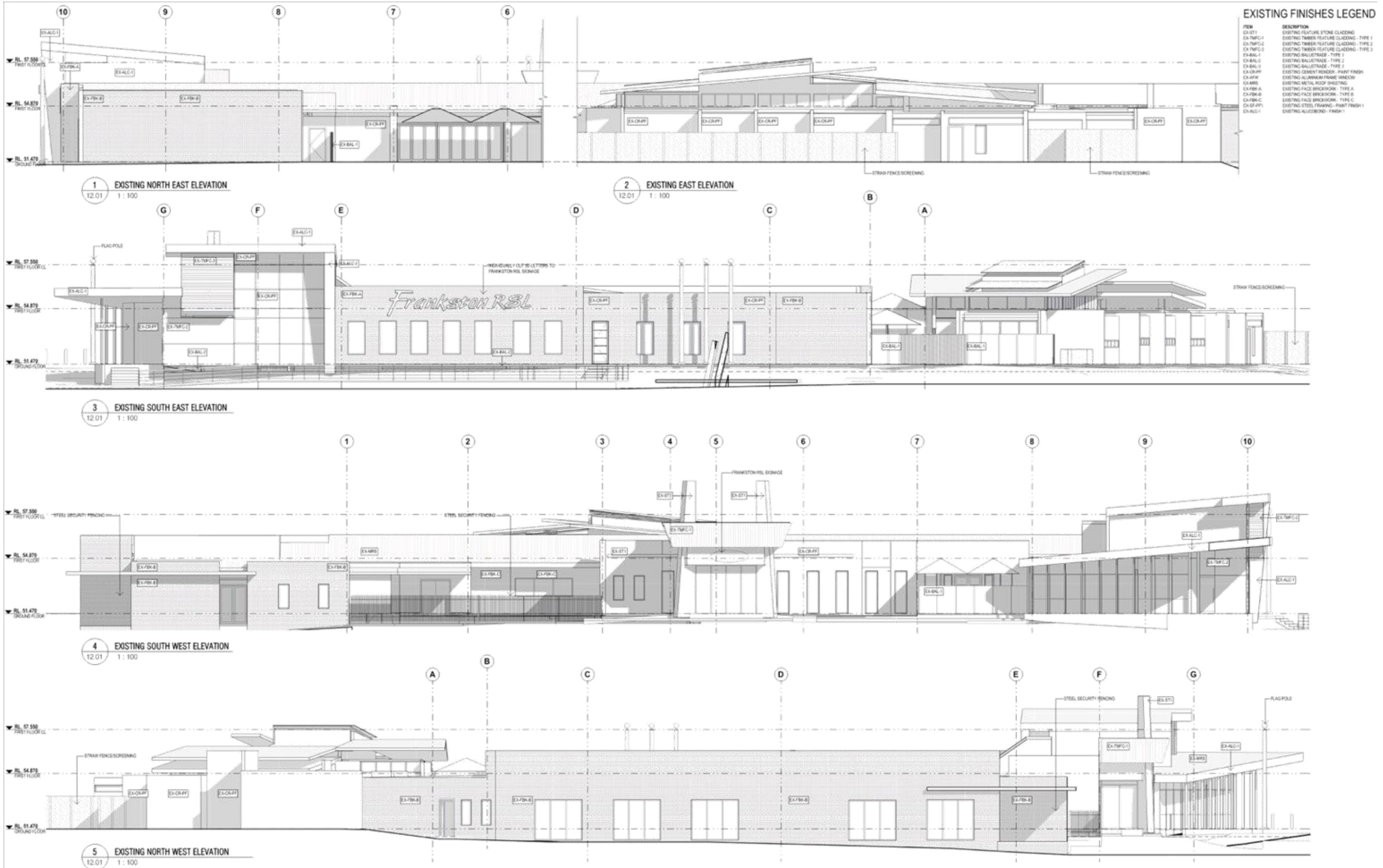
For
FRANKSTON RSL

Drawing
PROPOSED FIRST FLOOR PLAN

TOWN PLANNING

Drawn: TFD
 Scale: 1:200 w/ A1

Project No. R0170005
 Drawing No. A22.02
 Revision: A



EXISTING FINISHES LEGEND

ITEM	DESCRIPTION
EX-ST1	EXISTING FEATURE STONE CLADDING
EX-TMFC-1	EXISTING TIMBER FEATURE CLADDING - TYPE 1
EX-TMFC-2	EXISTING TIMBER FEATURE CLADDING - TYPE 2
EX-TMFC-3	EXISTING TIMBER FEATURE CLADDING - TYPE 3
EX-BAL-1	EXISTING BALUSTRADE - TYPE 1
EX-BAL-2	EXISTING BALUSTRADE - TYPE 2
EX-BAL-3	EXISTING BALUSTRADE - TYPE 3
EX-CRPP	EXISTING CONCRETE RENDER - PAINT FINISH
EX-ALFR	EXISTING ALUMINUM FRAME WINDOW
EX-MRS	EXISTING METAL ROOF SHEETING
EX-FB-A	EXISTING FACE BRICKWORK - TYPE A
EX-FB-B	EXISTING FACE BRICKWORK - TYPE B
EX-FB-C	EXISTING FACE BRICKWORK - TYPE C
EX-SFP-1	EXISTING STEEL FRAMING - PAINT FINISH 1
EX-ALG-1	EXISTING ALUMINUM FINISH 1



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Revisions
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Project
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 183 CRANBOURNE RD, FRANKSTON VIC 3199

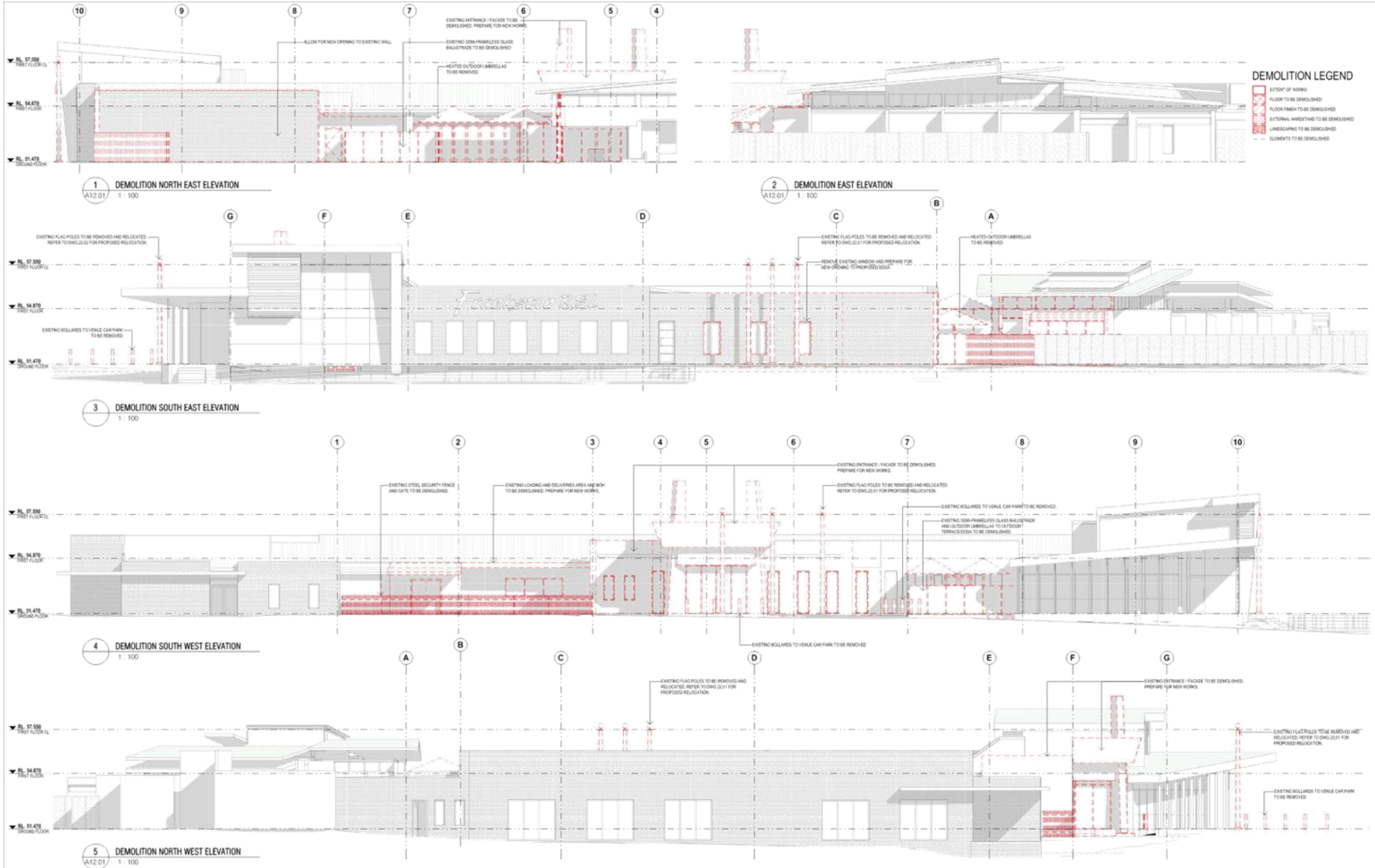
For
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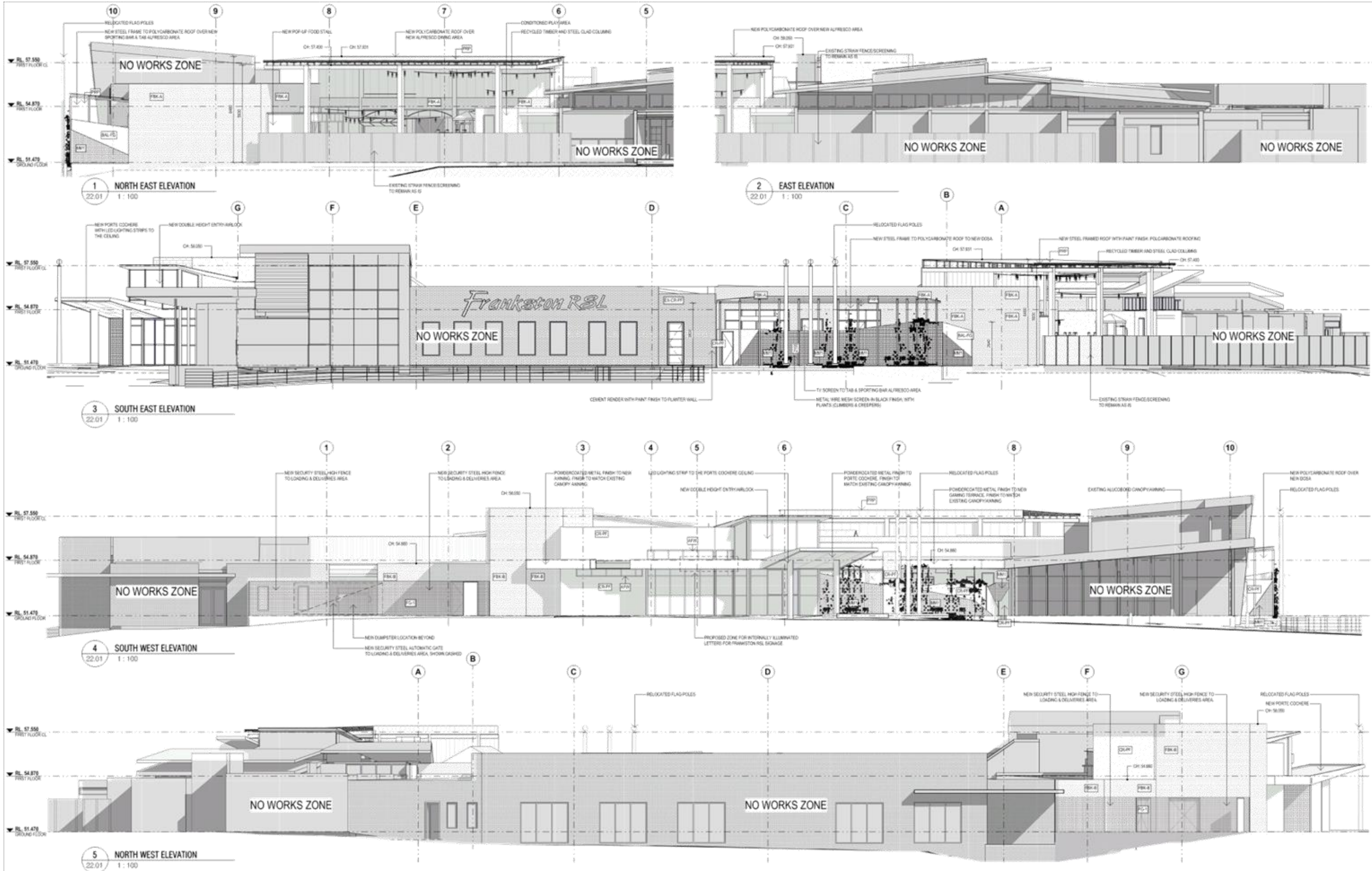
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EXISTING ELEVATIONS

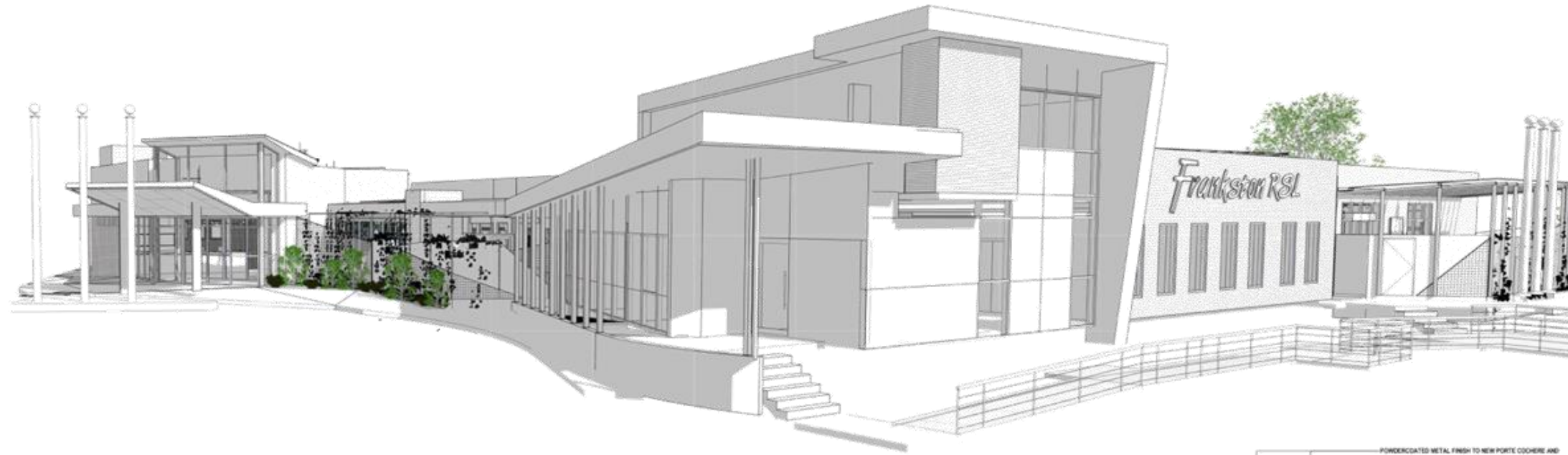
TOWN PLANNING

Drawn: ITD
 Scale: 1:100 at A1

Project No: **R0170005**
 Drawing No: **A30.01**
 Revision: **A**

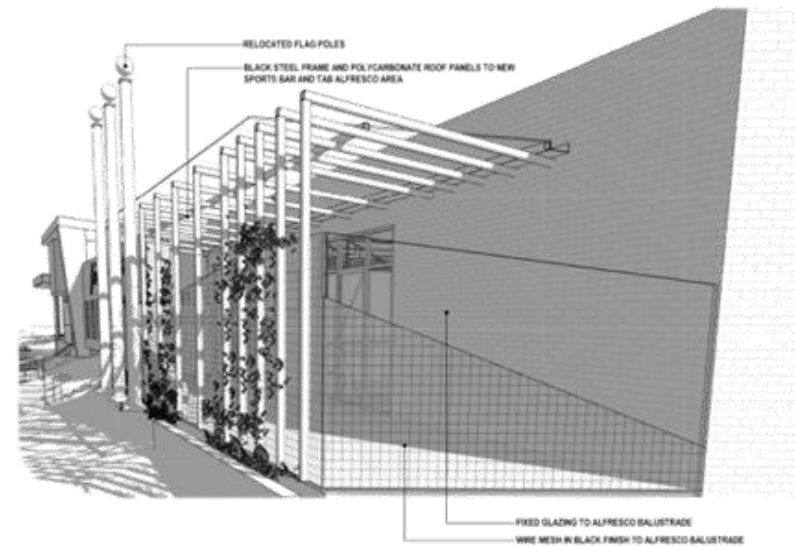




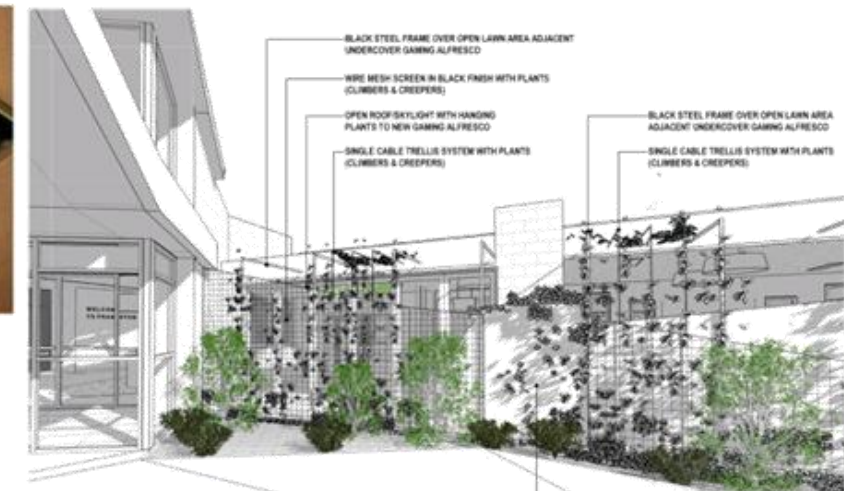


EXTERNAL FINISHES LEGEND

ITEM	DESCRIPTION
RWF	POLYCARBONATE ROOF PANELS
FBK-B	FACE BRICKWORK - TYPE B
CR-F	CEMENT RENDER - PAINT FINISH
FC-FF	FIBRE CEMENT SHEETING - PAINT FINISH
FC-FF2	FIBRE CEMENT SHEETING - EXPRESSED JOINTED - PAINT FINISH
SM1	METAL MESH - WIRE MESH SCREEN
SG	SLATS/GATE - TYPE 1
BAL-1	BALUSTRADE - SEMI-FRAMELESS GLASS
AFW	ALUMINIUM FRAMED WINDOWS - POWDERCOAT FINISH
PM-1	POWDERCOATED METAL FINISH - TYPE 1



REFERENCE IMAGE
 HANGING PLANTS TO NEW ODBA OPEN ROOFSKYLIGHT



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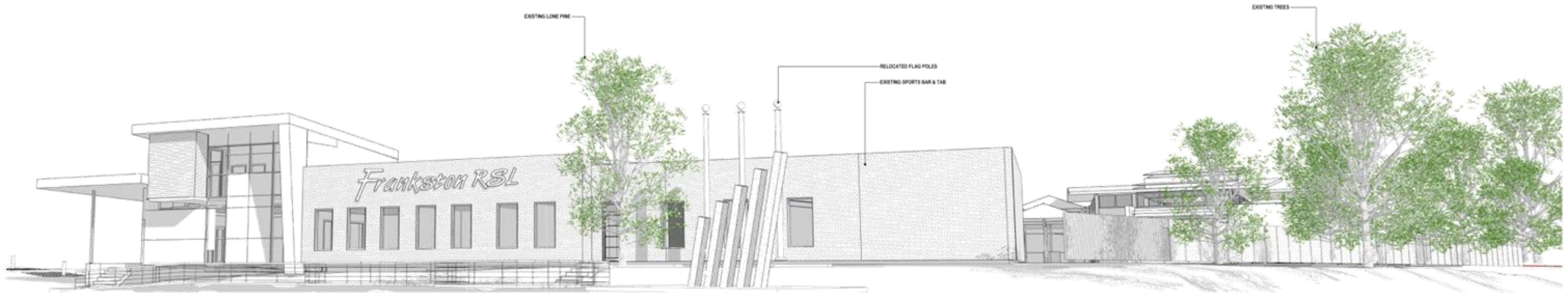
Revisions
 A 2019-03-26 TOWN PLANNING ISSUE

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FRANKSTON RSL
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 For
FRANKSTON RSL

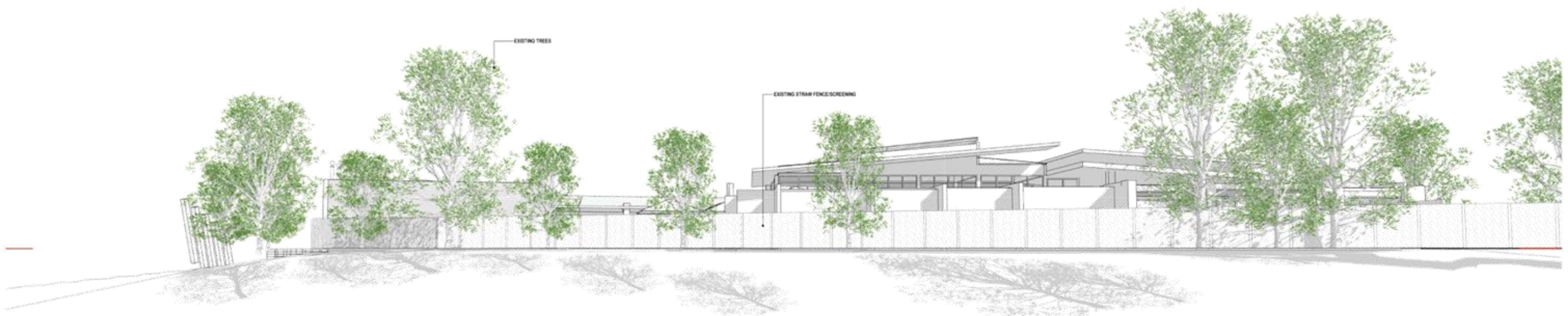
Drawing
PERSPECTIVE VIEWS - External
 TOWN PLANNING

Drawn: ITD
 Scale: 1/100 @ A1

Project No: R0170005
 Drawing No: A80.01
 Revision: A



1 VIEW FROM THE APPROACH ALONG CRANBOURNE ROAD Existing



2 VIEW OF FRANKSTON RSL DIRECTLY ADJACENT CRANBOURNE ROAD Existing



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Revisions
 A 2019-08-06 TOWN PLANNING ISSUE

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Project
FRANKSTON RSL
 183 CRANBOURNE RD, FRANKSTON VIC 3199

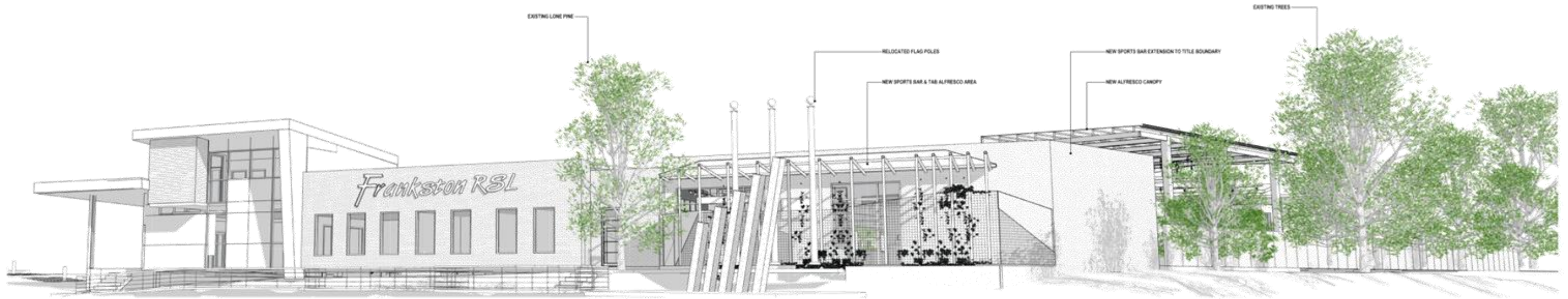
For
FRANKSTON RSL

Drawing
PERSPECTIVE VIEWS - External

TOWN PLANNING

Drawn: TTD
 Scale: NRS1

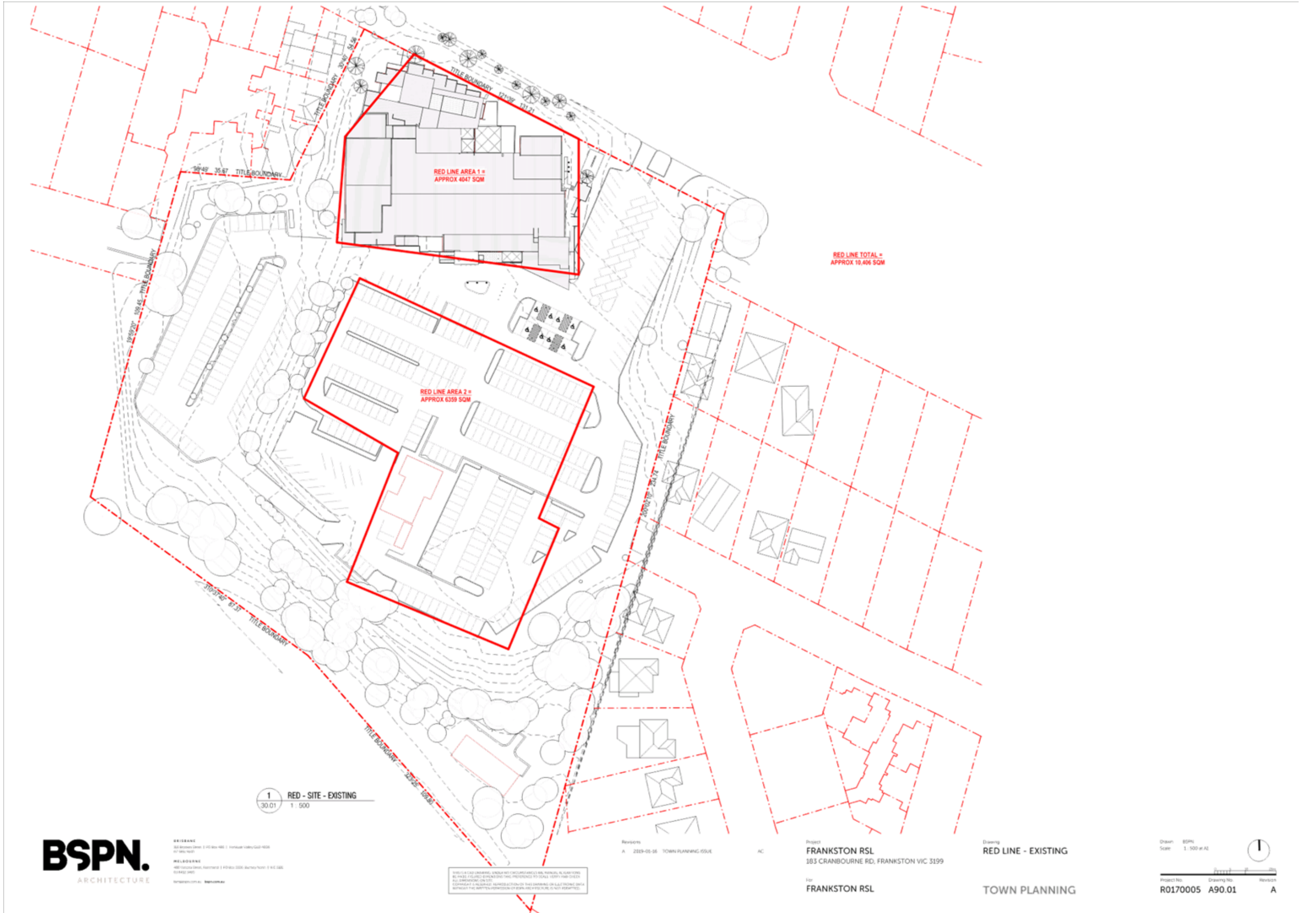
Project No. Drawing No. Revision
R0170005 A80.02 A



1 VIEW FROM THE APPROACH ALONG CRANBOURNE ROAD Proposed



2 VIEW OF FRANKSTON RSL DIRECTLY ADJACENT CRANBOURNE ROAD Proposed



1 RED - SITE - EXISTING
30.01 1 : 500

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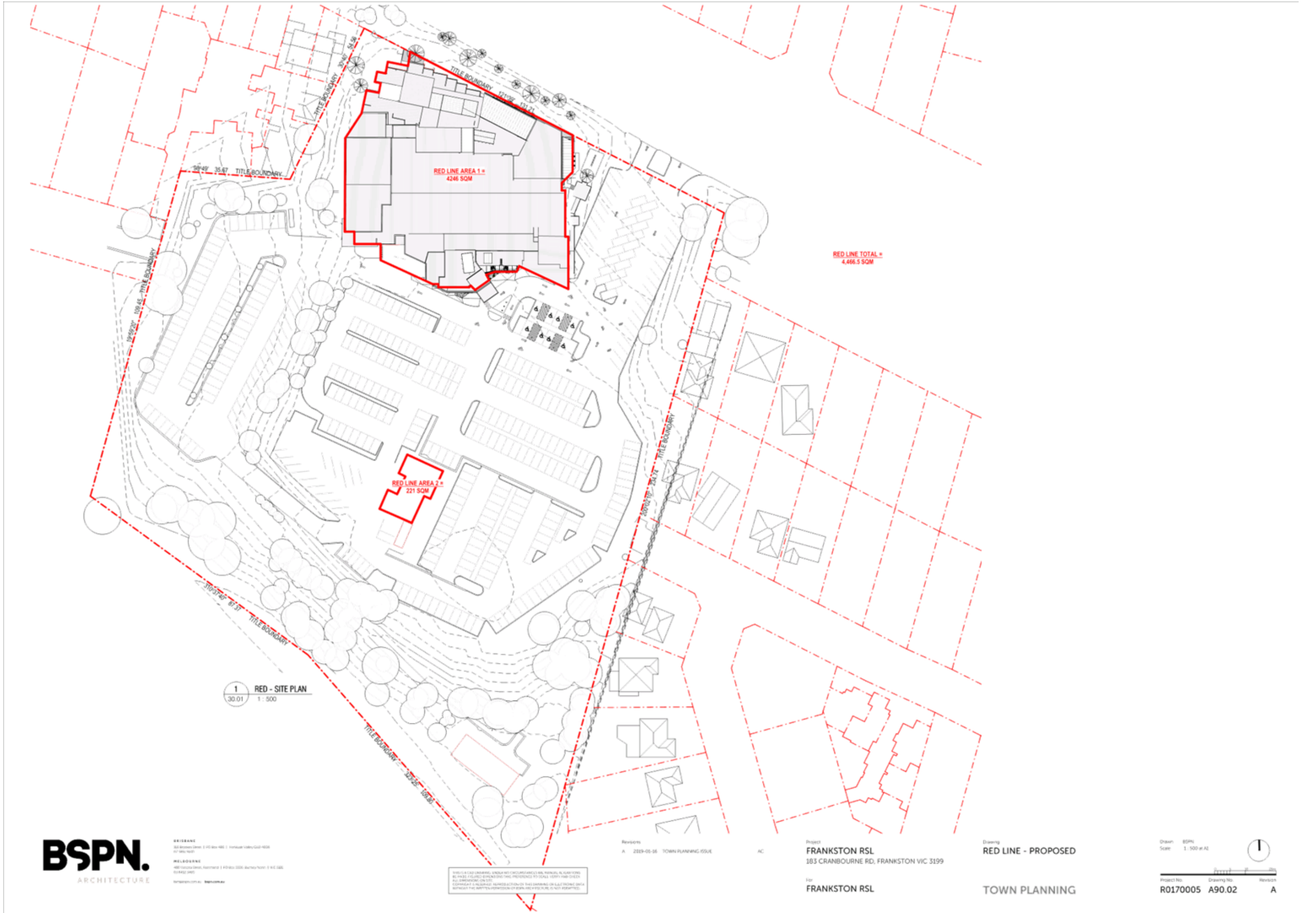
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Revisions
A 2019-03-26 TOWN PLANNING ISSUE

Project
FRANKSTON RSL
183 CRANBOURNE RD, FRANKSTON VIC 3199
For
FRANKSTON RSL

Drawing
RED LINE - EXISTING
TOWN PLANNING

Drawn: BSPN
Scale: 1:500 at A1
Project No: R0170005
Drawing No: A90.01
Version: A



1 RED - SITE PLAN
30.01 1: 500

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Revisions
A 2019-03-26 TOWN PLANNING ISSUE

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Project
FRANKSTON RSL
183 CRANBOURNE RD, FRANKSTON VIC 3199
For
FRANKSTON RSL

Drawing
RED LINE - PROPOSED

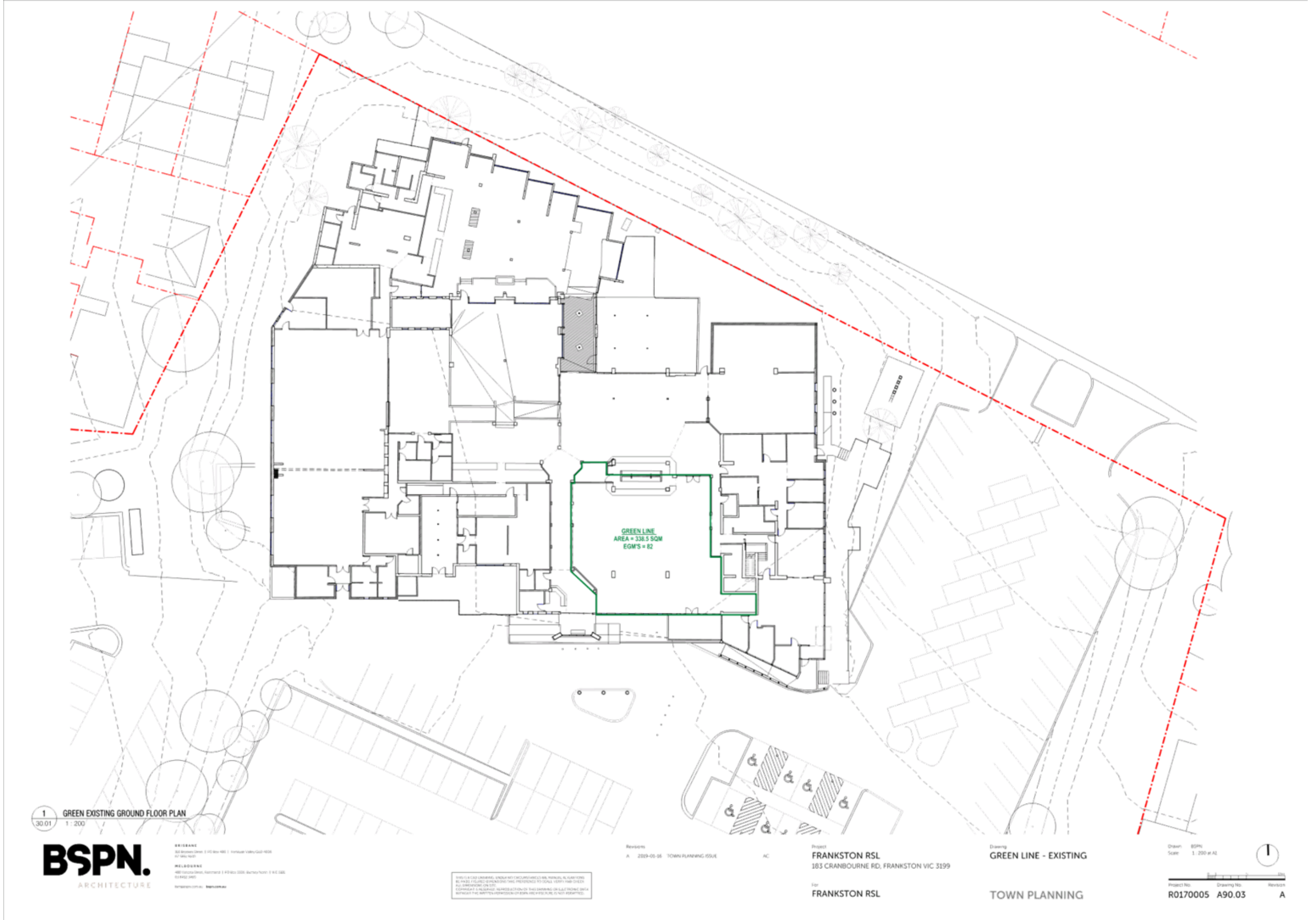
TOWN PLANNING

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Scale: 1: 500 at A1



Project No: R0170005
Drawing No: A90.02
Version: A

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1 GREEN EXISTING GROUND FLOOR PLAN
30.01 1:200

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ARCHITECTURE

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Revisions

A	2019-03-26	TOWN PLANNING ISSUE	AC
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Project
FRANKSTON RSL
183 CRANBOURNE RD, FRANKSTON VIC 3199

For
FRANKSTON RSL

Drawing
GREEN LINE - EXISTING

TOWN PLANNING

Drawn: BSPN
Scale: 1:200 w/ A2

Project No: R0170005
Drawing No: A90.03
Version: A

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1 GREEN - PROPOSED GROUND FLOOR
30.01 1:200

BSPN.
ARCHITECTURE

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Revisions
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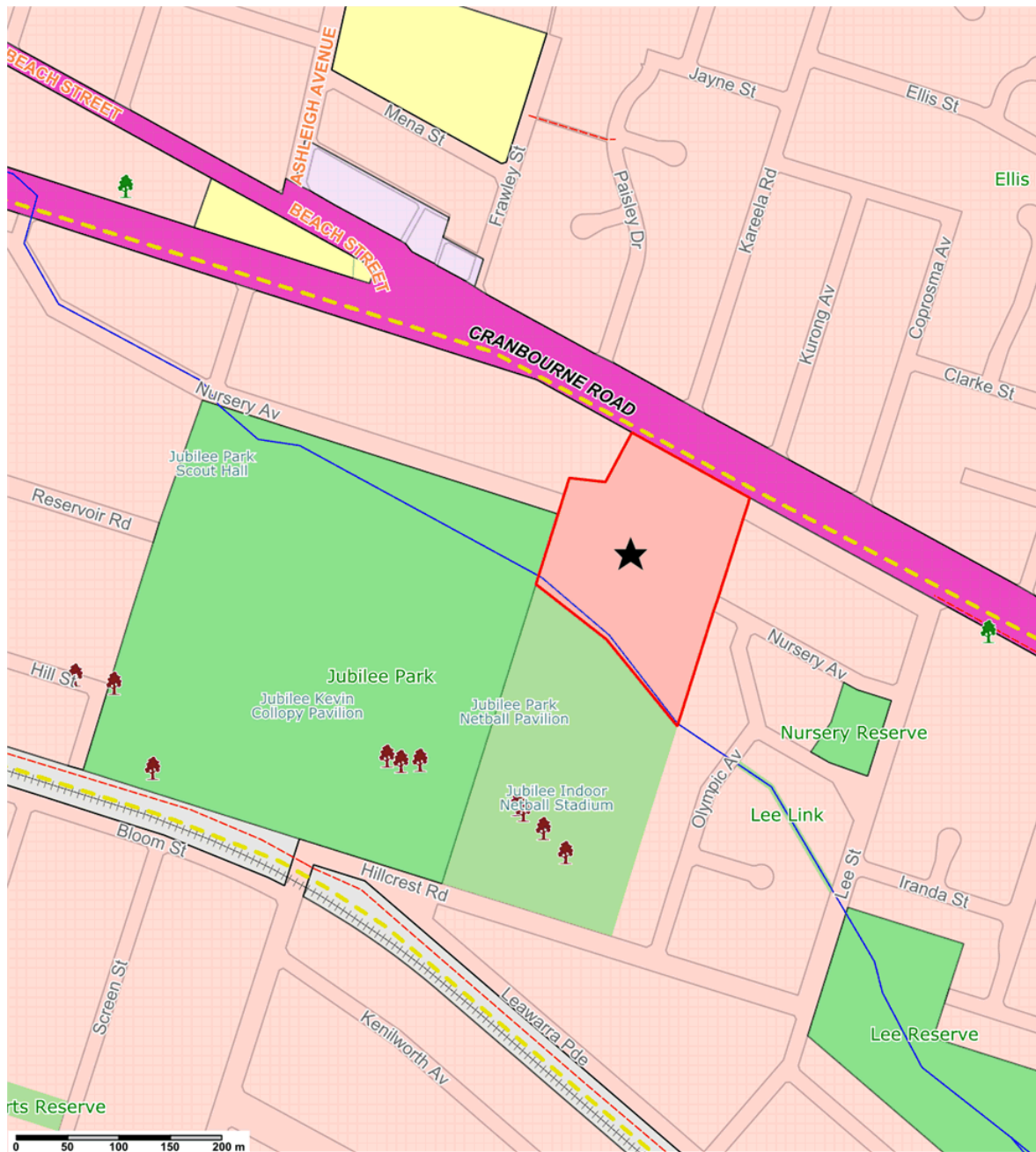
Project
FRANKSTON RSL
183 CRANBOURNE RD, FRANKSTON VIC 3199
For
FRANKSTON RSL

Drawing
GREEN LINE - PROPOSED
TOWN PLANNING

Drawn: BSPN
Scale: 1:200 w/ A1
Project No: R0170005
Drawing No: A90.04
Revision: A

Locality Map - 36/2019/P - 183 Cranbourne Road Frankston

★ Subject Site No Objectors



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Projection: GDA94 / MGA zone 55

Scale: 1:5100

Date Printed: 30/07/2019

Time Printed: 8:55 AM

Issued by: Vanessa Neep



Locality Map - 36/2019/P - 183 Cranbourne Road Frankston



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Projection: GDA94 / MGA zone 55

Scale: 1:3264

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Executive Summary**11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**

Enquiries: (Michael Papageorgiou: Community Development)

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.2 Development and Housing
Priority Action	1.2.1 Attract investment for new industry

Purpose

This report considers the merits of the planning application for the use and development of the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs at 21 Barmah Court, Frankston South.

Recommendation (Director Community Development)

That a Notice of Decision to Grant a Planning Permit be issued, subject to the conditions contained in the officers' assessment.

Key Points / Issues

- It is proposed to use and develop the land for a child care centre for 84 children, with 14 staff. Vegetation removal is also proposed to facilitate the development.
- The proposal is consistent with the Planning Policy Frameworks, Neighbourhood Character Policy and the planning requirements of the Frankston Planning Scheme.
- Car parking is provided in accordance with the requirements of Clause 52.06.
- A total of eighteen (18) objections were received, the main concerns being traffic and amenity impacts.
- The application is being reported to Council as it has been called in by Councillor Toms.

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

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

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The permit application fee (including the advertising fee) paid to Council is \$3,803.70. The average cost to process a planning application is \$2,264.00, which represents a difference of \$1,539.70.

Consultation**1. External Referrals**

The application was referred externally to the Country Fire Authority (CFA) as the land is affected by the Bushfire Management Overlay – Schedule 1.

2. Internal Referrals

The application was referred internally to the Environmental Planning, Traffic and Drainage Engineering Departments.

3. Other relevant parties / stakeholders

The application was sent to VicRoads for notice, as the site is adjacent to Frankston-Flinders Road which is in a Road Zone – Category 1.

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
- Three (3) signs erected on the site frontage to Kara Street, Frankston- Flinders Road and Barmah Court.

As a result of the public notification, eighteen (18) 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 development and use will have a positive environmental impact through the removal of vegetation that presents as a bushfire risk or is an environmental weed species and the replacement with native and indigenous canopy trees. Mature trees with high amenity value on site have also been retained and incorporated into the design.

The proposed development and use will have a positive economic impact through the short term provision of construction jobs, as well as long term positions at the facility once in operation providing employment closer to where people live.

The proposed development and use will have a positive social impact through the provision of an education facility and service within close proximity to residential areas and is suitably located near a local commercial area and major road corridor which minimises amenity impacts to neighbouring residents.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs

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.

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 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 policy framework, zones, overlays, 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.

ATTACHMENTS

- Attachment A: [↓](#) Locality Map
- Attachment B: [↓](#) Aerial Map
- Attachment C: [↓](#) Development Plans
- Attachment D: [↓](#) Landscape Plan

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs

Officers' Assessment

Summary

Existing Use	Residential – single storey dwelling
Site Area	2,676 square metres
Proposal	Child care centre
Site Cover	43.6% - 1,167.9 square metres
Permeability	56.4% - 1,508.1 square metres
Zoning	General Residential Zone
Overlays	<ul style="list-style-type: none"> • Significant Landscape Overlay – Schedule 3 • Design and Development Overlay – Schedule 1 • Bushfire Management Overlay – Schedule 1
Neighbourhood Character Precinct	Frankston South – Precinct 1
Reason for Reporting to Council	Councillor call in by Councillor Toms

Background

Subject Site

The site is a large, irregular shaped allotment with three (3) street frontages –Kara Street to the south, Barmah Court to the west and Frankston-Flinders Road to the east.

The site has a front (south) boundary with a width of 55.83 metres, a splay to Barmah Court with a width of 8.76 metres, a side (west) boundary with a width of 25.96 metres, a rear (north) boundary with a width of 58.26 metres and a side (east) boundary with a width of 61.33 metres. The site has a total area of 2,676 square and has a fall of approximately 4 metres to the front (south).

There is a double storey detached dwelling to the rear of the site at No. 20 and a Council road reserve to the west of the site.

Access to the site is via a centrally located crossover to the south of the site. One (1) Council street tree is located to the front of the site and there is a total of twenty-three (23) trees within and immediately adjacent to the site.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment*****Locality***

The site is within an established residential area predominantly characterised by large houses in extensive grounds. There is extensive remnant bush vegetation in public and roadside reserves and private gardens and while house and garden designs are individualistic, the area is characterised by its rural bush landscape. Open or farm fence style front boundary treatments assist in allowing the vegetation to 'flow' across individual properties.

There is a small retail area immediately to the north of the site where the Moorooduc Highway merges into Frankston-Flinders Road. The area also serves as a link through to the Peninsula Link Freeway to the south and Barmah Court offers pedestrian access to Baxter Park.

Site History

There are no previous planning permit applications for the site.

Proposal

It is proposed to develop and use the land for a child care centre.

The centre is to accommodate eighty-four (84) children. Fourteen (14) staff are proposed, with shift times to be staggered. The use is proposed to operate Monday – Friday, 6.00 am – 6.30 pm.

The building is single storey constructed of rendered brickwork with pitched colorbond roofing. The building will have a maximum height of 6.858 metres.

The building incorporates a total area of 582.9 square metres and includes 5 activity rooms, a staff room, office, reception, kitchen and other facilities.

A total of 19 car parking spaces are nominated, including one (1) disabled space and access is provided via a ramp to the entry.

Two (2) outdoor play spaces are nominated, with a total area of 924.9 square metres.

Three (3) existing trees are proposed to be retained and incorporated into the play spaces and car park (English Oak, Silky Oak and Angophora). A total of thirty-one (31) trees are proposed to be removed from the site, including eleven (11) native trees.

Two (2) business identification signs are proposed; one (1) on the building frontage and one (1) to the front of the site, adjacent to the corner of Kara Street and Frankston-Flinders Road.

A mixture of different fencing treatments are proposed with 1.8 metre high masonry/picket fencing to the boundary of all play areas and 1 metre high open post/rail fencing to the boundary of the car park. 1.8 metre high colorbond fencing is proposed to the rear site boundary.

State and Local Planning Policy Frameworks

State Planning Policy Framework relevant to this application are summarised as follows:

- Clause 11.01-1S Settlement
- Clause 12.05-2S Landscapes

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs

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- Clause 13.02-1S Bushfire planning
- Clause 13.05-1S Noise abatement
- Clause 13.07-1S Land use compatibility
- Clause 15.01-1S Urban design
- Clause 15.01-2S Building design
- Clause 15.01-4R Healthy neighbourhoods- Metropolitan Melbourne
- Clause 17.01-1R Diversified economy – Metropolitan Melbourne
- Clause 19.02-2S Education facilities

Local Planning Policy Framework relevant to this application are summarised as follows:

- Clause 21.04 Settlement
- Clause 21.05 Environmental Risk
- Clause 21.06 Environmental and Landscape Values
- Clause 21.08 Economic Development
- Clause 21.10 Built Environment and Heritage
- Clause 22.04 Non Residential Uses in Residential Zones Policy
- Clause 22.07 Streetscapes Policy
- Clause 22.08 Neighbourhood Character Policy
- Clause 22.09 Outdoor Advertising Signage Policy

Planning Scheme Controls

A Planning Permit is required pursuant to:

- Clause 32.08-2 – Use of the land for a Section 2 Use in a General Residential Zone.
- Clause 32.08-9 – To construct a building and construct and carry out works for a use in Section 2 of Clause 32.08-2.
- Clause 42.03-3 – To construct a building and construct and carry out works within the Tree Protection Zone of substantial trees and to remove fifteen (15) substantial trees.
- Clause 43.02-2 – To construct a building within 7.5 metres of any road frontage.
- Clause 44.06-2 – To construct a building in association with a child care centre.
- Clause 52.05-2 – To construct and put up for display a business identification sign that exceeds 0.2 square metres in area.

Notification of Proposal

The grounds of objection are summarised as follows:

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment**

- The use would generate increased traffic into Barmah Court and Kara Street which would be unsafe due to the court bowl nature of Barmah Court and the need to exit onto a busy road (Frankston-Flinders Road).
- The proposed development would be subject to risk of bushfire and the increased traffic could detrimentally impact the ability to exit the area in such an event.
- The amount of car parking provided is inadequate to cater for the use and would result in on-street parking which would impact upon vehicular and pedestrian safety.
- The proposed development and use is inconsistent with the Neighbourhood Character Policy, the Design and Development Overlay – Schedule 1 and the Non Residential Uses in a Residential Zone Policy.
- The removal of vegetation is inconsistent with the landscape character of the area and will have a detrimental impact on local fauna.
- The proposed use would generate an unreasonable level of noise for a residential area, impacting upon the amenity of residents.
- The proposed development and signage results in a 'commercial' appearance, impacting upon the visual amenity of the area.
- The capacity of infrastructure in the area with regards to the current insufficiency of the drainage system.
- The proposed use contributes to an over-supply of similar businesses in the area.
- The number of children proposed is not viable and as such the number of spaces is likely to increase in the future.
- The proposed development and use would impact adversely on property values in the area.

A Residents Discussion Meeting (RDM) was held. The meeting was attended by Councillor Toms, the applicants, 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.

Referrals***External Referrals***

The proposal was referred to the Country Fire Authority (CFA) who consent to the grant of the permit and the endorsement of the Bushfire Management Plan submitted.

The proposal was sent to VicRoads who did not object to the proposal.

Internal Referrals**Traffic Engineer**

- The number of car parking spaces provided on the site are consistent with the requirements at Clause 52.06 of the Frankston Planning Scheme.
- Dimensions of all car spaces and the access aisle are satisfactory.

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- Gradient at the proposed new car park entrance and the position of the new vehicle crossover is acceptable subject to a permit from Engineering Services.
- The redundant vehicle access must be removed and the nature strip/kerb and channel must be reinstated.
- A connection between the proposed new access ramp at the southern boundary of the site and the existing footpaths on Frankston-Flinders Road is required. A footpath must be constructed at the developers cost and to the satisfaction of Council.
- All findings within the traffic impact assessment with regards to traffic generation, distribution and impact are satisfactory.
- There are no objections (subject to conditions) to the proposed development from a traffic perspective.

Drainage Engineer

- The existing legal point of discharge for the site is to the Council SE pit in Kara Street. This is suitable for the proposed development and there is no objection from a drainage perspective.

Environmental Planner

- The following is in accordance with an assessment of the Arborist report prepared by PSY Inv Pty Ltd updated 17 June 2019 and the development plans prepared by Raymond Design issue I dated 28/05/2019.
- Trees 1, 2, 13, 20 and 23 are all to be retained – a tree management plan will be required.
- Trees 3, 4, 5, 16 and 17 are all considered shrubs of low retention value – no approval is required for their removal.
- Trees 6, 8 and 9 are all considered weeds – no approval is required for their removal.
- Trees 7, 21 and 22 are all impacted by the retaining wall and will need to be removed and are exempt pursuant to Clause 52.12 (Bushfire Protection: Exemptions) due to their proximity to the fence line.
- Trees 10, 11 and 12 are all in poor condition and should be removed for risk management and are exempt pursuant to Clause 52.12 (Bushfire Protection: Exemptions) due to their proximity to the fence line.
- Trees 14, 15 and 19 could be retained from a design and arboricultural perspective but are required to be removed to provide required canopy separation and are exempt pursuant to Clause 52.12 (Bushfire Protection: Exemptions) due to their proximity to the fence line.
- Additionally, Trees 10-22 are all exempt from the need for a permit pursuant to Clause 52.12 (Bushfire Protection: Exemptions); either being within 4 metres of a fence line or within 10 metres of the existing dwelling.

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- Should Council request a footpath from Frankston-Flinders Road to the driveway entrance, Tree 1 (street tree) will also need to be removed in accordance with Council requirements.

Urban Designer

- The proposal seems reasonably well considered and has successfully retained a 'residential' appearance and scale.
- Additional landscape buffer/screen planting by way of canopy trees should be considered along the staff service court, where the built form is closest to the neighbouring property.
- Ideally the disabled car park would be located closer to the entry/foyer. The plans should demonstrate that the ramp is appropriate given the slope to the site.

Waste Management

- The waste and recycling generation rates and the bins proposed on site are adequate.

Discussion***State and Local Planning Policy***

The proposal is consistent with State and Local Planning Policy which seeks to develop sustainable communities through offering convenient access to services and community facilities which are appropriately located. The site is considered to be appropriate for the proposed use as three out of four site boundaries are non-sensitive, minimising potential amenity impacts to neighbouring properties.

The use and development incorporates design elements and measures that separate the use of the site from the surrounding residential area. Additional noise abatement measures could be incorporated as a condition if a permit is issued. The design is responsive to its context in terms of character and the surrounding landscape and protects and enhances natural features of the site, including large trees of a high amenity and aesthetic value. The height, scale and massing of the building is considerate to the residential context of the site. The low scale minimises the detrimental impact of the development on neighbouring properties and the natural environment and substantial space is retained on site for canopy tree planting.

The development and signage proposed to the site is considered to be reasonable and appropriately sited to minimise detrimental impacts on amenity and the natural environment. The car parking area has been designed to a high standard, incorporating natural elements, while maintaining safety and efficiency. Further improvement of the public realm and enhanced pedestrian safety through the provision of pedestrian footpaths to the front of the site, would form part of the conditions if a permit is issued.

The provision of footpaths further encourages safe bicycle and pedestrian access to the site and it is considered that the site is well located to public transport and walking and cycling routes. The location of the facility allows for integration into the community, being within a site that benefits from a high level of connectivity to the existing road network.

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The use and development additionally facilitates investment in an outer area, increasing local access to employment and promoting the 20 minute neighbourhood concept sought by State policy. The proposal appropriately considered the bushfire risk and the possible effects of bushfire in the design and construction methods that have been nominated.

Local Planning Policy**• Clause 22.04 Non Residential Uses in Residential Zones Policy**

The site is consistent with this Policy as it fronts a primary arterial road to the east, ensuring that traffic and noise impacts to residential neighbours will be reduced.

All signage proposed is modest and faces away from the residential areas and onto the main road.

On-site parking is adequate and drop-off can be accommodated within the site to minimise the impacts on the residential street.

The site is within close proximity to the commercial area to the north and is readily accessible by road and non-vehicular routes.

As discussed, the built form is of a domestic architectural character incorporating verandahs, gable roofs and chimneys in the design detail. It is domestic in scale, being single storey and presents as a large residential dwelling.

Landscaping and screening has been incorporated and can be increased through conditions if a permit is to be issued, to reduce noise and loss of privacy to neighbours and to enhance the appearance of the development. Existing large canopy trees provide substantial visual amenity to the site and the car parking area includes landscaping and natural elements to soften the impact of this from the streetscape. Acoustic fencing treatment can also be specified to the rear boundary to minimise noise impacts to the adjacent residential dwelling.

• Clause 22.07 Streetscapes Policy

The proposed development is consistent with this Policy as landscaping works adjoining the road and reserves can contain elements of the bush landscape theme of the area. No street trees are required to be removed to facilitate the proposed crossover.

• Clause 22.08 Neighbourhood Character Policy

The proposed development is consistent with the preferred and existing neighbourhood character of the area. The proposal retains large, established trees and allows for the planting of a significant level of new native trees within the site.

The building has been sited to create the appearance of space with large setbacks from all site boundaries and appropriately reflects the existing spacing of buildings in the street. Building site coverage is appropriate and substantial pervious surfaces are retained for the retention and planting of vegetation.

The building will not dominate the streetscape or the wider landscape setting being single storey in height and incorporating architectural features that are modest and contribute to the residential character of the building.

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The proposed masonry/picket fencing to the south and east boundaries is considered to be inconsistent with the character of the area and as the site is adjacent to the road reserve this should be more open and rural in style. This can be amended by a condition if a permit is issued.

- **Outdoor Advertising Signage Policy**

The proposed signage is designed and sited to respect the streetscape and visual amenity of the area. It is modest in size and appropriately located away from the residential interfaces and to Frankston-Flinders Road. It is not illuminated and the plans can be amended to demonstrate that the sign is limited to identifying the business/use proposed by a condition if any permit is issued.

Clause 32.08 General Residential Zone

The proposal provides for an educational use in an appropriate location that will service community needs as sought within this zone. It is generally compatible with the area given its proximity to a major road corridor and a commercial area.

However, the proposed start time of 6.00 am is inconsistent with child care uses in similar areas and amending this through a condition to 6.30 am is appropriate. Peak traffic periods for a child centre is from 7.00 am and the road network is able to easily absorb the additional traffic within Kara Street. At times, minor additional delays are expected onto Frankston-Flinders Road, however this is acceptable for the area.

With only a single storey building and a total of eighty-four (84) children to be on site it is relatively low in scale and intensity which is consistent with the larger blocks and rural character setting.

The generous setbacks allow for substantial landscaping to be accommodated within the site and the incorporation of existing high value amenity trees into the design is consistent with the character of the area.

The existing street network has been assessed as being adequate to accommodate the traffic generated by the proposal and conditions of permit can restrict parking to promote safety and reduce traffic related amenity impacts as a result of the proposal.

Clause 42.03 and Schedule 3 to the Significant Landscape Overlay

The objective of this overlay is to maintain the well vegetated landscape character of Frankston South. While the proposed development results in the loss of a number of trees from the site this can be appropriately offset by permit conditions.

The works that are proposed within the tree protection zone of substantial trees results in minor encroachments that when appropriately managed will ensure that the trees remain viable.

Clause 43.02 and Schedule 1 to the Design and Development Overlay

The relevant design objectives of this overlay are to enhance the low density treed character of Frankston South in recognition of its contribution to the housing diversity and its landscape quality. The proposed buildings within the front setback include fencing and car parking, while the child care centre has a minimum setback of 2.144 metres from Frankston-Flinders Road.

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Substantial space is retained between buildings and street frontages to appropriately screen the development. The setback to the east is sufficient so as to not impact on trees within the road reserve and more open style fencing will enhance the landscape character.

The proposed buildings are consistent with the height and site coverage requirements in the overlay.

Clause 52.05 Signs

The signs proposed are sensitive to the rural landscape and residential character of the area. The proposed signs are separate and will not be visible together when viewed from the street.

The sign in the south east corner of the site will have a minimal impact on the public realm and is well proportioned in the setting, which is open and significantly setback from Frankston Flinders Road.

The sign at the entry to the building is relative to the scale of the building and is integrated into the building design.

Overall, the signage is appropriate to delineate the use of the site with a minimal impact on neighbouring properties.

Clause 52.06 Car parking

The proposed development meets the car parking requirements at Clause 52.06, which requires 18 spaces in total. A total of 19 car parking spaces have been provided, including 1 disabled space.

All vehicles can exit the site in a forward direction and a corner splay can be nominated at the entrance to the site to ensure this area is clear of visual obstructions.

The car parking area will not visually dominate the public space as landscaping and vegetation has been incorporated into the car park design. Existing and proposed trees will soften the appearance of the parking. Pedestrian access will be separate from the traffic areas and allows for safe access to the building.

Clause 44.06 and Schedule 1 to Bushfire Management Overlay

This clause requires that the proposed development must meet the requirements of Clause 53.02, as discussed within this report.

Clause 53.02 Bushfire planning

The construction and protection methods against a bushfire attack are contained within this clause.

All requirements as specified within the clause have been included in the plans submitted with the application. The CFA has reviewed the plans and requires no further amendments.

Provisions such as water tanks, BAL ratings and defendable space are all appropriate for the nature of the development and use. Defendable space requirements mean that the canopy of trees must be separated by at least 5 metres and plants greater than 10 centimetres in height cannot be placed within 3 metres of a window or glass feature of the building.

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These factors reduce the amount of canopy trees that are able to be planted on site, however are a standard requirement for any development of the land, including a single dwelling.

Response to Objections

The concerns raised within the objections received have been discussed above as part of the officers' assessment. Additional concerns were raised relating to the over-supply of similar businesses in the area and the potential for the number of children proposed to increase in the future.

While the viability of the business is not a proper planning consideration, demographic trends and both existing and future demand requirements have been considered with respect to the integration of the facility into the community. The development and use is considered to be suitable to the local area where population growth is predicted. In addition to this it is highly accessible and can integrate into the wider community also.

The maximum number of children will form part of the conditions of the permit and any proposal to increase this will require a formal amendment and assessment against the planning scheme at the time.

Reduction in property value is not normally a proper planning consideration. No evidence of the prospective loss and how this is attributable to the proposal has been submitted, however it is noted that the proposal promotes walkability and provides for a reasonable service in close proximity to a residential area.

Conclusion

The proposal is considered to be consistent with the requirements of the Frankston Planning Scheme, including the relevant state and local planning policy framework, neighbourhood character, zone, overlays and particular provisions including bushfire planning. The proposal will provide for an appropriate education facility in an existing residential area that is highly accessible. Consideration has been given to the concerns of the objectors and it is considered that the site and design is suitable, subject to minor amendments, to minimise impacts on neighbouring properties. Overall it is considered that the proposal is reasonable and should be supported by Council.

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That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 41/2019/P for the use of land for a child care centre and to construct and carry out works in association with a Section 2 use in the General Residential Zone, Bushfire Management Overlay – Schedule 1 and Design and Development Overlay – Schedule 1; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees in the Significant Landscape Overlay – Schedule 3; and to construct and put up for display two (2) business identification signs at 21 Barmah Court, Frankston South, subject to the following conditions:

Amended Plans

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be substantially in accordance with the plans identified as Issue C, dated 1 April 2019, but modified to show:
 - a. A pedestrian path to the front of the site to connect to the existing pedestrian path on Frankston-Flinders Road in accordance with Condition 10.
 - b. Fence type F5 to be amended to a more open and rural style and to omit the use of any masonry.
 - c. Signage details, including colour, lettering style etc. to be detailed on plans in accordance with Condition 27.
 - d. 2 metre high acoustic fencing along the extent of the rear site boundary to be detailed and prepared in consultation with a suitably qualified acoustic engineer.
 - e. All windows noted to be a minimum thickness of 6 millimetres in accordance with the Acoustic Report (prepared by JTA, dated January 2019).
 - f. The Waste Management Plan prepared by SALT (dated 8 April 2019) to be updated in accordance with Conditions 28-29.
 - g. A notation on the site plan that waste vehicles are to operate in accordance with Condition 28.
 - h. A full materials and colours schedule.
 - i. All trees growing on the site and on the adjoining properties within 3 metres of the boundaries must be clearly illustrated on the site and landscape plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Arboricultural Report prepared by PSY Inv Pty Ltd, updated 17 June 2019, and clearly state whether the tree is to be retained or removed.
 - j. The tree protection zone and structural root zone for all trees to be retained and the tree protection fence locations must be illustrated on the site and landscape plans.
 - k. A Tree Protection Management Plan in accordance with Condition 3.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs

Officers' Assessment

- I. A landscape plan in accordance with Condition 4.

No Alterations

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

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 Trees 1, 2, 13, 20 and 23, 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 Protection 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 but not limited to ensuring that the trees remain healthy and viable during and following construction:
 - a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations and any relocations required and any areas where ground protection systems will be used;
 - b. A clear photograph of each tree;
 - c. Any specific damage/faults evident within each tree prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary dilapidation report;
 - d. Restricted activities in the TPZ;
 - e. Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages;
 - f. Details of any TPZ encroachments including;
 - g. Details of exploratory root investigation;
 - h. Alternative construction techniques;
 - i. Root pruning;
 - j. Supervision;
 - k. Details of any root pruning;
 - l. Locations and methods for installation of services e.g.; sewerage, storm water, telecommunications, electricity etc.;
 - m. Remedial works as required including a detailed photographic diagram specifying what pruning will occur;

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment**

- n. 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 commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Landscape Plan

4. Before the commencement of buildings and works, an amended landscape plan 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. The plan must be generally in accordance with the submitted development plan and planting plan, prepared by Studio 8 Concept and Design dated 10 April 2019, but modified to show:
 - a. The tree number, T.P.Z., S.R.Z. and notations regarding protection methods during construction of retained trees;
 - b. Buildings on neighbouring properties within 3 metres of the boundary;
 - c. The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site;
 - d. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
 - e. A range of plant types from ground covers to large shrubs and trees;
 - f. Landscaping and planting within all open areas of the site;
 - g. Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - h. The provision of screen planting (minimum mature height of 1.5 metres) within the landscape buffer along the northern property boundary;
 - i. A planting theme of a minimum 40% indigenous and 40% native within each plant group;
 - j. All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2018) booklet are not to be planted;
 - k. The provision of suitable canopy trees (minimum 2 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 northern play scape, minimum mature heights of 8 metres;
 - ii. The two (2) trees nominated within the car parking area (feature trees), minimum mature height of 8 metres;
 - iii. One (1) to the rear of the sign in the southeast corner of the site, minimum mature height of 5 metres.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment**

- I. 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.
 - m. All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use.
5. Landscaping and planting must be in accordance with the defensible space requirements within the endorsed Bushfire Management Plan.
6. The landscaping as shown on the endorsed landscape plan must be completed before the occupation of the development and maintained thereafter, to the satisfaction of the Responsible Authority.

Engineering Requirements

7. 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.
8. 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.
9. Stormwater Drainage Outfall is to be constructed to the satisfaction of the Responsible Authority.
10. Water Sensitive Urban Design principles (WSUD) shall be incorporated into the drainage design to the satisfaction of the Responsible Authority, which may include but not be limited to the following components or a combination thereof:
 - Rainwater tanks for stormwater harvesting and re-use for toilet flushing, laundry use and landscape irrigation, etc.
 - On-site stormwater detention.
 - On-site stormwater soil percolation and infiltration
 - On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
11. A pedestrian path connecting the existing pedestrian path on Frankston-Flinders Road to the site is to be provided along Kara Street at the cost of the developer. The path must be constructed and completed to the satisfaction of the Responsible Authority.
12. The vehicle crossing must be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
13. All disused vehicle crossings to be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
14. Prior to occupation of the dwellings hereby permitted OR Before the use allowed by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be:

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment**

- a. Constructed to the satisfaction of the Responsible Authority.
- b. Properly formed to such levels that they can be used in accordance with the plans.
- c. Surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel.
- d. Drained and maintained to the satisfaction of the Responsible Authority.
- e. Line-marked to indicate each car space, loading bay and all access lanes and if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

15. 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

16. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
17. All plumbing work, sewer pipes etc. (except for spouting and stormwater pipes) associated with the new building shall be concealed from general view.
18. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

Number of Children

19. Without the prior written consent of the Responsible Authority, no more than 84 children may be on the premises at any one time.

Number of Staff

20. Without the prior written consent of the Responsible Authority, no more than 16 staff may be on the premises at any one time.
21. Staff shift times must be staggered between peak traffic periods of 7.00 am – 9.30 am and 4.00 pm – 6.30pm.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs

Officers' Assessment

Hours of Operation

22. Without the prior written consent of the Responsible Authority, the use hereby permitted may operate only between the hours of 6.30am–6.30pm, Monday to Friday.
23. Without the prior written consent of the Responsible Authority, the use hereby permitted may not operate on weekends or public holidays.

Amenity

24. 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.
25. Without the prior written consent of the Responsible Authority any form of public address system or sound amplification equipment used on the premises must not be audible outside the premises.

Signage

26. All signs shall not be illuminated, animated, reflective, moving, intermittent or flashing.
27. The signage permitted must be limited to the business name, logo and relevant contact information, to the satisfaction of the Responsible Authority.

Waste Management

28. The Waste Management Plan, prepared by SALT (Ref: 18415W), dated 8 April 2019, to be amended to include the following:
 - Specify that collection vehicles operate outside the peak traffic hours of 7.00am – 9.30 am and 4.00pm – 6.30pm.
 - Specify that no rubbish is to be collected from the site or deliveries are to be made to the site before 7.00 am or after 7.00pm, Monday to Friday.
29. All waste generated by the development must be collected by a private contractor and in accordance with the endorsed Waste Management Plan, to the satisfaction of the responsible authority.

CFA Requirements

30. The Bushfire Management Plan produced by BAL Assessments dated 12 April 2019, Version 3, must be endorsed by the Responsible Authority to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

11.2 Planning Permit Application 41/2019/P - 21 Barmah Court, Frankston South - To use and develop the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs**Officers' Assessment**

31. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Satisfactorily Completed

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

Permit Expiry

33. This permit will expire if one of the following circumstances applies:
- The development is not started within two (2) years of the date of this permit.
 - The development is not completed within four (4) years of the issued date of this permit.
 - The use has not commenced within two (2) years of the date of this permit.
 - The use is discontinued for a period of two (2) years.

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

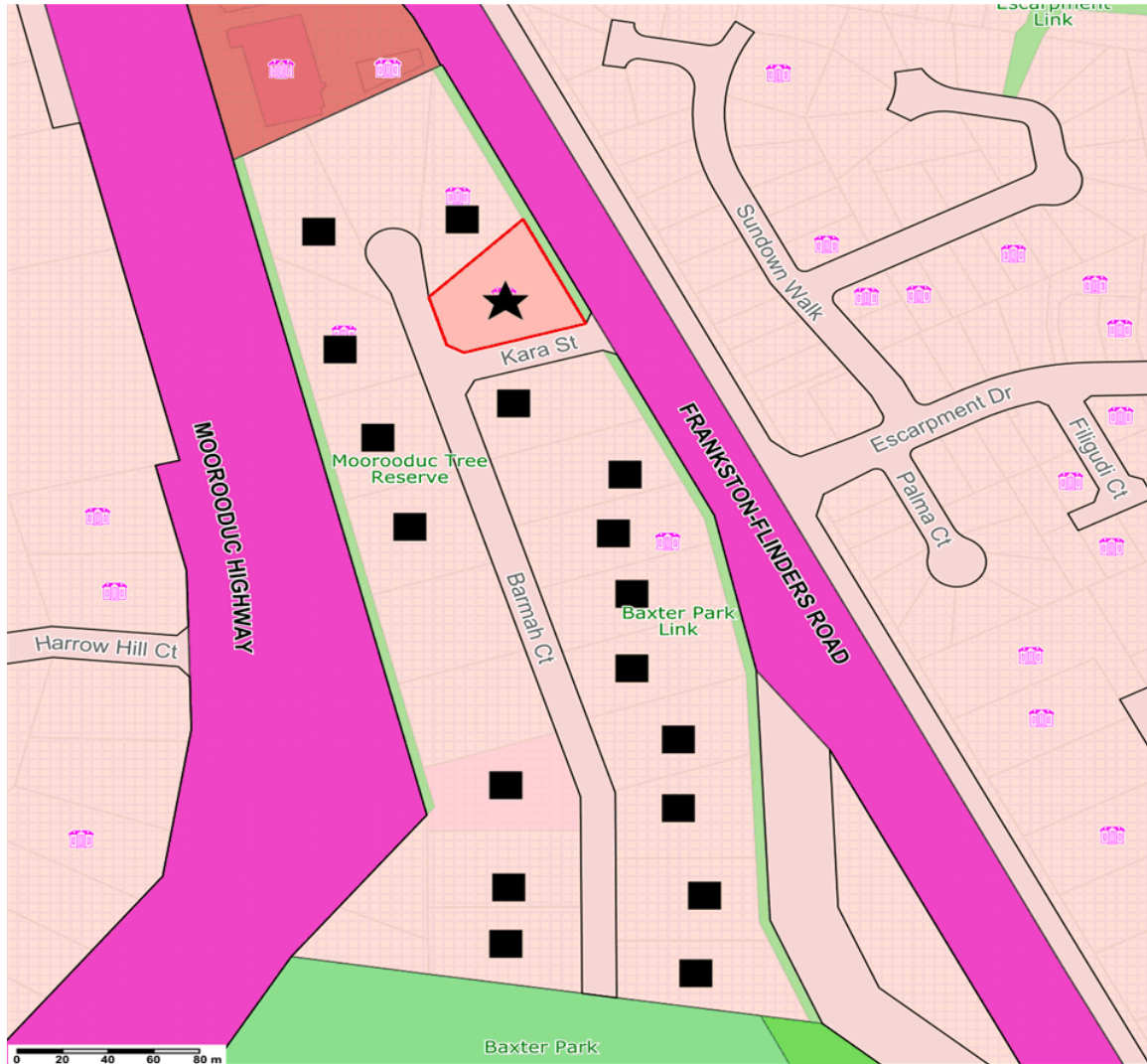
Notes

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

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

Locality Map - 41/2019/P - 21 Barmah Court, Frankston South

★ Subject Site ■ 18 Objectors



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Projection: GDA94 / MGA zone 55

Scale: 1:206

Date Printed: 22/07/2019

Time Printed: 10:41 AM

Issued by: Frances Gurnett



Locality Map - Town Planning Application 41/2018/P - 21 Barmah Court, Frankston South



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Projection: GDA94 / MGA zone 55

Scale: 1:824

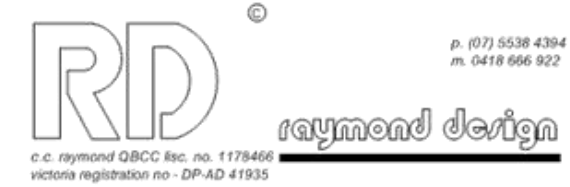
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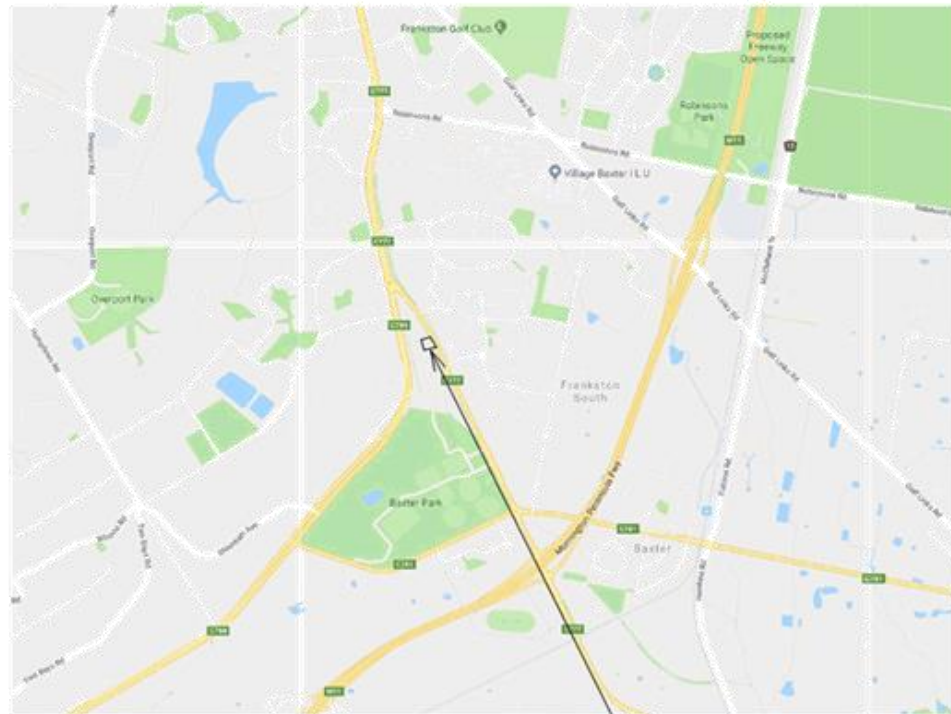
Issued by: Frances Gurnett



proposed 84 place childcare centre 21 barmah court, frankston south, vic.



concept perspective



locality plan

subject site



site data / analysis

<p>proposal - 84 place childcare centre r.p.d. lot. 21 on LP 55674 21 Barmah court, Frankston south, VIC.</p>	<p>impervious area driveway/pavement area - 570.0 sqm (21.3%) building area - 597.9 sqm (22.3%) total impervious site cover - 1167.9 sqm (43.6%) (allowable - 50%) total pervious/landscaped - 1508.1 sqm (56.4%) site area</p>
<p>local authority Frankston City Council</p>	<p>index to sheets</p> <p>01 face sheet/ site details 02 site plan 03 site plan existing condition 04 site context plan 05 floor plan 06 elevations 07 elevations 08 site sections 09 shadow diagrams 10 site details 11 roof plan 12 bin store details 13 signage details</p>
<p>site area 2676 sqm GFA total 582.9 sqm</p>	
<p>building area total floor area - 582.9 sqm verandas - 90.7 sqm safety zone - 6.5 sqm total roofed building - 680.1 sqm (25.4%) site cover (allowable - 25%)</p>	
<p>childcare centre no. of activity rooms - 5</p> <p>staff - 14 contact</p> <p>playscape required -- 588.0 sq.m. provided -- 924.9 sq.m.</p>	
<p>car parking childcare centre required - 0.22 x no. places - 18.48 bays total spaces provided - - 19 spaces inc. disabled bay</p>	
<p>development statement built environment the development will comply with the requirements of the Frankston City Council, the NCC 2016 Vol 1 and the National Quality Framework and standards. car parking all car parking and access shall accord with AS2890.1</p>	<p>area calculations all area calculations are based on design and are subject to final design development. final figures shall accord with minimums or maximums allowed by council and shall not vary by more than 5% of that stated garbage collection garbage is to be collected on-site, bulk bins to be stored in screened service area</p>





note :
 building height not to exceed 7.0m
 total impervious area not to exceed 50% of the site area

refer to sheet 01 for area calculations

all landscaping to comply with AS3959-2009 Construction of Buildings in Bushfire-prone Areas & the defensible space requirements

all plant & equipment to be screened from view & selected to minimise acoustic disturbance

existing tree to be retained

fence line set back to allow for setback planting along the kara street frontage & corner

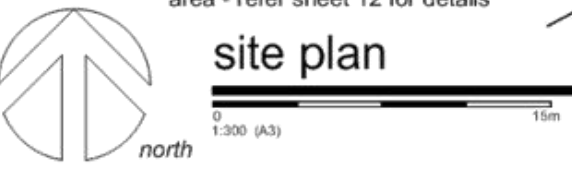
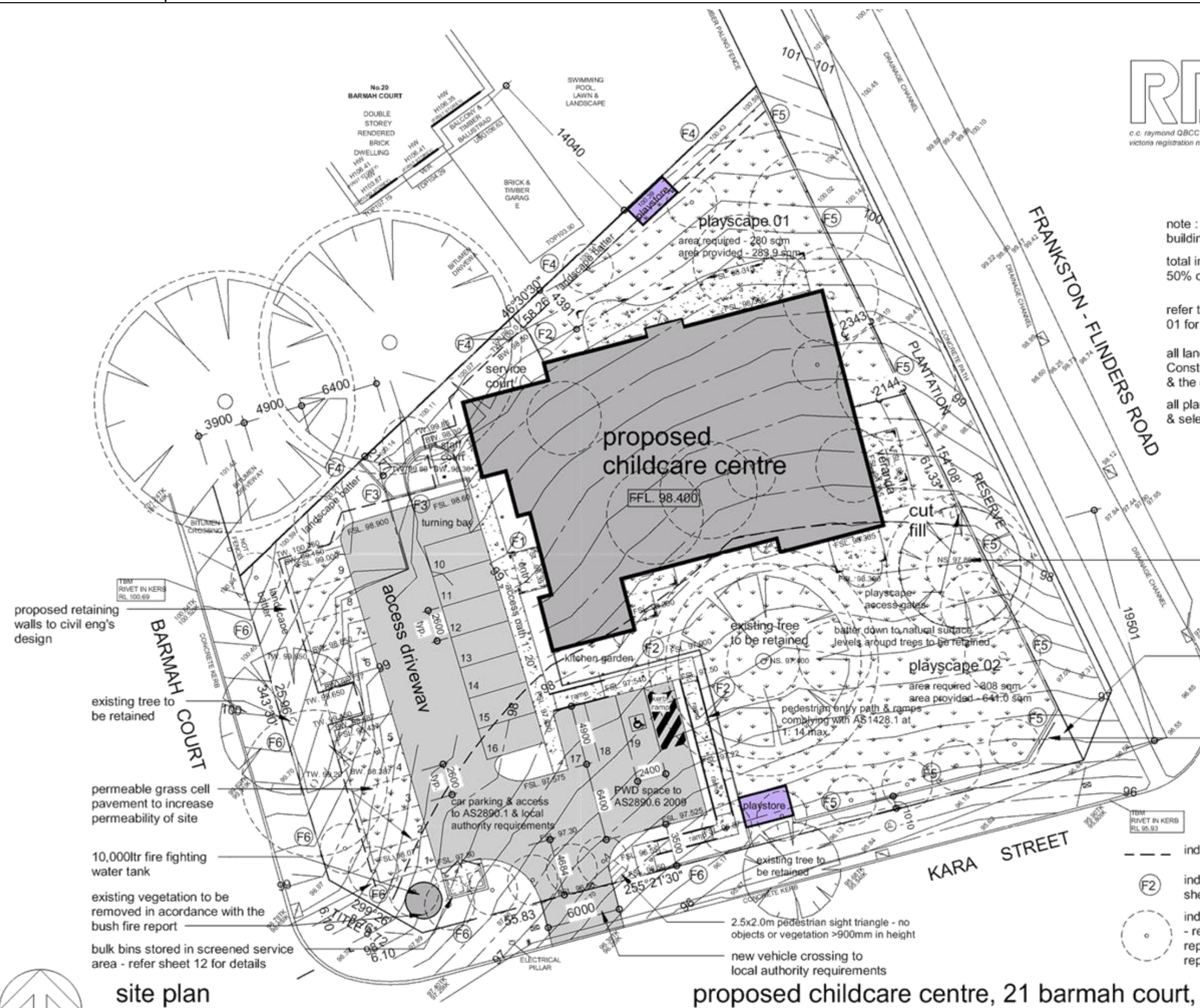
location of freestanding sign refer to sheet 13 for details

--- indicates concrete sleeper retaining wall

(F2) indicates fence type refer to sheet 11 for details

○ indicates trees to be removed - refer to the arboricultural report and the bush fire report for vegetation mangement

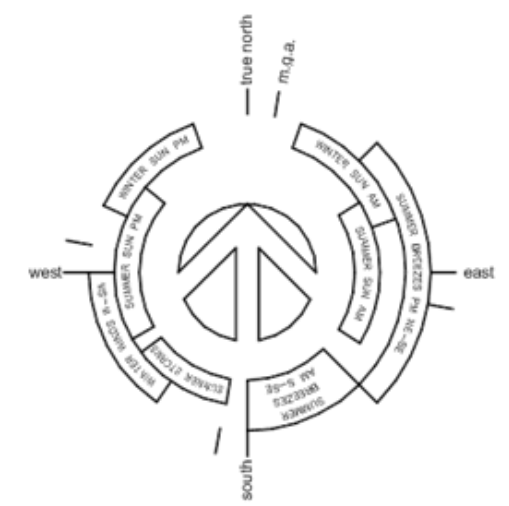
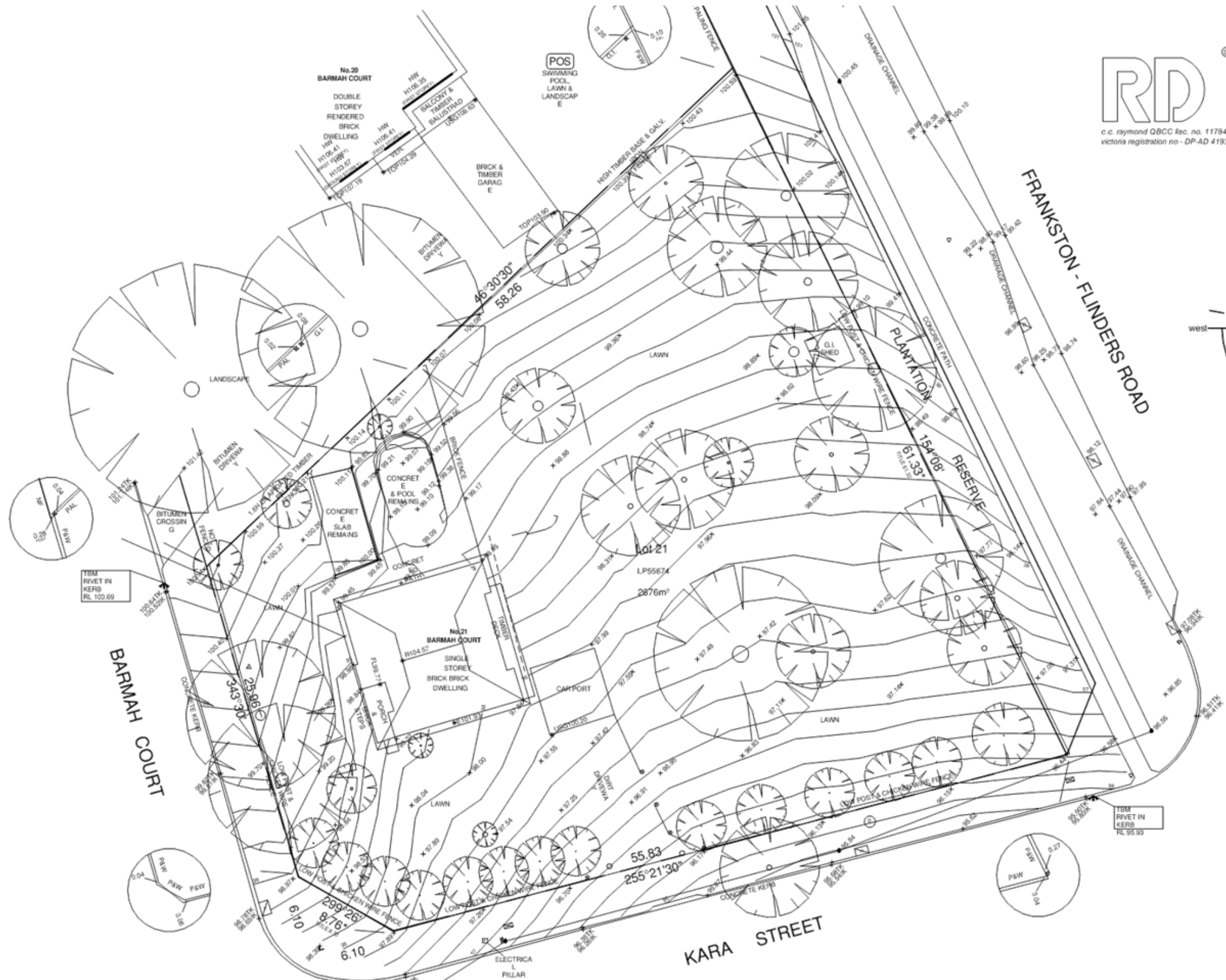
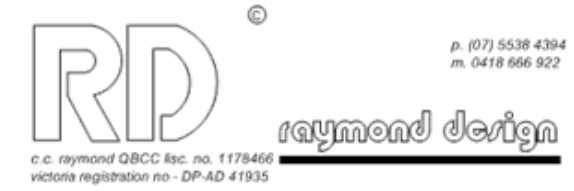
02



site plan

proposed childcare centre, 21 barmah court, frankston south, vic.

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site plan existing condition

proposed childcare centre, 21 barmah court, frankston south, vic.



0 1:300 (A3) 15m

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RD18020 : february_2019
issue C - 01/04/19
drawn - c. c. r.



site context plan



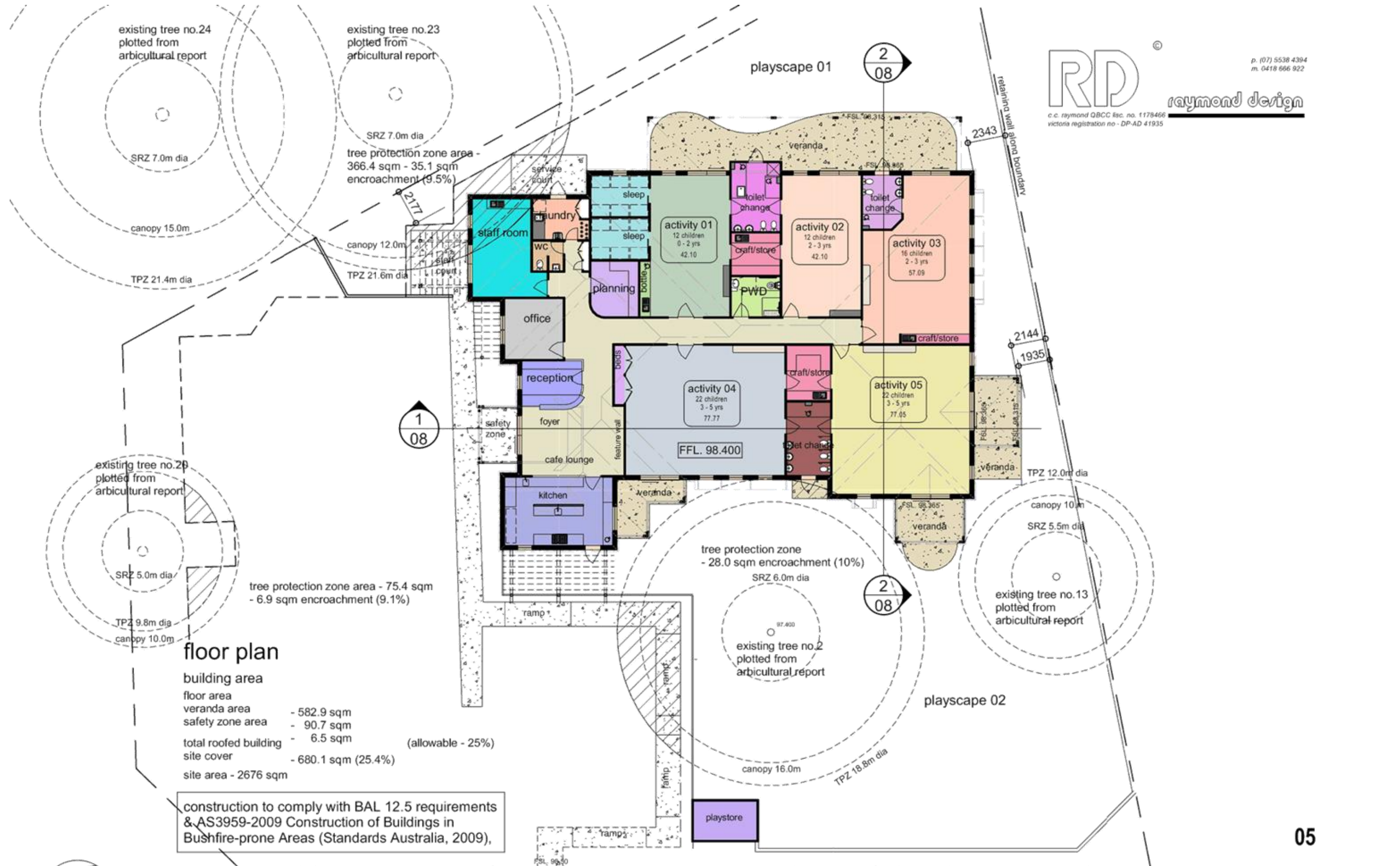
site context plan

0 1:50 (A3) 2.5m

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proposed childcare centre, 21 barmah court, frankston south, vic.

RD18020 : february_2019
issue B - 13/12/18
drawn - c. c. r.



floor plan

building area

floor area

veranda area - 582.9 sqm

safety zone area - 90.7 sqm

total roofed building - 6.5 sqm (allowable - 25%)

site cover - 680.1 sqm (25.4%)

site area - 2676 sqm

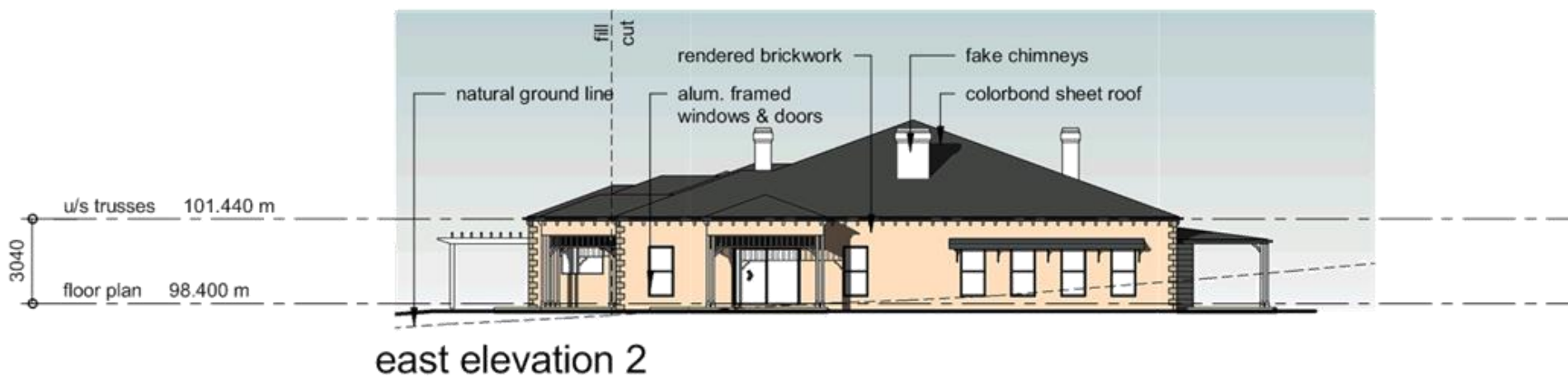
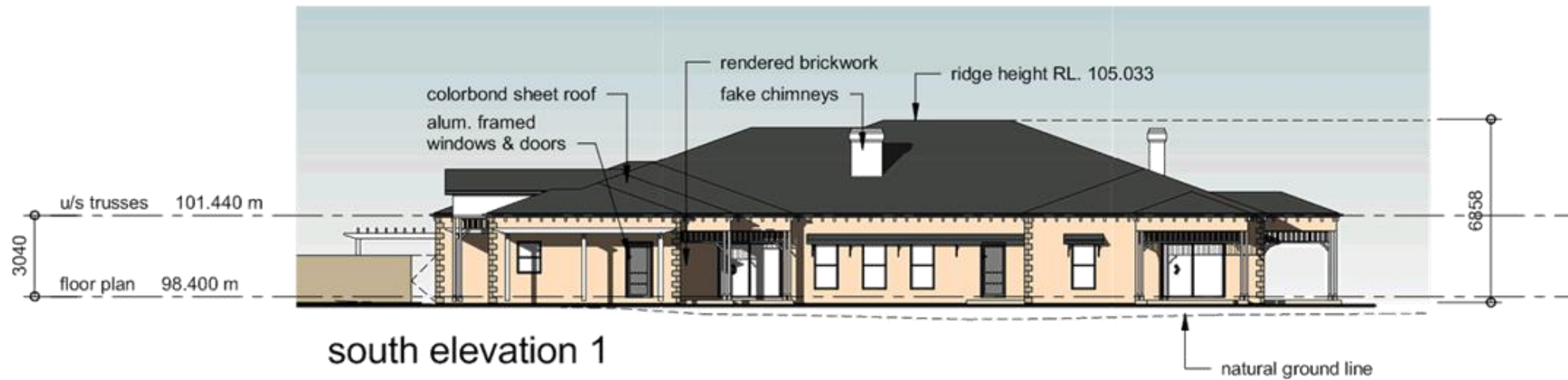
construction to comply with BAL 12.5 requirements & AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009),

floor plan

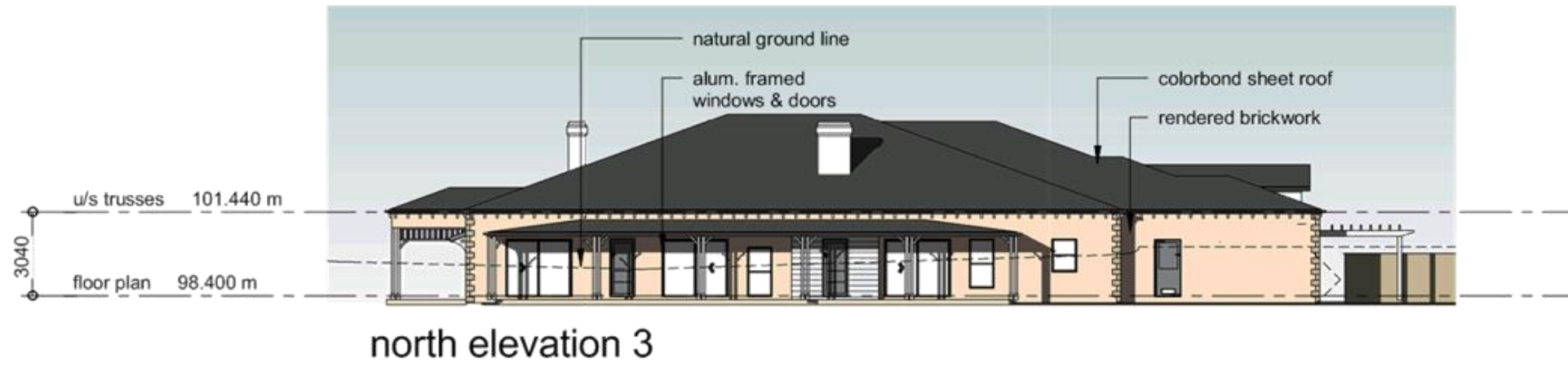
proposed childcare centre, 21 barmah court, frankston south, vic.

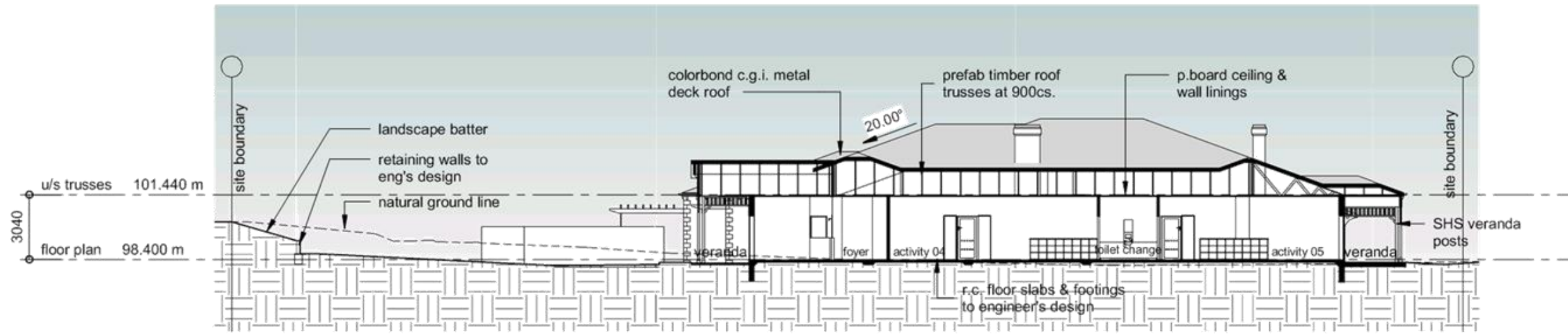


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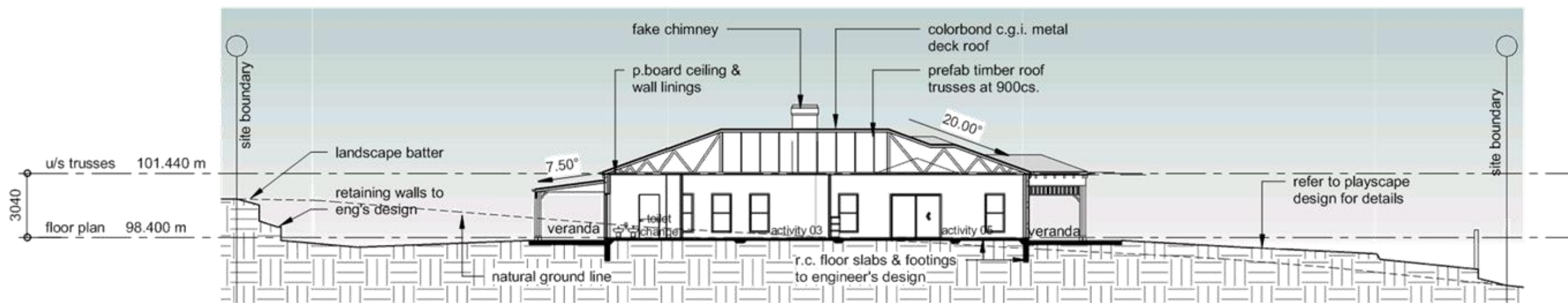


construction to comply with BAL 12.5 requirements
& AS3959-2009 Construction of Buildings in
Bushfire-prone Areas (Standards Australia, 2009),





section 1



section 2

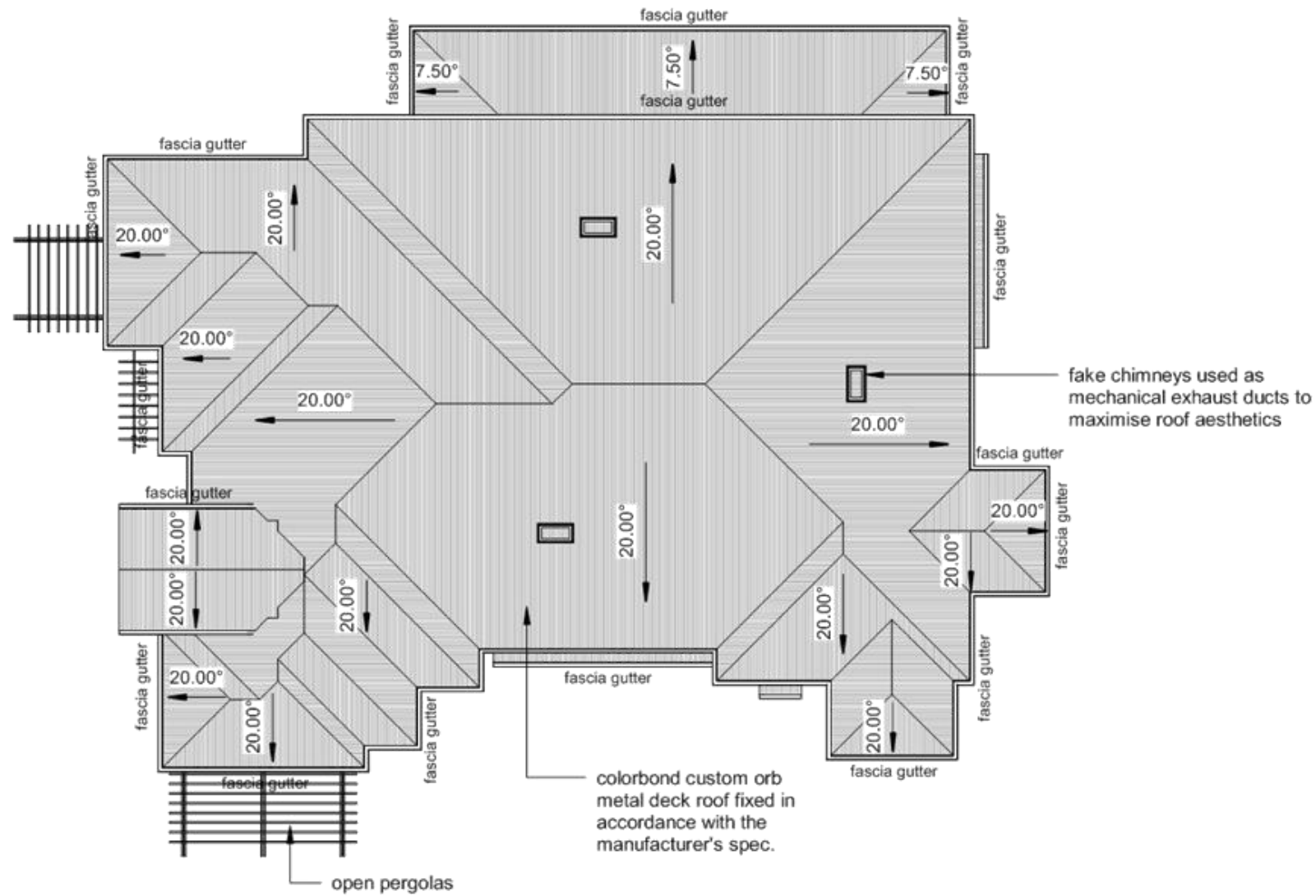
site sections

proposed childcare centre, 21 barmah court, frankston south, vic.

08



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roof plan

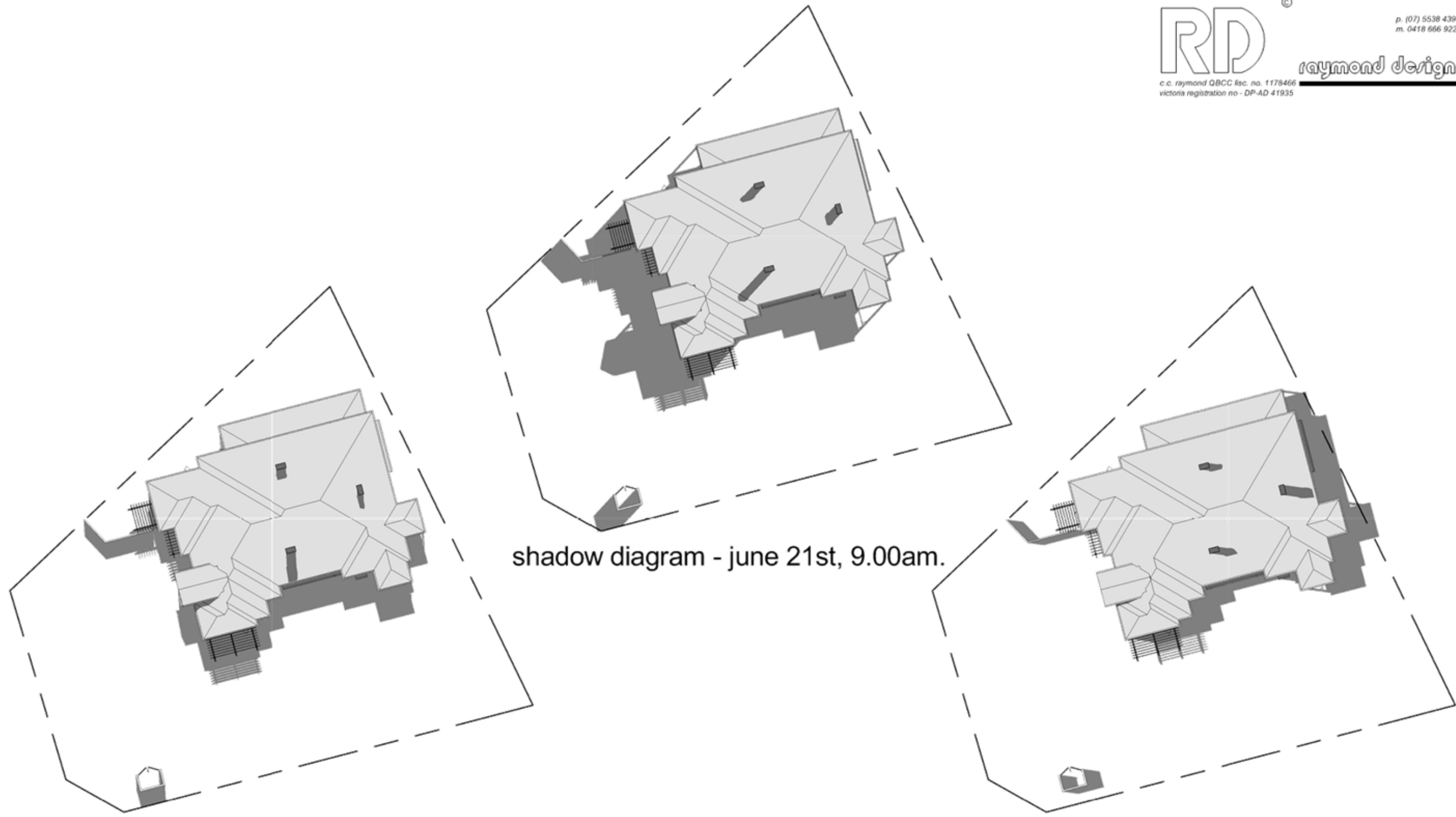


roof plan



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proposed childcare centre, 21 barmah court, frankston south, vic.



shadow diagram - june 21st, 9.00am.

shadow diagram - june 21st, 12.00pm.

shadow diagram - june 21st, 3.00pm.

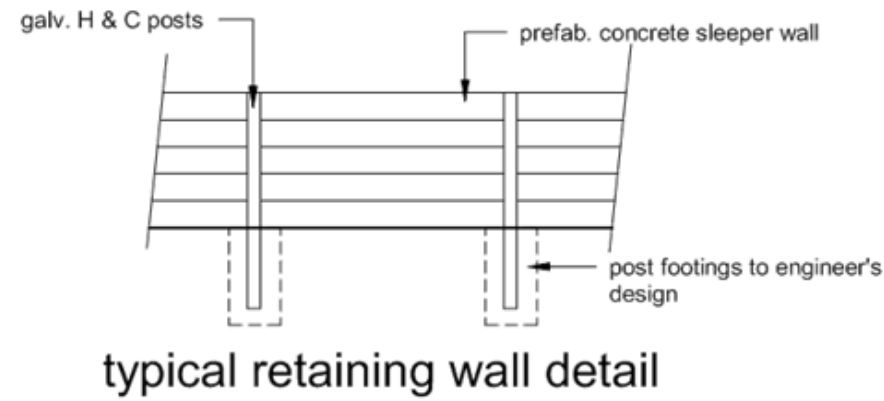
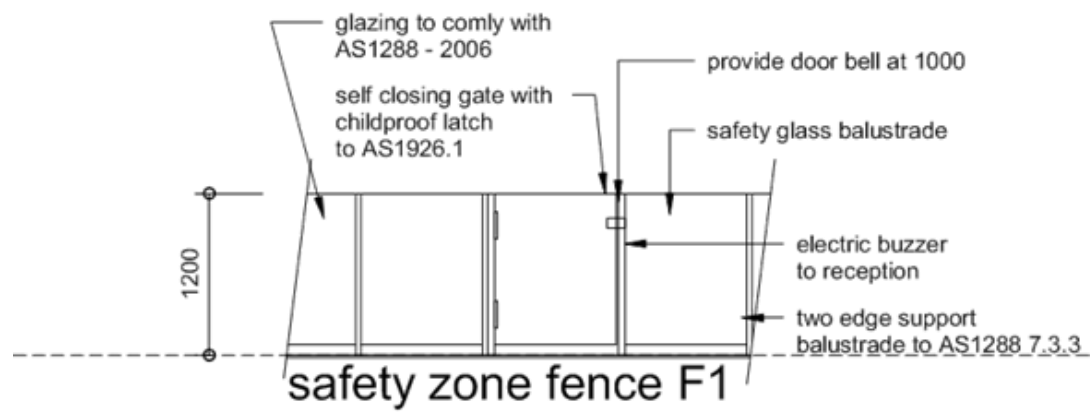


shadow diagrams

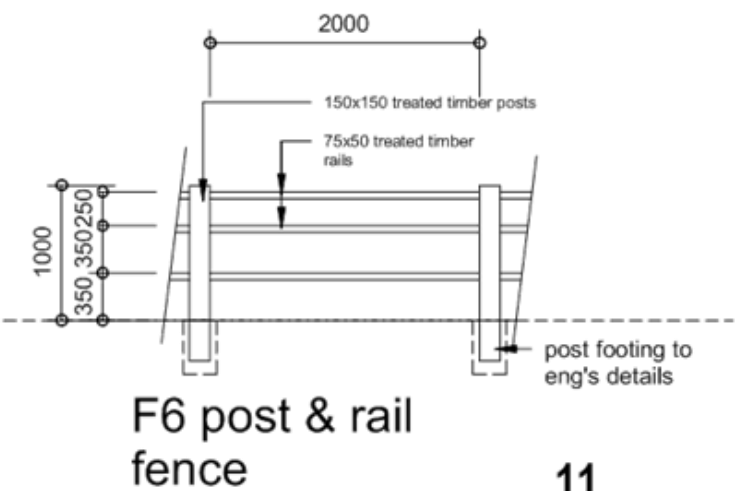
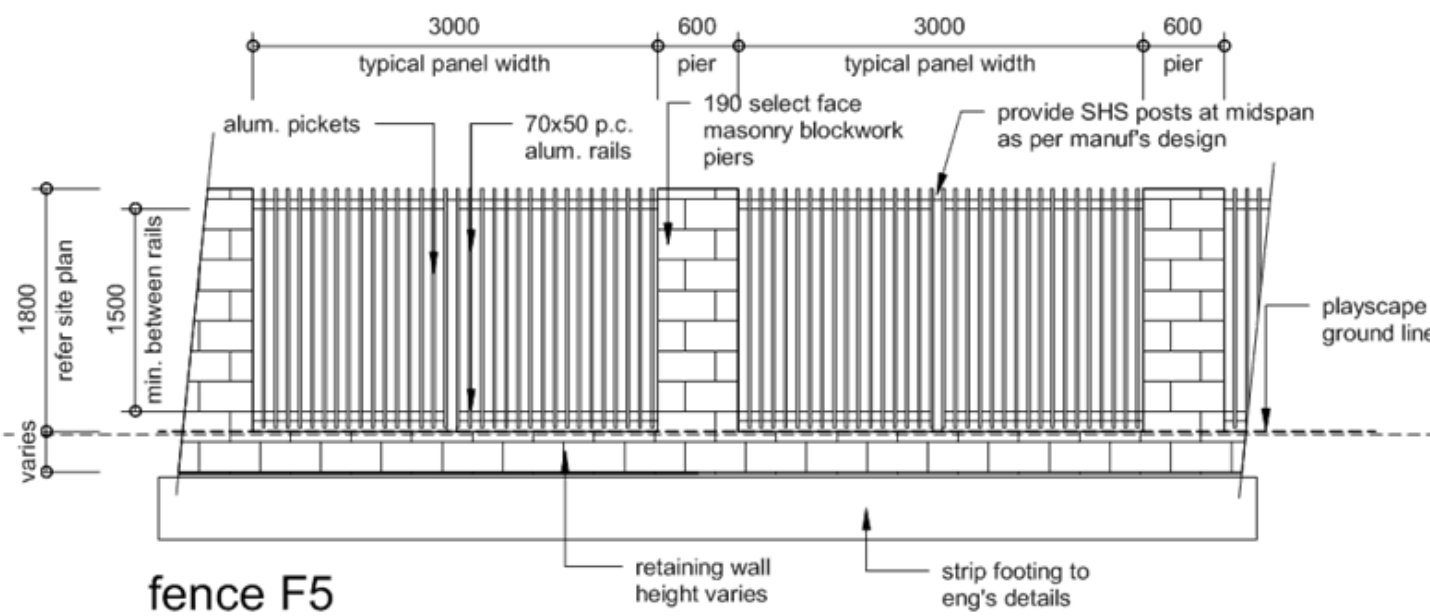
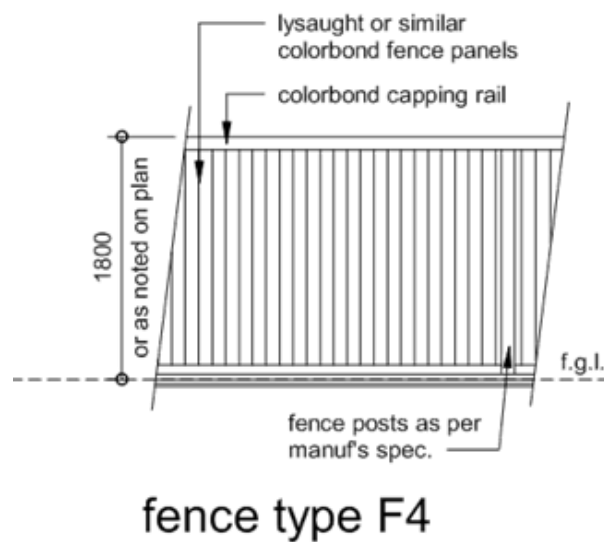
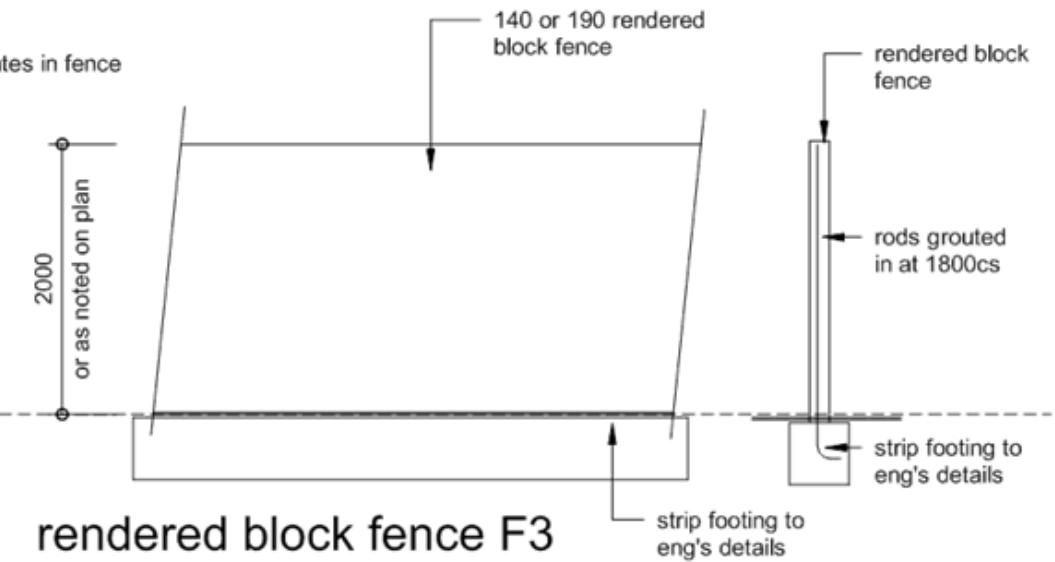
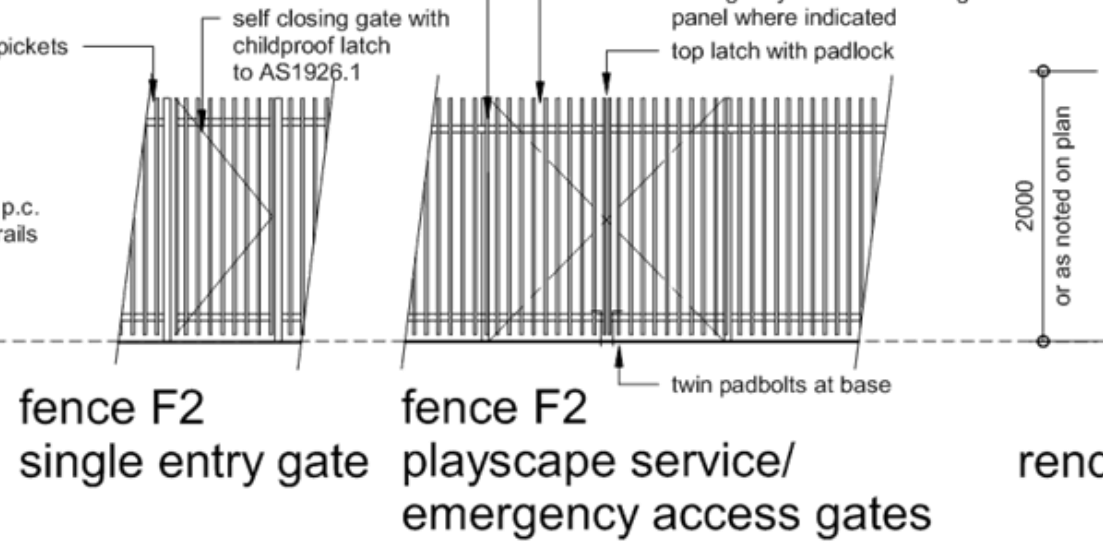
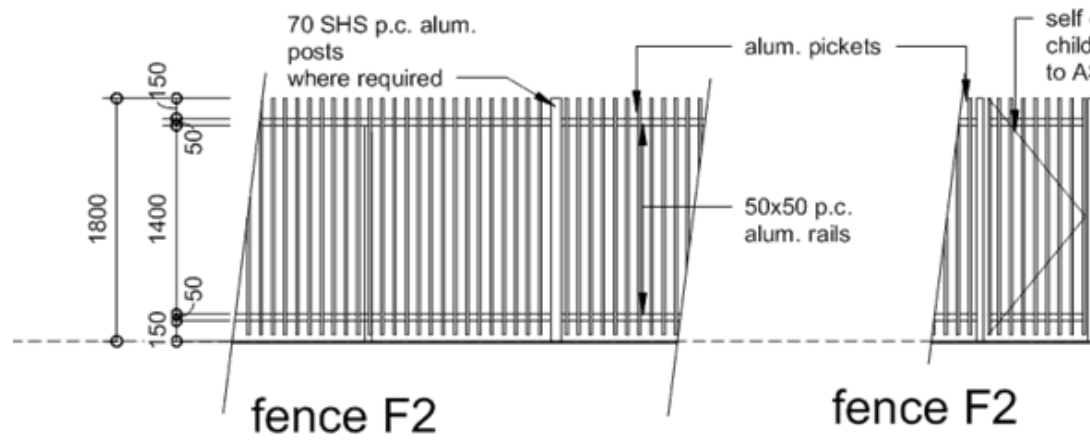


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proposed childcare centre, 21 barmah court, frankston south, vic.



note : all picket fencing to child play areas to be in accordance with AS1926



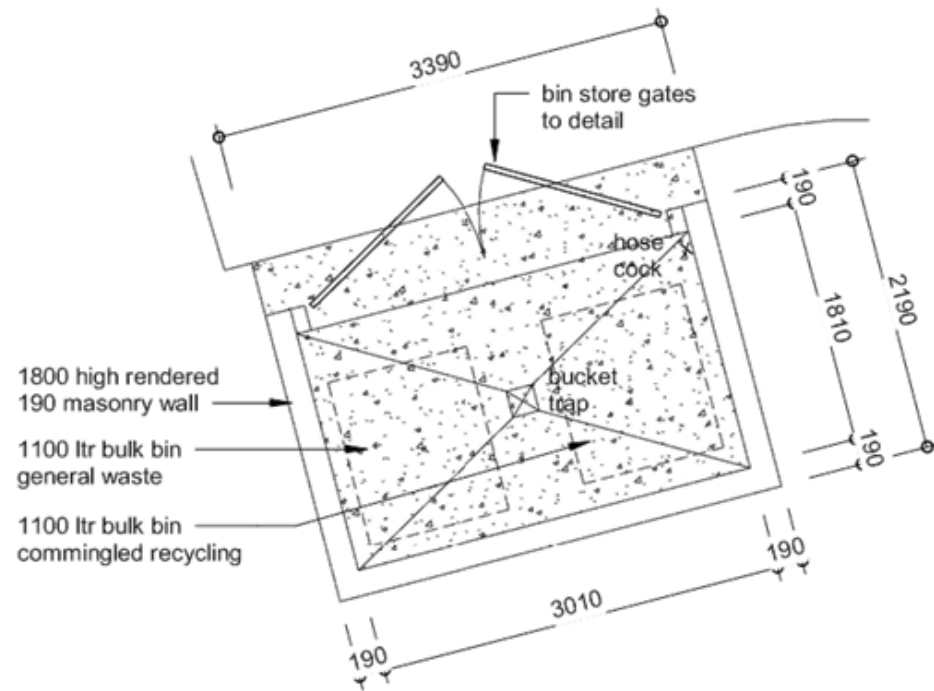
site details

proposed childcare centre, 21 barmah court, frankston south, vic.

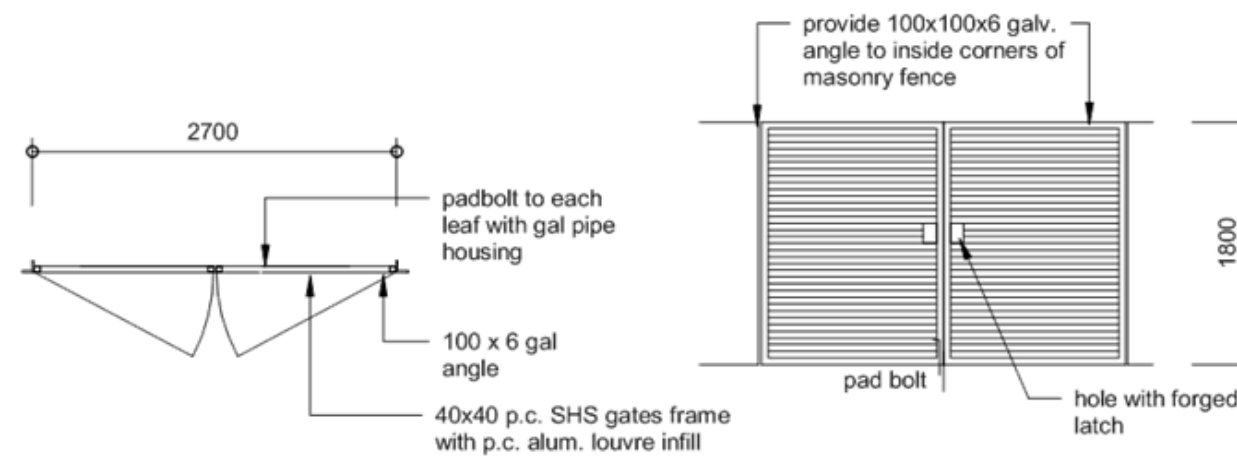


note: this proposal is subject to site survey and development approval(s) from the relevant authority.
 this drawing shall not be copied or used without authorisation and is protected by copyright.

RD18020 : february_2019
 issue D - 28/05/19
 drawn - c. c. r.



bin store floor plan



bin store gates detail

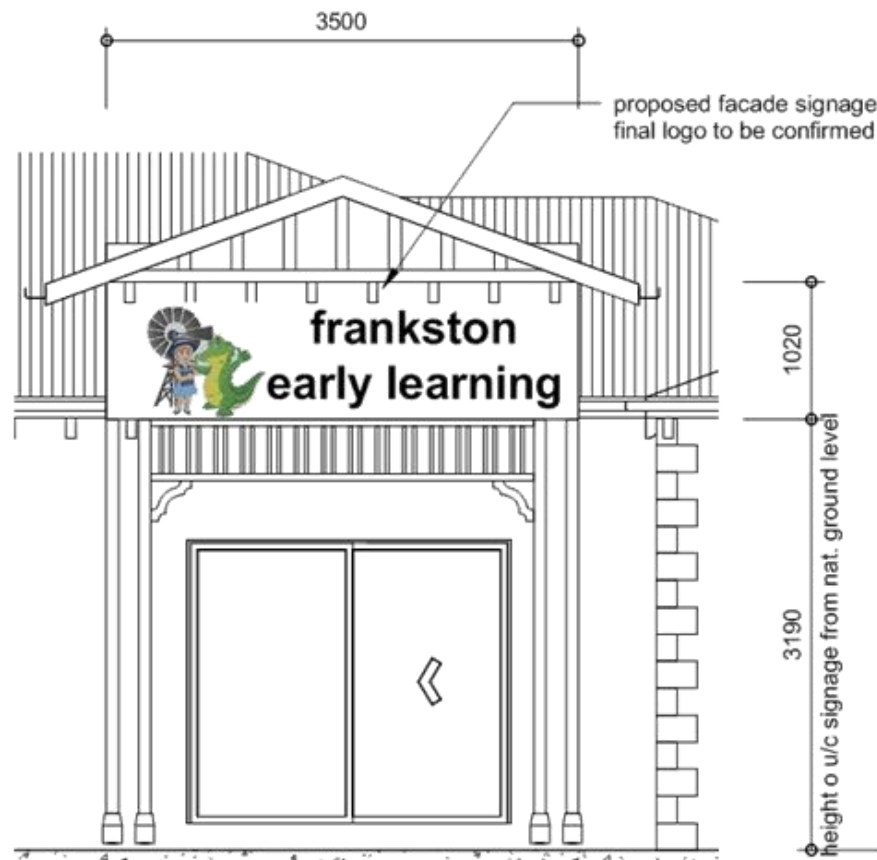


bin store details



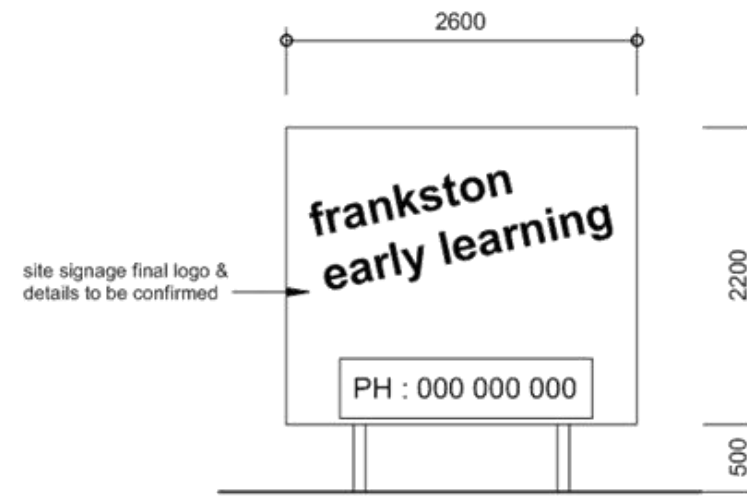
*note: this proposal is subject to site survey and development approval(s) from the relevant authority.
 this drawing shall not be copied or used without authorisation and is protected by copyright.*

proposed childcare centre, 21 barmah court, frankston south, vic.



building facade signage elevation

refer to elevations



site signage elevation

refer to site plan for location



typical site signage format showing design intent

signage details

0 1:50 (A3) 2.5m

*note: this proposal is subject to site survey and development approval(s) from the relevant authority.
 this drawing shall not be copied or used without authorisation and is protected by copyright.*

proposed childcare centre, 21 barmah court, frankston south, vic.

RD18020 : february_2019
 issue C - 01/04/19
 drawn - c. c. r.

SHAUN PEDERSEN & JILL MCINTYRE 21 BARMAH COURT FRANKSTON SOUTH VIC PROPOSED CHILDCARE CENTRE

SHEET 1 OF 3
S8-0916LC - ISSUE C SCALE: NTS @ A3

SHEETS	SHEET 1 - COVER	PROJECT	SHEET TITLE	DATE	CLIENT	COVER	STUDIO8 CONCEPT & DESIGN
	SHEET 2 - PLANTING PLAN		LANDSCAPE PLAN	10.04.2019	SHAUN PEDERSEN & JILL MCINTYRE		
	SHEET 3 - DESIGN ELEMENTS		DWG NO.	SCALE	PROJECT		
			S8-0916LC - ISSUE C	AS SHOWN	PROPOSED CHILDCARE CENTRE		
			DESIGNER	DRAWN BY	21 BARMAH COURT FRANKSTON SOUTH VIC.		
			J. SPEEDING <small>DP, HORT, EXP, MAN</small>	JSP	LOT 21 ON LP55674		
						THIS DESIGN AND PLAN IS THE COPYRIGHT OF © STUDIO8 AND CANNOT BE REPRODUCED WITHOUT WRITTEN PERMISSION	PHONE: 0434 047 903 EMAIL: studio8design@inet.net.au PO BOX 2098 SUNNYBANK HILLS QLD 4109

NOTE: ALL LANDSCAPING TO COMPLY WITH AS3959-2009 & ALL DEFENDABLE SPACE REQUIREMENTS WILL BE APPLIED AS PER THE BMO REPORT PREPARED BY BAL ASSESSMENTS.

DEFENDABLE SPACE TO A DISTANCE OF THE PROPERTY BOUNDARY IS PROVIDED AND IS MANAGED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

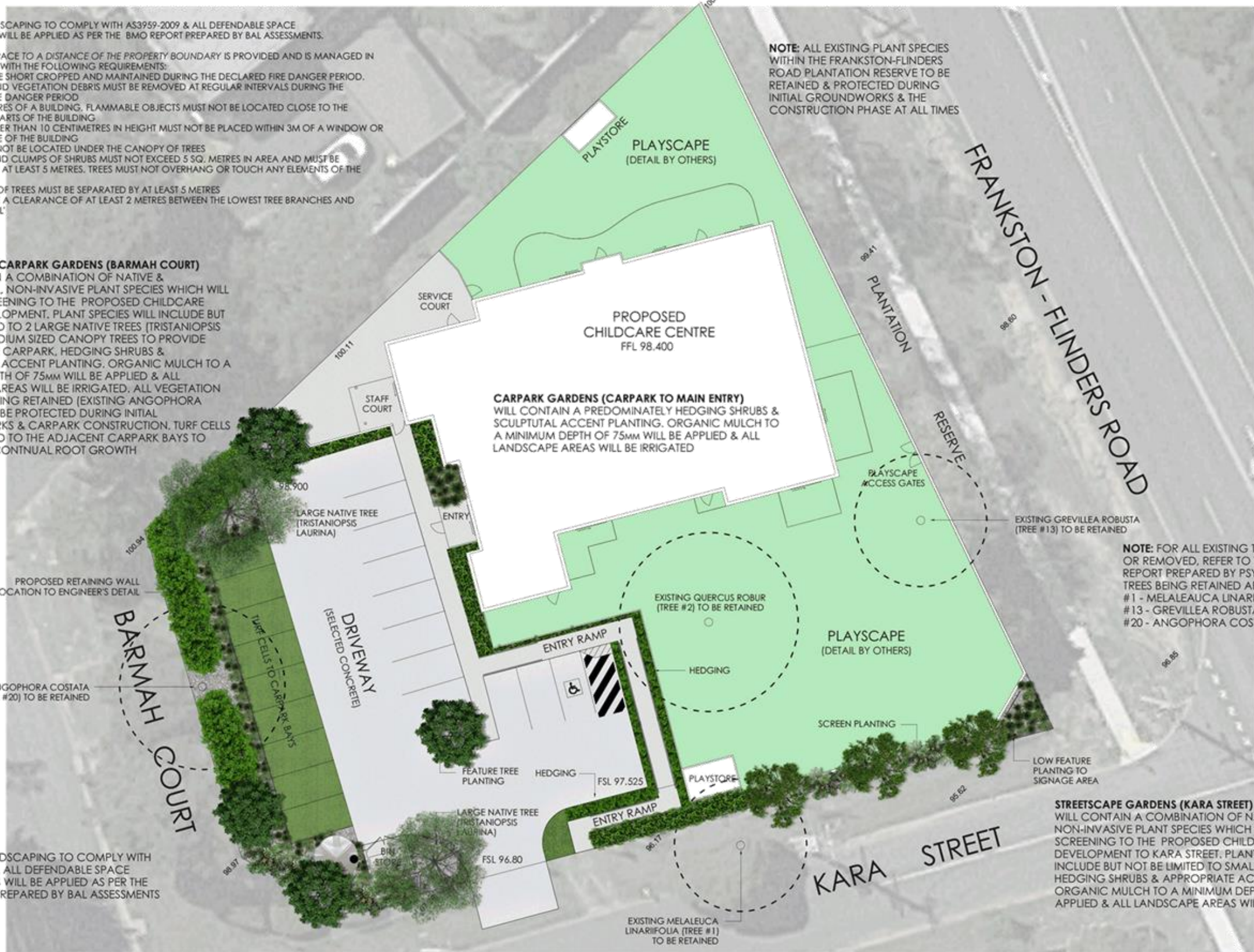
- GRASS MUST BE SHORT CROPPED AND MAINTAINED DURING THE DECLARED FIRE DANGER PERIOD.
- ALL LEAVES AND VEGETATION DEBRIS MUST BE REMOVED AT REGULAR INTERVALS DURING THE DECLARED FIRE DANGER PERIOD
- WITHIN 10 METRES OF A BUILDING, FLAMMABLE OBJECTS MUST NOT BE LOCATED CLOSE TO THE VULNERABLE PARTS OF THE BUILDING
- PLANTS GREATER THAN 10 CENTIMETRES IN HEIGHT MUST NOT BE PLACED WITHIN 3M OF A WINDOW OR GLASS FEATURE OF THE BUILDING
- SHRUBS MUST NOT BE LOCATED UNDER THE CANOPY OF TREES
- INDIVIDUAL AND CLUMPS OF SHRUBS MUST NOT EXCEED 5 SQ. METRES IN AREA AND MUST BE SEPARATED BY AT LEAST 5 METRES. TREES MUST NOT OVERHANG OR TOUCH ANY ELEMENTS OF THE BUILDING
- THE CANOPY OF TREES MUST BE SEPARATED BY AT LEAST 5 METRES
- THERE MUST BE A CLEARANCE OF AT LEAST 2 METRES BETWEEN THE LOWEST TREE BRANCHES AND GROUND LEVEL

NOTE: ALL EXISTING PLANT SPECIES WITHIN THE FRANKSTON-FLINDERS ROAD PLANTATION RESERVE TO BE RETAINED & PROTECTED DURING INITIAL GROUNDWORKS & THE CONSTRUCTION PHASE AT ALL TIMES

STREETSCAPE/CARPARK GARDENS (BARMAH COURT)
 WILL CONTAIN A COMBINATION OF NATIVE & ORNAMENTAL, NON-INVASIVE PLANT SPECIES WHICH WILL PROVIDE SCREENING TO THE PROPOSED CHILDCARE CENTRE DEVELOPMENT. PLANT SPECIES WILL INCLUDE BUT NOT BE LIMITED TO 2 LARGE NATIVE TREES (TRISTANIOPSIS LAURINA), MEDIUM SIZED CANOPY TREES TO PROVIDE SHADE TO THE CARPARK, HEDGING SHRUBS & APPROPRIATE ACCENT PLANTING. ORGANIC MULCH TO A MINIMUM DEPTH OF 75mm WILL BE APPLIED & ALL LANDSCAPE AREAS WILL BE IRRIGATED. ALL VEGETATION SHOWN AS BEING RETAINED (EXISTING ANGOPHORA COSTATA) TO BE PROTECTED DURING INITIAL GROUNDWORKS & CARPARK CONSTRUCTION. TURF CELLS WILL BE UTILISED TO THE ADJACENT CARPARK BAYS TO ALLOW FOR CONTINUAL ROOT GROWTH

CARPARK GARDENS (CARPARK TO MAIN ENTRY)
 WILL CONTAIN A PREDOMINATELY HEDGING SHRUBS & SCULPTURAL ACCENT PLANTING. ORGANIC MULCH TO A MINIMUM DEPTH OF 75mm WILL BE APPLIED & ALL LANDSCAPE AREAS WILL BE IRRIGATED

NOTE: FOR ALL EXISTING TREE S BEING RETAINED OR REMOVED, REFER TO THE ARBORICULTURAL REPORT PREPARED BY PSY INV PTY LTD. TREES BEING RETAINED ARE AS FOLLOWS:
 # 1 - MELALEUCA LINARIFOLIA (STREET TREE)
 # 13 - GREVILLEA ROBUSTA (PLAYSCAPE)
 # 20 - ANGOPHORA COSTATA (CARPARK)



NOTE: ALL LANDSCAPING TO COMPLY WITH AS3959-2009 & ALL DEFENDABLE SPACE REQUIREMENTS WILL BE APPLIED AS PER THE BMO REPORT PREPARED BY BAL ASSESSMENTS

STREETSCAPE GARDENS (KARA STREET)
 WILL CONTAIN A COMBINATION OF NATIVE & ORNAMENTAL, NON-INVASIVE PLANT SPECIES WHICH WILL PROVIDE SCREENING TO THE PROPOSED CHILDCARE CENTRE DEVELOPMENT TO KARA STREET. PLANT SPECIES WILL INCLUDE BUT NOT BE LIMITED TO SMALL FEATURE TREES, HEDGING SHRUBS & APPROPRIATE ACCENT PLANTING. ORGANIC MULCH TO A MINIMUM DEPTH OF 75mm WILL BE APPLIED & ALL LANDSCAPE AREAS WILL BE IRRIGATED



NOTE:

- ALL SERVICE LOCATIONS TO BE CONFIRMED PRIOR TO COMMENCEMENT OF LANDSCAPE WORKS
- VEHICULAR CROSSOVER AS PER LOCAL AUTHORITY REQUIREMENTS & MAINTAIN PEDESTRIAN SIGHT LINES
- REINSTATE TURF TO VERGE + ROAD RESERVE & RETAIN EXISTING VEGETATION AS REQUIRED
- PLAYSCAPE DETAIL BY OTHERS
- ALL PROPOSED FENCING AS PER ARCHITECTURALS
- ALL FINAL SITE, RETAINING WALLS & PAD FFL'S TO BE DETERMINED BY ENGINEER

PLANTING PLAN

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STUDIO8
 CONCEPT & DESIGN

PHONE: 0434 047 923 | EMAIL: studio8design@inet.net.au
 PO BOX 2098 SUNNYSIDE HILLS QLD 4109

CHARACTER.....

THE FOLLOWING DESIGN ELEMENTS ARE INDICATIVE OF THE LANDSCAPE CHARACTER AND FINISHES IN GENERAL INTENDED WITHIN THE LANDSCAPE OF THE PROPOSED CHILDCARE CENTRE DEVELOPMENT.

A LAYERED APPROACH TO THE LANDSCAPE PLANTING WILL COMBINE THE USE OF TREES TO PROVIDE A CANOPY TO BOTH SHRUBS AND GROUNDCOVERS WHERE APPROPRIATE. THIS WILL APPLY TO ALL STREET FRONTAGE GARDENS, SIDE AND REAR BOUNDARIES AND WITHIN THE PROPOSED PLAYSCAPE (DETAILS BY OTHERS).

SCREEN PLANTINGS WILL BE UTILISED TO MITIGATE THE IMPACT OF THE PROPOSED DEVELOPMENT TO ALL ADJACENT PROPERTIES USING COLUMNAR GROWING SPECIES SUITED TO NARROW GARDEN BEDS.

FEATURE SCULPTURAL PLANTING WILL BE ADDED THROUGHOUT THE LANDSCAPE TO ASSET BREAKING UP VISUAL SIGHT LINES AND WILL PROVIDE SPLASHES OF COLOUR AND ARTICULATION WITHIN THE LANDSCAPE. SHADE TOLERANT SPECIES HAS BEEN SPECIFIED FOR GARDENS LOCATED BELOW THE BUILDING WITHIN THE CARPARK AND SAFETY ZONE AREAS.

WHERE EXISTING TREES HAVE BEEN IDENTIFIED FOR RETENTION, TREE PROTECTION ZONES WILL BE PUT IN PLACE & MONITORED CONTINUOUSLY BY A CONSULTING ARBORIST. WHERE EXISTING TREES ARE BEING RETAINED IN CLOSE PROXIMITY TO CARPARKING BAYS, THE USE OF TURF CELLS IS PREFERABLE TO IMPERVIOUS HARDSTANDS TO FACILITATE BOTH CONTINUAL ROOT DEVELOPMENT & ALLOWANCE FOR IRRIGATION ARE MAINTAINED.

ADDITIONAL COMPENSATORY TREE SPECIES WILL BE ADDED WITHIN THE PROPOSED PLAYSCAPE AREAS WITH CONCEPTUAL PLAYSCAPE DESIGN AND DETAIL PROVIDED BY OTHERS.

ALL LANDSCAPING TO COMPLY WITH AS3959-2009 & ALL DEFENDABLE SPACE REQUIREMENTS WILL BE APPLIED AS PER THE BMO REPORT PREPARED BY B&L ASSESSMENTS.

DESIGN ELEMENTS.....

MATERIALS



CYPRESS MULCH



ROUNDED PEBBLES



TURF PATH SURFACE



FIBRE GARDEN EDGING

PLANTING



BRACHYCHEON CV 'JUBILANT RED'



TRIPARIS LAURINA 'SILVER GUM'



SCAEOLEA TACCADA CV 'WILD FIRE'



SYRINGA CV 'VENGEANCE'



GREVILLEA CV 'HONEY BARBARA'



GREVILLEA CV 'JENNIFER JETT'



PTEROPEDIUM CV 'SCRIBBLEWRITER'



NERITOLA CV 'WARRIOR'



DIERIS BICOLOR 'BUTTERFLY BELL'



LIRIODENDRON 'GIANT EVERGREEN'

DESIGN ELEMENTS

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PHONE 0434 341 352 | EMAIL: info@studio8concept.com.au
 PO BOX 333000 WARRAWONG NSW 2258

Executive Summary**11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**

Enquiries: (Michael Papageorgiou: Community Development)

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.5 Improve the presentation and cleanliness of Frankston City

Purpose

To brief Council on the issues raised in submissions during the consultation period of the Seaford Wetlands Residential Environs Study and recommend that Council continue to monitor Planning Permit activity and approvals in the Seaford Wetlands Environs and to proceed to implement the recommendations of the study.

Recommendation (Director Community Development)

That Council:

1. Notes the submissions made to the Seaford Wetlands Residential Environs Study (Study);
2. Adopts the Seaford Wetlands Residential Environs Study;
3. Authorises officers to commence work to implement the actions recommended by the Study; and
4. Notes funding for any proposed Water Sensitive Urban Design capital works is to be considered as part of the normal annual budget process.

Key Points / Issues

- This matter was deferred from the 1 July Council meeting to allow for a Councillor briefing that occurred in 7 August 2019.
- At its 1 April 2019 Ordinary Meeting, Council resolved to place the Seaford Wetlands Residential Environs Study (Study) on public exhibition for a duration of 4 weeks.
- Council at its 4 June 2018 Ordinary Meeting resolved for this Study (Action B6 of the Implementation Plan) to be undertaken as a “High” priority, as part of the adoption of the Frankston Housing Strategy 2018.
- The study comprised an investigation (in consultation with Melbourne Water) into the urban water management of the Seaford Wetlands Residential Environs, with a view to potentially implementing a specific DDO for this location. One of the resolutions was for officers to seek interim planning scheme controls to apply a 40% permeability standard for new development in the Study Area.
- Consultants, PLC Consulting, were appointed by Council to investigate the need for additional built form planning controls in the study area. PLC Consulting presented a final report in February 2019.
- The report recommends that due to recent improvements in state wide stormwater management planning controls, there is no need to change the local planning controls and no need to introduce additional controls for the land surrounding the Seaford Wetlands. The justification for this recommendation is further explained later in this report.

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Executive Summary**

- Public exhibition of the study commenced on Friday 3 May 2019 and concluded on Friday 31 May 2019.
- 5 submissions were received by Council during the exhibition period up to 31 May 2019.
- Submissions and commentary received by council were primarily concerned with the following:
 - Previous approved Planning Permits and enforcing conditions.
 - Property rate payments.
 - Disagreement with the outcomes of the Study and that more needs to be done to protect the Wetlands.
 - Agreement with the study, in terms of some of the recommendations.
- An officer assessment of these submissions is provided within the report.
- Following Council's consideration of the submissions received, the next phase will be to adopt the Study and authorise officers to proceed with recommended actions.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There have been financial costs of \$30,000 which included the preparation of the study and associated stormwater modelling. These costs have been accommodated within existing budgets.

The consultant's fees have been allowed for in the current Planning and Environment Department budget.

Any future implementation of the Study recommendations will be considered as part of Council's normal budget process.

Consultation

The study was on public exhibition from 3 May 2019 to 31 May 2019. Consultation included:

- making the study available at the Civic Centre and Council Customer Service Centres throughout the City;
- information in the "Have your say" section of Council's Website ;
- use of Social media including Facebook; and
- use of 'OurSay' on-line community engagement forum.

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Executive Summary**

A total of 5 written submissions were received. A summary of submissions and the officer response is included in the report below.

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

The report acknowledges that recent changes made by State Planning Scheme Amendment VC154 have modified the Planning Policy Framework to include integrated water management objectives and have introduced a new particular provision for stormwater management in urban development. This will help proposed developments not only within the study area, but throughout the municipality achieve water retention and improve stormwater quality that drains into the Wetlands.

Economic

No new planning controls are proposed and as such there will be no economic impact on the area or surrounding community. The proposed recommendations of the study propose initiatives which would strengthen the recreational patronage of the Wetlands, achieving more tourism for the area.

Social

There will be no new regulatory controls proposed as a result of the Seaford Wetlands Residential Environs Study and thus no additional impacts on the community. The study does propose initiatives that would potentially improve the amenity of the area and this would be beneficial to the social aspect of the Wetlands Environs as well as the recreational needs of the wider community.

Legal / Policy / Council Plan ImpactCharter 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

Procurements procedures and protocol are relevant to this matter.

Policy Impacts

The Seaford Wetlands Residential Environs Study reviewed the State Planning provisions, the Frankston Planning Scheme and other policies and studies that relate to the Wetlands.

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 recent (late 2018) changes to the Planning Scheme made by the State Government introduced specific storm water management provisions and related measures that will contribute to better environmental outcomes. This will also mean that development will better respect the desired neighbourhood character of the area and better manage water quality and quantity in the local area. A key consideration from the report is to monitor future urban development in the Seaford Wetlands Environs to determine the impact of recent Planning Scheme changes.

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Executive Summary****Conclusion**

The recommendations by PLC Consulting are considered to be appropriate by Council officers. State planning controls were strengthened in late 2018 with regard to building footprint and stormwater management which will help to mitigate the impact that new development in the surrounding area has on the Wetlands and will ensure development respects the special qualities associated with the Wetlands environs.

ATTACHMENTS

Attachment A:[↓](#) Seaford Wetlands Residential Environs Study - February 2019

Attachment B:[↓](#) Submissions to Seaford Wetlands Residential Environs Study

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Officers' Assessment****Background**

The Seaford Wetlands form part of the Edithvale-Seaford Wetlands, which collectively are identified as a Ramsar site of international significance. The Wetlands were originally part of the Carrum Carrum Swamp which occupied over 5,000 hectares, most of which has now been drained and turned into residential land. The Seaford Wetlands were disconnected from their natural catchment, Boggy Creek, in the 1880s, and receive most surface inflow via stormwater drains. Although located on Crown Land and freehold land owned by Melbourne Water, Frankston City Council assumes responsibility for the management of some parts of the Seaford Wetlands. It is also noted that Council also owns large sections of the Wetlands.

The Seaford Wetlands are located within Frankston City Council and are part of the largest remaining natural wetlands of their type in the Port Phillip and Westernport basins. The Kananook Creek Reserve and Seaford Foreshore are approximately 1 kilometre and 1.5 kilometres, respectively, west of the Wetlands. Relatively low-density housing development adjoins much of the length of the wetlands and these are clearly visible from the existing shared path that runs adjacent to these residential properties.

At its 4 June 2018 Ordinary meeting, Council adopted the Frankston Housing Strategy 2018, with a recommendation that a key action (B6 of the Implementation Plan) is to *'undertake an investigation in consultation with Melbourne Water through a specific study into the significance and management of the Seaford Wetlands and its residential environs, with a view to implement a specific Design and Development Overlay for this location'*.

Council sought the preparation of a planning investigation into the Seaford Wetlands Residential Environs to *'identify an appropriate planning control, such as a DDO, to regulate lot size, setbacks and building height to protect the amenity and environmental qualities of the Seaford Wetlands. The proposed control would complement and potentially replace an interim requirement for a 40% permeability standard that will likely be included in a schedule to the existing zoning of the area (as authorised by Council).'* PLC Consulting were appointed to investigate the need for additional built form planning controls in the environs of Seaford Wetlands.

Existing zones in and surrounding the Wetlands include the General Residential Zone (GRZ), Public Conservation and Resource Zone (PCRZ), Urban Floodway Zone (UFZ), Green Wedge Zone (GWZ) and Public Use Zone – Schedules 1, 2, 6 & 7. The Wetlands are also affected by the Land Subject to Inundation Overlay (LSIO), Environmental Significance Overlay (ESO1) and the Bushfire Management Overlay (BMO).

The project also included a review of stormwater impacts on the Seaford Wetlands reserve from the surrounding residential area. PLC Consulting identified issues in discussion with Council and provided recommendations to reduce the impact of urban development on this Ramsar site. As mentioned above, it will be important to acknowledge state wide changes made by the recent Amendment VC154 which modifies the Planning Policy Framework to reflect integrated water management objectives and introduces a new particular provision for stormwater management in urban development.

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Officers' Assessment****Issues and Discussion**

A final report has been prepared by PLC Consulting and found that while planning permit applications have steadily risen over the past decade, the number dropped dramatically in 2018, including a decrease in applications to construct more than one dwelling.

The causes for the decrease may be due to Planning Scheme Amendments GC13 and VC110 which reduce the development potential of land. More specifically, new minimum garden area requirements and mandatory height provisions introduced in 2017 are likely to have reduced the potential for multi-unit developments. This trend is consistent with what the consultant has experienced elsewhere within the state. Based on a review of Council's planning permit data, there is not a definitive pattern of development posing a threat to the study area. As such the consultants found that the need for more restrictive planning provisions is not clear at this point. It is also relevant as to what impact recent changes to the planning provisions have made. To better understand this situation, the consultants recommended that Council monitor and review planning and building permit activity within the Environs for at least a 12-month period.

The consultants were requested to review the existing planning framework within the study area to determine whether it is sufficient to meet current and future needs. This included the consideration of whether improvements were necessary to encourage better outcomes for Council and the community. Council also sought a high-level stormwater strategy as part of the project. It would appear that impacts within the study area posed by increased stormwater are likely to be the priority focus for future action, which may include measures to address site coverage. Impacts posed by built form and visual impact would appear to be of secondary importance. Another factor that the consultants were mindful of were previous comments made by the Planning Panel that considered Planning Scheme Amendment C95 (lapsed October 2016), where similar planning controls were attempted to be introduced. They were also mindful of a number of recent and emerging sources of information which are likely to be important in providing the necessary strategic justification for change.

The consultants also comprehensively reviewed literature relating to the Seaford Wetlands, which included the Edithvale-Seaford Wetlands Ramsar Site Management Plan, 2016. This plan for the Wetlands is produced by Melbourne Water and updated approximately every 7 years. The purpose of the plan is to maintain, and where possible improve, the ecological character of the Edithvale-Seaford Wetlands and promote better use.

In regards to the stormwater management of Seaford Wetlands, engineers Water Technology were engaged by PLC Consulting to review and model stormwater conditions affecting the study area. The key findings were:

- The modelling results indicate an increase of approximately 10% in surface runoff reaching the Wetlands. In order to preserve the wetland regime and ecological health, runoff treatment, infiltration and/or roof rainwater use will be required in ideal development scenarios.
- New development in the residential environs of the Seaford Wetlands will need to comply with best practice, i.e. meet the Urban Stormwater – Best Practice Environmental Management (BPEM) Guidelines (Victorian Stormwater Committee, 1999).

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Officers' Assessment**

- The BPEM requires flow discharges for the 1.5 year Average Recurrence Interval (ARI) at pre-development levels. This should generally ensure that impact from future developments on the hydrology regime of the Wetlands are mitigated.
- The State Environmental Protection Policy (SEPP) also provides a framework to protect and improve the quality of Victoria's waters having regard to the principles of environmental protection set out in the Environment Protection Act 1970 (the Act). It sets pollutant load targets for a number of Victorian waterbodies, including Port Phillip Bay.
- Areas of High Conservation Value, such as Ramsar sites, may warrant an additional level of protection. It may therefore be possible to set further pollutant load targets for the Seaford Wetlands to protect and improve the water and ecological quality. However, this would likely require:
 - Evidence to support the higher level of planning control;
 - Identification of suitable pollutant reduction targets. Pollutant load targets will need to be informed by site particularities including beneficial uses, RAMSAR environmental values and other influences, such as tidal and soil characteristics; and
 - Establishment of baseline conditions and implementation of a water quality monitoring program to report on targets.

This may help support a range of WSUD strategies to further protect/improve Seaford Wetlands, including:

- The development of Stormwater Quality Contribution Payments to help meet specific stormwater quality requirements for Seaford Wetlands. The levied contributions could subsequently be used to fund a range of stormwater strategies such as:
 - Streetscape raingardens and tree pits – this could be coordinated with planned infrastructure upgrades (e.g. roads);
 - End-of-line WSUD assets at outlets, which could form part of landscaped area along new walkways.
- Upgrade of stormwater infrastructure, with or without external funding such as Living Rivers and/or Port Phillip Bay Fund.

PLC Consulting found it was premature to seek introduction of more restrictive planning provisions within the study area at this stage for the following reasons:

- Recent changes to the Residential Zones (introduction of mandatory garden area requirements, height limits) through Amendment VC110 in March 2017 placed new restrictions on development which will assist in reducing developable area and increasing site permeability/filtration. The impacts of these changes need time to be realised as they are applied to new development.

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps

Officers' Assessment

- The recent introduction of new policy across the State – ‘Stormwater Management in Urban Development’ via Planning Scheme Amendment VC154 in October 2018 has also delivered protections to the study area. While the Amendment does not make changes to the General Residential Zone, it does introduce changes to Clause 55.03-4 (Permeability and stormwater management objectives) which is a part of ResCode and as such would apply to the development of two or more dwellings on a lot. This change may assist in meeting the objectives of this study, however needs time to be implemented.
- While planning permit applications have steadily risen over the past decade, they have dramatically decreased in 2018. PLC Consulting questions whether the relatively low number of application seen in 2018 will continue at this level.
- Through visual inspection, PLC Consulting did not identify developments which had adversely impacted the public realm in terms of scale, massing, or siting of new buildings. The consultants acknowledge one notable exception to the west of the study area; however they do not believe this provides the basis for change.
- Council does not appear to be pressured by a significant number of applications going to the Tribunal within the study area. There is no evidence at this point that the existing planning framework is problematic or threatened by challenge at the Tribunal.

In light of the above findings, PLC Consulting concluded that implementing a new DDO or a Schedule to the GRZ is not required at this stage. With this in mind, the consultants recommend consideration of the following actions below:

Item	Action	Detail	Likely Timing
1	Monitoring and Review	Council monitor and review planning and building permit activity – End 2019. Monitoring should include a qualitative and quantitative assessment of planning outcomes within the study area. This should include an interrogation of Council building permit data to understand the relationship between the size of lots and % site coverage. The review should also include an assessment of changes within the study area over the past 3 years (2017-2019).	End 2019
2	Policy development	Development of a dedicated “Stormwater Management” policy for application across Frankston City Council.	Late 2019 (see ## N.B. below)
3	Management	Council to further liaise with Melbourne Water to understand its priorities for the Seaford Wetlands, including: <ul style="list-style-type: none"> • Grant monies which may be utilised for Capital Works to improvements to the public realm, including: Tree planting with appropriate tree species; Streetscape raingardens and tree pits; and End-of-line WSUD assets. • The development of standard planning 	Ongoing

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps

Officers' Assessment

		<p>permit conditions applicable to the Study Area focused on improving stormwater quality.</p> <ul style="list-style-type: none"> • The production of education materials for residents around the significance of the Wetlands and measures that can be implemented to assist in their protection. • In order to prevent feral species – particularly foxes – from entering the Wetlands, improvements to perimeter fencing and stormwater drains are recommended. 	
4	Capital Works	<p>The perimeter of the Wetlands which is publicly accessible provides an opportunity to improve the public realm. Measures for consideration include:</p> <ul style="list-style-type: none"> • Beautification of the Wetlands boundaries – tree planting, landscaping; • Rain gardens to assist with stormwater management; • Further completion of the walking trail /circuit around the Wetlands; • Directional signage to assist with wayfinding; • Facilities to support walking and cycling; • Upgrades to existing facilities, including seating; • Improvements to the Austin Road Rotunda. 	Subject to Council budget cycle

N.B. In regards to the likely timing of the development of a “stormwater management” policy for application across Frankston City Council (Item 2) it is acknowledged that this would require a significant amount of work for Council officers and as such it is suggested that the timing for completion of this action be changed to late 2020.

Submission issues

5 submissions were received as of 31 May 2019. A summary of submissions including officer responses is specified below:

Submitter	Issue	Response
1	<p>Submitter made an enquiry regarding the properties at 29 to 39 Austin Road Seaford, where a permit was granted subject to conditions.</p> <p>As one of the conditions was the</p>	<p>The question was noted and officers have requested the Planning Enforcement team to investigate these properties.</p> <p>There is an animal registered on one of the properties. Council's Planning</p>

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps

Officers' Assessment

	applicant must enter into an agreement to ensure no cats or dogs to be kept on the land. Are any domestic animals currently registered at the addresses nominated?	Enforcement team will investigate the issue and make sure the Planning Permit condition is enforced, through contacting the resident and providing them with options.
2	<p>Submitter lived within the study area for several years and have never seen flooding as a problem. If flooding can be considered as possible then minor levy banks would be the solution.</p> <p>The submitter also suggests a number of capital work initiatives which is in line with those in Item 4 on Page 35 of the study report.</p>	The submitter's comment has been noted as feedback. As part of this Council Report, Council officers are recommending adoption of the study and for officers to commence the recommended actions, which include capital works initiatives.
3	<p>Friends of the Edithvale-Seaford Wetlands Inc (FESWI) in their submission expressed that they have concerns with the recommendations of the study in that it has settled for the 'status quo' and does nothing to further protect the Wetlands.</p> <p>FESWI believe that far greater controls are needed – particularly with reference to those properties that abut the wetland perimeter which includes the buffer zone, which was proposed under the lapsed Amendment C95.</p>	<p>The submission is noted.</p> <p>It should be expressed that the lapsed Planning Scheme Amendment C95 proposed an application of a Neighbourhood Residential Zone to an area of 100 metres of residential zoned land surrounding the Wetlands. This was not supported by the Panel that assessed Am C95 because the Panel could not find any strategic rationale to provide a 100 metre Neighbourhood Residential Zone buffer around the entire perimeter of the Seaford Wetlands, when only part of the area is affected by constraints as identified in the FHS. They also found that any need to better address the environment of the Seaford Wetlands should be addressed through separate specific investigation into the significance and management of this area.</p> <p>The Amendment C95 Panel did however provide comment that more research could be done to inform future actions.</p> <p>Council officers have addressed this by conducting the investigation through this Study which has included stormwater modelling of the study area. The study found that, it would be premature to seek the introduction of additional planning controls due to</p>

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps

Officers' Assessment

		the very recent changes made through Amendments VC110 and VC154.
4	<p>The Down's Estate Community Project (DECP) supports the recommendations from the study, in particular:</p> <p>Action 2: Stormwater Policy Development.</p> <p>Action 3: Management: DECP strongly support the idea that this education be extended to include the whole community in meaningful educational opportunities at the Seaford Wetlands.</p> <p>Action 4: Capital works: DECP support the improvements listed. As Licensees of the east side of Down's Estate, they have requested to be included in talks about the completion of the walking track through the western part of Down's Estate.</p>	<p>Support noted. As part of this Council report, two of the recommendations are to adopt the study and authorise officers to progress work on the actions.</p> <p>In regards to Action 4, any further work to be conducted will go through consultation with the relevant authorities and community groups, including the DECP.</p>
5	<p>Submitter provided support of the study and has provided some comments regarding stormwater runoff:</p> <p>When parked at Foot street shopping strip when raining heavily as well as other cars parked in likewise conditions, the submitter notices a lot of oil mixing in drains runoff. Can oil be separated from storm water before seeping into the much damaged Wetlands?</p> <p>They are now so polluted, it must be effecting our precious wildlife and flora as identified in the study results of Kananook Creek, done by Melbourne University. This is just one of damaging pollutants entering Port Phillip Bay, and on our Beach.</p> <p>Suggest all drives and courtyards are made to be permeable, in new developments, to ease run off in this low lying area.</p>	<p>Support and comments noted. As part of this Council report, two of the recommendations are to adopt the study and authorise officers to progress on the actions.</p> <p>In regards to Action 2, the likely timing of the development of a "stormwater management" policy for application across Frankston City Council (Item 2) it is acknowledged that this would require a significant amount of work for Council officers and as such it is suggested that the completion of this action be changed to late 2020.</p>

11.3 Seaford Wetlands Residential Environs Study - Report on submissions made during public consultation and next steps**Officers' Assessment**

Most of the submitters are from various locations including residents within the Seaford Wetlands study area. Feedback also addressed the Study's review of existing permits within the area, future drainage strategies and capital works recommendations, including that in areas where there are existing services and infrastructure such as community facilities.

One objecting submission raised concerns that current housing change and growth will result in environmental problems for the Wetlands and proposed to have a Minimal Change 100 metre buffer. The Minimal Change area surrounding the Wetlands was removed as part of the Frankston Housing Strategy 2018 due to the lack of justification that the Panel assessed in the lapsed Amendment C95. The Panel did however provide comment that more research could be done.

Council officers have addressed this by conducting the investigation that has formed this Study. The study undertaken by external consultants found that it would be premature to seek introduction of additional planning controls. This is due to the recent changes made through Amendment VC110 and VC154.

Options Available including Financial Implications

Option 1: Seek to utilise the existing planning controls and policies for the areas within the Study. This would rely on making the most of the outcomes that can be achieved through the application process and VCAT decisions. However, the need for monitoring will help determine this.

Option 2: Proceed to prepare and exhibit additional planning controls to provide enhanced protection for landscape values and character of Seaford Wetlands and its environs. The investigation by PLC Consulting recommends not to do this at this point as there is not sufficient justification for additional planning controls. The Minister for Planning would not likely support interim or permanent controls if there is no such justification provided.

There are financial implications associated with the preparation of a new planning scheme amendment. There are also financial implications with implementing the additional stormwater policy work recommendations provided by PLC Consultants.

Conclusion

The recommendations by PLC Consulting are considered to be appropriate by Council officers. State wide planning controls have recently been strengthened with regards to building footprint and stormwater management which will help to mitigate the impact that development in the surrounding area has on the Wetlands and will ensure that future development respects the special qualities associated with the Wetlands environs.

Recommendation

That Council:

1. Notes the submissions made to the Seaford Wetlands Residential Environs Study (Study);
2. Adopts the Seaford Wetlands Residential Environs Study;
3. Authorises officers to commence work to implement the actions recommended by the Study; and
4. Notes funding for any proposed Water Sensitive Urban Design capital works is to be considered as part of the normal annual budget process.



Seaford Wetlands Residential Environs Study

Final Report

Prepared for:

Frankston City Council
PO Box 490
Frankston 3199
February 2019

Project No: 30435



FRANKSTON CITY COUNCIL

SEAFORD WETLANDS RESIDENTIAL ENVIRONS STUDY

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Introduction

1 Introduction

Frankston City Council has sought the preparation of a planning investigation into the Seaford Wetlands Residential Environs to 'identify an appropriate planning control, such as a DDO, to regulate lot size, setbacks and building height to protect the amenity and environmental qualities of the Seaford Wetlands. The proposed control would complement and potentially replace an interim requirement for a 40% permeability standard that will likely be included in a schedule to the existing zoning of the area (as authorised by Council).'

The brief acknowledges that a number of zones and planning overlays have been applied within proximity of the Study area but that 'more should be done to protect the values of the wetland environs.' Critical to the project is the establishment of a reliable evidence base to support any changes to the existing planning framework.



Source: Frankston City Council

1.1 Project Scope

The updated Frankston Housing Strategy 2018, adopted by Council in 2018, states that a key action is to 'undertake an investigation in consultation with Melbourne Water through a specific study into the significance and management of the Seaford Wetlands and its residential environs, with a view to implement a specific Design and Development Overlay for this location'.

The project also includes a review of stormwater impacts on the Seaford Wetlands reserve from the surrounding residential area. We will identify issues in discussion with Council and provide recommendations to reduce the impact of urban development on this Ramsar site. In this regard, it will be important to acknowledge changes made by Amendment VC154 which modifies the Planning Policy Framework to reflect integrated water management objectives and introduces a new particular provision for stormwater management in urban development.

2 Methodology

This report has been developed utilising the following methodology.

- a) Identification and description of the Study Area (Note: the project study area was refined following an inception meeting with Council Officers).
- b) Existing Conditions review (utilising mapping and observations from the field).
- c) Review of Council GIS data and permit history.
- d) Literature Review identifying implications for the project.
- e) Review of relevant VCAT decisions.
- f) Review of Planning Panel reports.
- g) Review and analysis of the impact and effectiveness of existing planning controls.
- h) Review of other similar DDOs (Frankston and other LGAs).
- i) Identification of key issues & impacts of development on the study area.
- j) Recommendations (Statutory / Non-statutory)
- k) High level water quality (MUSIC) modelling of stormwater leaving the residential environs of the wetland system - both current and future (developed) conditions;
 - i. Based on the modelling, an assessment of the increase in pollutant loads due to future infill development;
 - ii. An assessment of the quantitative impact of the increased pollutant loads relative to the pollutants entering the wetland system from upstream;
 - iii. The formation of a high-level stormwater strategy which recommends viable treatment options.



The Study Area

3 The Study Area

The Seaford Wetlands form part of the Edithvale-Seaford Wetlands, collectively a Ramsar site of international significance and the only Victorian Ramsar site located in an urban area. The Wetlands were formerly part of the Carrum Carrum Swamp which occupied over 5,000 hectares, most of which has now been drained and turned into residential land. The Seaford Wetlands were disconnected from their natural catchment, Boggy Creek, in the 1880s, and receive most surface inflow via stormwater drains. Although located on Crown Land and freehold land owned by Melbourne Water, Frankston City Council assumes responsibility for the management of some parts of the wetland.

The Seaford Wetlands are located within Frankston City Council and are the largest remaining natural wetlands of their type in the Port Phillip and Westernport basins. The Kananook Creek Reserve and Seaford Foreshore are approximately 1 kilometre and 1.5 kilometres, respectively, west of the Wetlands. Relatively low-density housing development adjoins much of the length and is clearly visible from the existing shared path that runs adjacent to these residential properties.



Source: Frankston City Council

An aerial photo showing the study area is seen at Figure 1 (overleaf). The study area is defined by:

- Eel Race Drain to the north;
- Old Wells Road and Frankston Freeway to the east;
- Johnstone Street and Seaford Road to the south; and
- Mitchell Street, Park Street, Halifax Street, Newton Street and Wunalla Road to the west.

The study area contains both the Seaford Wetlands (public land) and surrounding land consisting of private residential land, the Downs Estate (Council land), the Seaford North Primary School, part of the Seaford Primary School, Patterson River Secondary College and Riviera Reserve. Areas within the study area are used differently. In broad terms, this may be described as:

- The largely fenced area of the Seaford Wetlands is not publicly accessible and is reserved for environmental and drainage purposes.
- The perimeter of the Wetlands is largely accessible to the public and contains recreation trails, vegetation, drainage and other infrastructure.
- The broader surrounding environs are developed for housing or education separated from the Wetlands by fences and roads.

The study area was originally defined based on two key factors:

- The potential for drainage and flooding impacts – land which may contribute to stormwater impacts on the Wetlands or flooding from the Wetlands.
- The potential for visual impact (land adjacent to and within immediate proximity of the Wetlands which, if further developed, could lead to visual impacts).

The identification of the study area took a conservative approach at the project outset to ensure that land was not excluded from the study. Through the course of the study, it was determined that the potential for impact on the Wetlands was contained to a smaller area. This is discussed later in the project findings which are shaped accordingly. Refer to **Figure 1** overleaf for the identification of the study area.



The Study Area



Figure 1: Aerial photo showing study area



Review of existing conditions

4 Review of existing conditions

An existing conditions review was carried out based upon observations from a field inspection undertaken with Council officers in November 2018, and through a review of aerial photography and Government mapping.

4.1 Built form and surrounding environs

Northern interface

To the north of the study area is Eel Race Drain, which forms the northern boundary of the study area. Dwellings abutting the Seaford Wetlands are separated from the Wetlands by timber paling fences, informal walking tracks and grassed embankments. Further to the north, the urban landscape is predominantly used for residential uses and consists primarily of one and two storey detached dwellings.



Southern interface

The southern interface of the study area is characterised by predominately single storey detached dwellings separated from the Wetlands by Austin Road. This area provides a viewing platform and signage of the Wetlands.





Review of existing conditions



Eastern interface

Old Wells Road is adjacent to the eastern side of the Wetlands. Some pockets of 1-2 storey residential buildings exist, and mature roadside vegetation provides a visual barrier between the road and Wetlands. There is an access point to the Peninsula Link Trail at the north-eastern corner of the Wetlands. The trail follows the eastern boundary of the Wetlands until Rossiter Court. As only a small part of the eastern interface is bordered by housing, the walking trail is typically less populated compared to the western side.



Western interface

To the west, streets run perpendicular to the walking trail which separates the Wetlands from private housing. Residential buildings are comprised of predominantly single-storey dwellings orientated to the street (rather than the Wetlands). A buffer zone of approximately 20 metres exists between the trail and Wetlands. The buffer contains a walkway for pedestrians and cyclists, vegetation and some drainage infrastructure as seen in the images below.





Review of existing conditions



Buildings along the western interface are predominately single storey, however there are some newer double-storey developments emerging. The example currently under construction (see below) utilises the Wetlands views through windows and balconies on the second floor. Living spaces are oriented to face the Wetlands rather than turning their back in the manner that much of the older housing stock has traditionally done. Further development in this manner has the potential to improve the outlook from the Wetlands. It also has the benefit of improving passive surveillance of the Wetlands from private property, thereby providing improved security within the public realm.



It was observed that there are opportunities to strengthen landscaping and soften the impacts of new development, both in the private and public realm. This could be achieved through the planting of appropriate species and Water Sensitive Urban Design initiatives such as raingardens at all interfaces (but particularly to the west and south where gaps in vegetation exist).





Review of existing conditions

4.2 Key Legislation and Agreements

There are numerous legislations and agreements protecting the Wetlands on an international, national and state level. Those of key relevance are listed below.

Ramsar Convention

The Ramsar Convention came into force in 1975 with Australia being one of the first countries to sign it. The mission of the Convention is the '*conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world.*' The three key documents used to record and maintain ecological character of Ramsar sites are the Ramsar Information Sheet (RIS), Ecological Character Description (ECD) and Management Plan.

Migratory Bird Conventions

Due to the presence of migratory birds in the Seaford Wetlands, a number of bilateral treaties apply. These are the Japan-Australia Migratory Bird Agreement (JAMBA), China-Australia Migratory Bird Agreement (CAMBA), Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA) and The Bonn Convention on Migratory Species (CMS). These agreements aim to protect migratory birds and their environment.

Additionally, the Wetlands are covered by the East Asian-Australasian Flyway Partnership (EAAFP), which seeks to protect migratory waterbirds through voluntary initiatives. The partnership supports the recognition and maintenance of Ramsar wetlands due to their important function as a habitat for migratory birds.

Environment Protection and Biodiversity Conservation (EPBC) Act

The EPBC Act seeks to protect matters of national environmental significance, including Ramsar wetlands. Any action which impacts the ecological character of a Ramsar site requires an environmental assessment and approval under the Act. The Act also established the Australian Ramsar Management Principles, which protect the migratory bird species listed under JAMBA, CAMBA and CMS amongst other nationally significant species.

Environment Protection Act 1970

This Act establishes the Environment Protection Authority (EPA) and seeks to improve the condition of air, land and water environments, partially through State Environment Protection Policies (SEPPs). The Seaford Wetlands are covered by the Waters of Victoria SEPP, which outlines objectives and targets for water quality.

Additionally, several state policies aimed at preventing and regulating pollution from acid sulfate soils apply to the Wetlands. These include the State Environment Protection Policy, Industrial Waste Management Policy and Best Practice Management Guidelines for Dredging.

Environment Effects Act 1978

This Act establishes the Environmental Effects Statement (EES) and gives the Minister for Planning the authority to decide on whether one is required. The effects of potential long-term change to the ecological character of a Ramsar site is considered grounds for an EES to be required.

Flora and Fauna Guarantee Act 1988

Flora and fauna in Victoria are protected under the Act, which aims to conserve all of Victoria's native plants and animals. The act also aims to protect the species of Victoria from potentially threatening processes which may impact their distribution, habitat and ecology. The Act also established the mechanism of listing threatened species and threats to native species.



Review of existing conditions

4.3 Biodiversity

Biodiversity is a measure of variation at a genetic, species and ecosystem level. It is important to preserve biodiversity in order to maintain stable ecosystems of flora and fauna.

The Seaford Wetlands are a site of national and international ecological significance due to the migratory birds and other significant species which inhabit the site. This is proven through the numerous bilateral agreements outlined in Section 4.2. The Wetlands also form part of the Carrum Wetlands Important Bird and Biodiversity Area (IBA). IBAs are sites of international importance for bird conservation. Globally important bird populations in the Carrum Wetlands IBA include the Australian Bittern and Sharp-tailed Sandpiper, both of which are present in the Edithvale-Seaford Wetlands; the former is also a nationally endangered species.



Australasian Bittern
 (Source: Richard Hall Photography)

Aside from birdlife, the Edithvale-Seaford Wetlands support a mob of Eastern Grey Kangaroos and countless other mammals, bats, frogs, reptiles and fish. They also contain several plant populations, four of which are of state significance: Plains Sedgy Wetland, Tall Marsh, Brackish Aquatic Herbland and Large River Buttercup. Key Ramsar values of the site include its function as an important foraging habitat for migratory waders, as a breeding habitat for resident and nomadic species, and drought refuge.

A total of 6 Ecological Vegetation Classes (EVCs) have been identified in the Seaford Wetlands, including the Tall Marsh, Plains Grassy Woodland and Brackish Wetland. Figure 2 below maps the EVCs. It is important to note that the distribution and occurrence of these EVCs is variable due to fluctuating water levels and salinity.

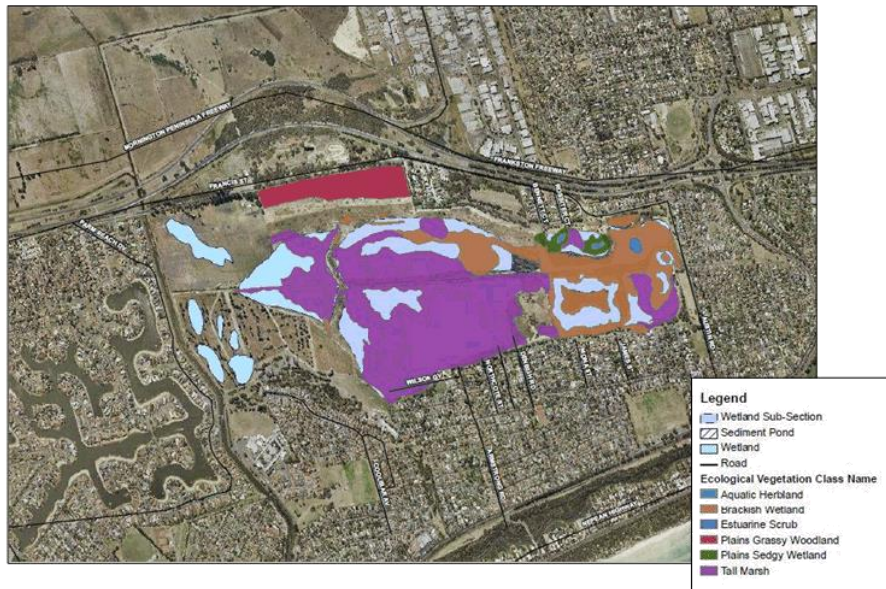


Figure 2 - Distribution of wetland vegetation classes (SKM, 2011)



Review of existing conditions

Figure 3 below identifies that the majority of the Wetlands has a Strategic Biodiversity Value Ranking of 90 out of a possible 100 (indicated by the darkest green shading). This reinforces the fact that biodiversity within the study area is of significant value.

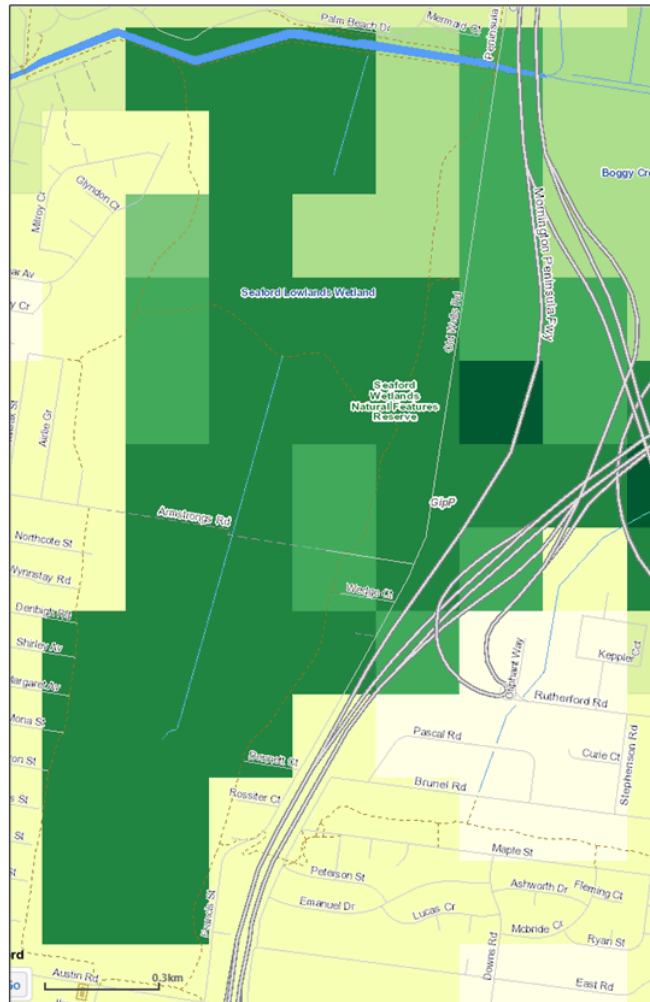


Figure 3 - Biodiversity Map (Source: DELWP NatureKit, <http://maps.biodiversity.vic.gov.au>)

The Seaford Wetlands provide other important services such as assisting in the natural flow of flooding, retaining and diverting stormwater runoff, as well as protecting the water quality of Port Phillip Bay through treating stormwater. They also provide education opportunities for schools and community groups through the Edithvale-Seaford Wetland Education Centre, which is operated by Melbourne Water.



Review of Council permit data

5 Review of Council permit data

A review of Council planning permit data for the Study Area was undertaken to interpret trends from 2006-2018. Key findings are summarised below.

Number of planning permit applications determined

- While there have been minor fluctuations, the number of planning permit applications decided by Council within the study area steadily increased from 2006-2017.
- There is a noticeable drop-off in planning permit applications decided in 2018. It is unclear as to whether this trend is likely to continue. Possible explanations include:
 - The data was sourced in November 2018, providing approximately one further month for Council to receive and decide on planning permit applications.
 - Changes made by Amendment GC13 in October 2017 removed the Bushfire Management Overlay from most private land within the study area, therefore removing a permit trigger.
 - Changes to residential zones (introduction of mandatory garden area requirements, height limits) through Amendment VC110 in March 2017 have placed new restrictions on development which may reduce the viability of some development types.

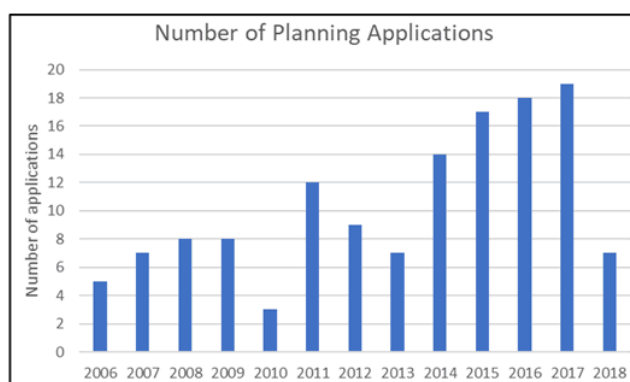


Figure 4 - Number of planning applications determined, 2006-2018

Planning application type

- Over half of all applications determined related to the construction of more than one dwelling on a lot. Similar to the trends identified above, there is a sharp decline in 2018 with only three applications.
- Approximately 10% of applications are to construct one dwelling on a lot. There are no examples in 2018.

Application type	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total	%
Alterations to a building structure or dwelling									1		1	3		5	3.7%
Change or extension of use							1							1	0.7%
Creation/Removal of Easement/Covenant/R.O.W.			1											1	0.7%
Ext to an exist dwell or structure ass with dwell			1	1	1	2	1	1	1		1	1	1	11	8.2%
Extend building (other than dwelling)	1	2												3	2.2%



Review of Council permit data

More than one new dwelling, but less than ten	1	4		3		9	5	1	7	12	14	9	3	68	50.7%
Native Vegetation Removal			1	1					1		1			4	3.0%
One new dwelling	2	1		1	2	1	1		3			2		13	9.7%
One or more new buildings				1				1						2	1.5%
Other							1	4	1					6	4.5%
Other buildings & works (dam, earthworks, etc)			1							2				3	2.2%
Subdivision of land (1 to 9 lots)			4	1						1		3	2	11	8.2%
Subdivision of land (10 or more lots)	1													1	0.7%
Vic Smart Application										2	1	1	1	5	3.7%
Total	5	7	8	8	3	12	9	7	14	17	18	19	7	134	

Figure 5 – Planning applications by type, 2006-2018

Determination pathway

- An overwhelming amount of applications in the study area were approved under delegation.
- Only 9 applications have been refused since 2006.
- Only four applications resulted in VCAT appeal.
- Since 2006, only one application has been decided at a Council meeting.

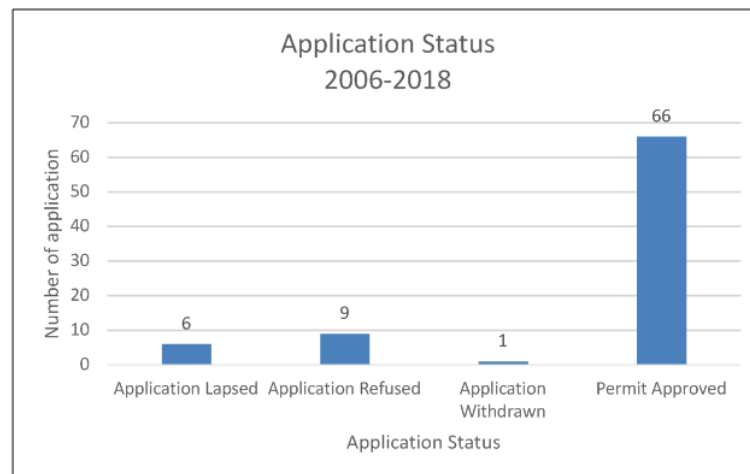


Figure 6 – Determination pathway 2006-2018



Review of Council permit data

Comparison of current planning overlays and planning permit applications

- The location of planning applications is largely scattered.
- There is not a direct correlation between the extent of overlays and planning permit applications.
- As established earlier, over 50% of all applications relate to the construction of more than one dwelling on a lot with a permit trigger outside of the overlay controls.
- Council has control over issues relating to inundation and flooding courtesy of overlays on private land.
- The Bushfire Management Overlay affecting the site area has been significantly reduced via Amendment GC13 for planning permit applications outside of its current mapped area to the east of the Study Area. It is evident that there is a concentration of planning permit applications within the current extent of the Overlay.

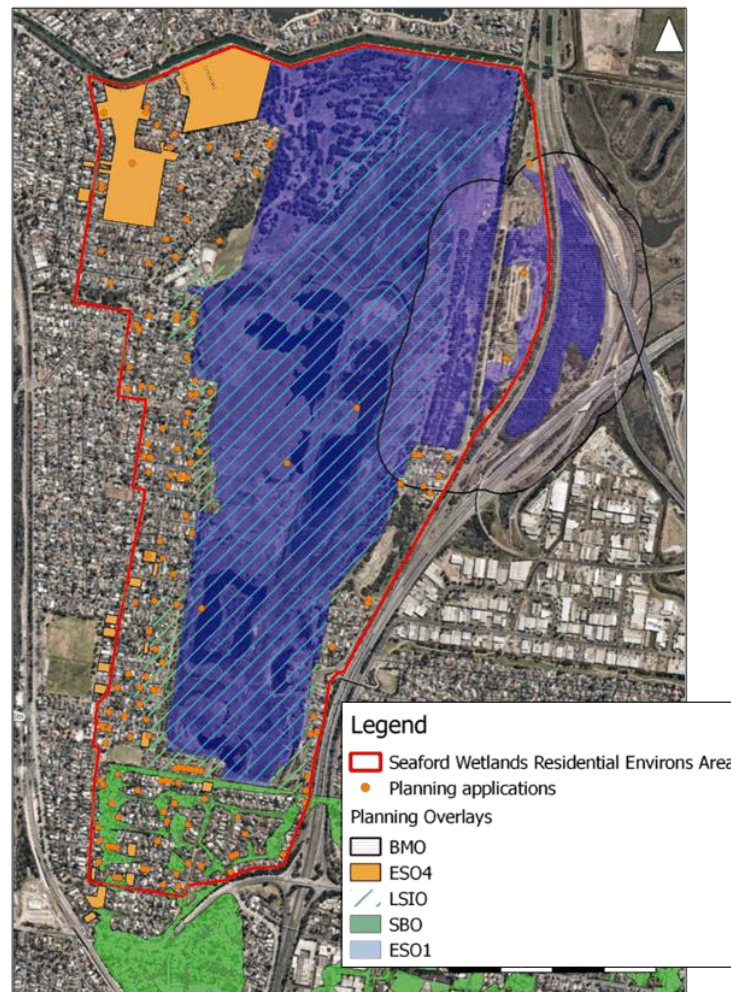


Figure 7 – Current Planning Overlays & Planning applications 2006-2018



Review of Council permit data

5.1 Project Implications

While planning permit applications have steadily risen over the past decade, the number dropped dramatically in 2018, including a decrease in applications to construct more than one dwelling.

The causes for the decrease may be due to Amendments GC13 and VC110 which reduce the development potential of land. More specifically, new minimum garden area requirements and mandatory height provisions introduced in 2017 are likely to have reduced the potential for multi-unit developments. This is consistent with our experience elsewhere.

Based on a review of Council's planning permit data, there is not a definitive pattern of development posing threat to the study area. The need for more restrictive planning provisions is not clear at this point. It is also questionable as to what impact recent changes to planning provisions have made.

To better understand this situation, it is recommended that Council monitor and review planning and building permit activity for at least a 12-month period. Refer to Section 11 for further detail.



Literature Review

6 Literature Review

6.1 Strategies & Management Plans

Frankston Housing Strategy 2018

The Frankston Housing Strategy (FHS) was adopted by Council in June 2018 to provide policy direction for the provision of new housing development in Frankston City. Key objectives of the strategy are 'to maintain a steady supply of new housing that is affordable and fit for purpose, while protecting and enhancing the quality of residential amenity and neighbourhood character across Frankston City's different suburbs'.

As shown below, the study area is identified as being an Incremental Change Area. This is the second-most restrictive change area after the Minimal Change Area and covers the majority of the Frankston LGA. According to the Housing Strategy, Incremental Change Areas: 'are established residential areas which provide some opportunities for housing growth and change over time, including some dispersed medium density dwellings, provided developments are well designed and have regard to neighbourhood character. The typical infill development is the dual occupancy, where a new dwelling is located in the backyard of an existing dwelling and the existing driveway is shared. Another common development type is where a single house on a large lot is replaced by two three or four townhouses, which again may share a single crossover for vehicle access. Depending upon lot size and the design of the street network, scattered infill developments of this sort, in traditional suburban residential areas can be accommodated with little change to the prevailing residential amenity.

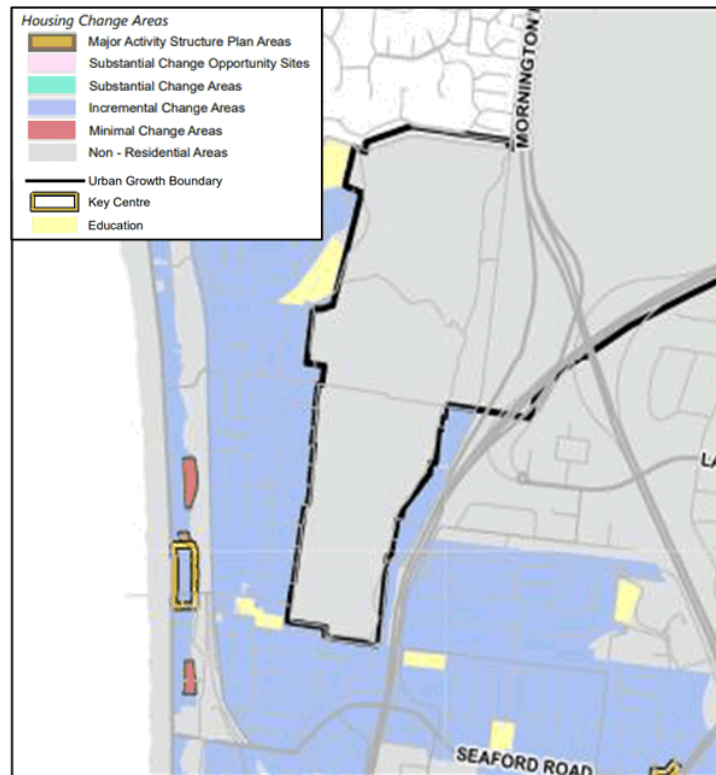


Figure 8 - Frankston City Council Housing Framework Plan



Literature Review

Draft Healthy Waterways Strategy, June 2018

The strategy identifies key threats to waterway values as 'stormwater, climate change, poor water quality, and pest plants and animals'. The strategy also notes that 'urban encroachment and densification around urban waterways detract from waterway amenity'. The strategy promotes a place-based approach to integrating land-use planning and waterway management. Key objectives for the Edithvale-Seaford Wetlands include increasing the buffer of native vegetation and reducing the threat of invasive plant species.

Water for Victoria – Water Plan Strategy, 2018

Water for Victoria is a newly published strategic plan for management of Victoria's water resources. Notably, the strategy identifies that better stormwater management can mitigate the pollution of waterways and wetlands. The strategy states that 'Now we know that keeping stormwater in the landscape and managing discharges to our stormwater systems can help to reduce the impact of erosion and pollution of our urban waterways. By better managing stormwater we can build our resilience to floods and make more water available for urban vegetation'.

Groundwater Preliminary Impacts – Ecological Assessment – Rail Under Road, 2017

As part of the LXRA groundwater assessment for Edithvale and Bonbeach, the report investigated potential impacts of the level crossing removals on the Edithvale-Seaford Wetlands (with primary focus on the Edithvale Wetlands). The report identifies that 'based on DELWP EVC (Ecological Vegetation Classes) modelling, there is potential for up to six EVCs to be present within a one-kilometre buffer of the Edithvale-Seaford Wetlands'.

Edithvale-Seaford Wetlands Ramsar Site Management Plan, 2016

A Management Plan for the Wetlands is produced by Melbourne Water approximately every 7 years. The purpose of the plan is 'to maintain, and where possible improve, the ecological character of the Edithvale-Seaford Wetlands Ramsar site and promote wise use'. The Plan notes that subject to the Aboriginal Heritage Act, land within 200 metres of a declared Ramsar wetland area is an area of cultural heritage sensitivity.

The Management Plan states that 'water quality in the Edithvale-Seaford Wetlands is likely to be significantly influenced by saline water intrusion from groundwater, exposure of coastal acid sulphate soils, backflows of saline water in drains during high tides and the quality of stormwater run-off from adjoining urban areas'.

A risk assessment undertaken for the site also identifies the Wetlands' vulnerability to pressures such as urban stormwater, litter, disturbance of Acid Sulfate Soils (ASS), invasive species and climate change. In particular, the impacts of sea level rise and predatory species (foxes, rats and cats) are categorised as extreme level risks.

Victorian Auditor-General Report on Ramsar Sites, 2016

The report highlights the need for all Ramsar sites, including Seaford, to adopt a comprehensive management framework. The report states that 'No one plan met all the requirements to be considered a comprehensive management framework for a Ramsar site.... and identified risks from recreational activity, changes in water quality and climate change were rarely addressed.'

Description of the Ecological Character of the Edithvale-Seaford Wetlands Ramsar Site, 2012

The document outlines key data gaps, notably that 'information is less detailed for hydrological inflow and outflow volumes, flood storage capacity, vegetation condition and soil type. While water levels within hydrological management cells are well understood and documented, bathymetry of the wetlands has not been mapped.'

Integrated Water Action Plan, 2016-2026

Frankston City Council's Integrated Water Action Plan (IWAP) is a ten-year plan to facilitate a strategic and practical approach to integrated and sustainable water management. A key focus of the IWAP is reducing stormwater pollution to the City's waterways and to Port Phillip Bay. Key actions relating to the Wetlands include:



Literature Review

- *Develop an agreement with Melbourne Water regarding stormwater management in the Frankston municipality, to clarify the roles and responsibilities of each organisation, including Maintenance Agreements*
- *Implement Council's Municipal Strategic Statement (MSS) and update over time to support integrated water management within the municipality*
- *Develop enhanced planning controls to require IWM for all development within the municipality - including infill, industrial and commercial development*
- *Investigate a stormwater quality offset scheme (i.e. developer contributions to the City's stormwater quality infrastructure in lieu of development scale infrastructure)*
- *Review Council's Flood Management Plan and Drainage Strategies and commence development and a budget bid for new plans/strategies*
- *Review Council's WSUD Guidelines to better communicate Council's standards and requirements for external WSUD development projects and to improve developer compliance*
- *Educate community on the environmental and recreation value of natural assets such as Seaford Wetlands, Kananook Creek and Sweetwater Creek*
- *Advocate for the feasibility assessment of, and if viable, the Seaford Wetland Reserve stormwater treatment scheme*
- *Investigate the feasibility of installing additional Gross Pollutant Traps in Council's stormwater drainage system, to capture litter and coarse sediment and prevent from entering the stormwater system and local waterways*

Many of the strategies of the IWAP would benefit the water quality of the Seaford Wetlands by improving stormwater treatment and retention in new developments. The IWAP also ties into Frankston's Flood Management Plan and WSUD guidelines.

Frankston WSUD Guidelines, 2012

Water Sensitive Urban Design (WSUD) is a component of sustainable water management that recognises the value of stormwater. It enables water conservation, water quality improvement, and stormwater detention to be incorporated into urban planning and design. WSUD asset types include rain gardens, gross pollutant traps, rainwater tanks and stormwater harvesting systems. When applied to residential developments, these assets would assist in treating and re-using stormwater, which would result in less and cleaner runoff. WSUD developments are required to submit a concept design followed by a detailed design.

Currently, WSUD is encouraged as a strategy throughout Frankston's MSS and local policy. Under Clause 53.18 Stormwater Management in Urban Development, WSUD is referenced in stormwater management for subdivisions only.

Frankston Flood Management Plan, 2011

The Flood Management Plan for Frankton City Council and Melbourne Water was created for the purpose of managing existing, residual and future flood risks. The Plan includes an analysis of existing flood risks, pressures to the drainage system and the roles and responsibilities for both Council and Melbourne Water. The report concludes with an Improvement Plan listing issues and actions for reducing flood risk.

Notably, the plan flags that flood mapping has not been undertaken in Council-managed drains and recommends that the *'planning and engineering departments of Council to liaise with each other to ensure flood risks are taken into account'* with high priority.

The management plan states that a full review will be undertaken every 5 years; however, it has not been updated since its release in 2011.

Other:

- Dandenong Valley & Western Port Authority, City of Frankston: Report on Carrum Carrum Wetlands, Seaford Swamp Master Plan, 1991



Literature Review

- City of Frankston, Dandenong Valley Authority: Seaford Swamp Development Master Plan, 1989
- Department of Sustainability and Environment, Endorsement of Documentation for the Edithvale-Seaford Wetlands Ramsar Site, 2008.

6.2 Relevant VCAT decisions

Gangi v Frankston CC [2011] VCAT 288 (28 February 2011)

20 Airlie Grove, Seaford adjoins the western boundary of the Seaford Wetlands. The Tribunal noted the proximity to the Wetlands as a planning consideration and placed several conditions on the permit including expanding the rear open space and requiring one tall canopy tree in the backyard in addition to perimeter landscaping.

Jackson & Ors v Frankston CC & Anor [2010] VCAT 1069 (25 June 2010)

14 Wynnstay Road, Seaford is located approximately 60m from the western boundary of the Wetlands. The proposal involved the demolition of an existing single-storey dwelling, construction of two dwellings (a double-storey at the front) and removal of a mature Elm tree. In this case, the Tribunal overturned Council's decision to grant a permit subject to conditions, on the basis that the building height and removal of the Elm were unacceptable outcomes. However, the Tribunal deemed that dual occupancy developments as a whole were suitable for the area.

White Ash v Frankston CC [2004] VCAT 2170 (28 October 2004)

17 to 43 Austin Road, Seaford is located adjacent to the Wetlands' southern boundary. The proposal involved the construction of 24 dwellings in total across the 13 lots and comprised seven applications. A key objector to the proposal was the Friends of Edithvale-Seaford Wetlands Inc., while Melbourne Water and DELWP joined the proceedings as relevant authorities.

For properties at 29 to 39 Austin Road Seaford, a permit was granted subject to conditions. Most notably, dwellings were restricted to single storey, the acoustic paling fence was moved back 10m south of the northern boundary, and the applicant entered into an agreement with Melbourne Water to ensure all external lighting be baffled and downcast and no cats or dogs to be kept on the land.

For properties at 17 to 27 Austin Road Seaford, a similar agreement with Melbourne Water was arranged. The basis for these lighting and pet requirements were based on a management plan by Ecology Australia – an earlier version of the current 2016 Management Plan. Excerpts from the VCAT case quotes the Management Plan: *'Control disturbing influences such as noise, inappropriate levels of use on nearby reserves and limit lighting to low lux strength within 500m of the wetlands.'*



Source: Frankston City Council

The Tribunal rejected all of the applications for multi-dwelling proposals on the basis that they represented an over-development of the site with regards to the sensitive nature of the adjoining wetlands. Neither DEWLP nor Melbourne Water objected to the applications. However, both expressed the need to be cautious in relation to development of the land given its abuttal to the Wetlands and possible impact on protected bird species and their habitat.

6.3 Review of Planning Panel Reports

Frankston Lapsed Amendment C95, 2013

Frankston Amendment C95, which lapsed in March 2015, was designed to implement the new residential zones (Neighbourhood Residential, General Residential, Residential Growth) generally in accordance with the Frankston Housing Strategy 2013. The amendment was not supported by an Independent Panel. The Panel identifies that *'restrictive provisions have been applied in areas not addressed in the Frankston Housing Strategy'*.



Literature Review

Amendment C95 would have applied a 100m Neighbourhood Residential buffer zone around the Wetlands. In particular *Schedule 6 – Seaford Wetlands Environs* specified maximum 40% site coverage, 40% permeability, all proposed plantings on landscape plans to be indigenous species, private open space and setback requirements..

The rejection of C95 by the Panel reinforces the need to support proposed amendments with strong strategic analysis and to ensure planning controls coincide with Council's Housing Strategy. The Panel stated that *'any need to better address the environment of the Seaford Wetlands should be addressed through separate specific investigation into the significance and management of this area'*.

Frankston Amendment C78, 2014

Amendment C78 sought to implement the recommendations of the *Sweetwater Creek Planning Controls Investigation, 2011* by applying design and built form controls to provide neighbourhood character and landscape protection to reduce the impacts of development on the Sweetwater Creek corridor and the wider environs. More specifically, it introduced DDO8 and DDO9 built form planning controls which apply to the Sweetwater Creek immediate and wider environs. The Panel supported the amendment on the basis of the findings of the 2011 investigation which found that *'there is a need to protect and improve the environmental and character qualities of the creek and its environs. This includes applying stronger planning policies and controls'*. However, the DDOs were implemented with changes – notably, the two mandatory controls for height and rear setback were removed as the Panel could not find any justification for mandatory controls.

6.4 Implications

The key implications arising from the literature review may be summarised as follows:

- a) Threats to waterway values were identified as stormwater, climate change, poor water quality, and pest plants and animals, urban encroachment and densification around urban waterways.
- b) Increasing the buffer of native vegetation and reducing the threat of invasive plant species are seen as key objectives for the Edithvale-Seaford Wetlands.
- c) Based on DELWP EVC (Ecological Vegetation Classes) modelling, there is potential for up to six EVCs to be present within a one-kilometre buffer of the Edithvale-Seaford Wetlands.
- d) Land within 200 metres of a declared Ramsar wetland is an area of Cultural Heritage Sensitivity.
- e) Water quality in the Edithvale-Seaford Wetlands is likely to be significantly influenced by saline water intrusion from groundwater, exposure of coastal acid sulphate soils, backflows of saline water in drains during high tides and the quality of stormwater run-off from adjoining urban areas.
- f) There appear to be data gaps, notably that information is less detailed for hydrological inflow and outflow volumes, flood storage capacity, vegetation condition and soil type. While water levels within hydrological management cells are well understood and documented, bathymetry (depth of the wetlands) has not been mapped.
- g) All Ramsar sites including Seaford are required to adopt a comprehensive management framework. Risks from recreational activity, changes in water quality and climate change have not been properly addressed previously.
- h) Any need to better understand the environment of the Seaford Wetlands should be addressed through separate specific investigation into the significance and management of this area.
- i) DDOs have been supported previously around Sweetwater Creek in Frankston South; however, two mandatory controls relating to height and rear setback were removed as the Panel could not find any justification for mandatory controls.



Planning Policy Review

7 Planning Policy Review

A summary of existing planning policy applicable to the study area is provided below:

Clause 12.01 Biodiversity

Key strategies include to:

- *Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.*
- *Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:*
 - *Cumulative impacts.*
 - *Fragmentation of habitat.*
 - *The spread of pest plants, animals and pathogens into natural ecosystems.*
- *Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention).*

Clause 12.01-2S Native Vegetation Management

The strategy for Clause 12.01-2S is to:

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

- *Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.*

Clause 12.03 Water Bodies and Wetlands

Key strategies include to:

- *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*
- *Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.*
- *Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland's natural capacity to manage flood flow.*



Source: Frankston City Council



Planning Policy Review

Clause 13.03-1S Floodplain Management

Key objectives include to assist in protecting:

- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river health.*

A key strategy for this clause is to *'avoid intensifying the impact of flooding through inappropriately located use and development.'*

Clause 21.05 Environmental Risk

The Seaford Wetlands are flagged as an area of environmental risk in terms of sea level rise and natural hazard events, bushfire risk, flooding and inundation, coastal acid sulfate soil, indigenous flora and fauna and waterway health. As such, Council states that the Precautionary Principle should be applied to all new developments adjacent to the Wetlands. Frankston's Flood Management Plan 2011 is included as a document of relevance.

Clause 21.06 Environmental and Landscape Values

Clause 21.06 of the MSS identifies the importance of protecting significant biodiversity and wetlands from inappropriate development. Furthermore, a key strategy is to *'identify, protect and enhance the habitat and flood retarding values of waterways and wetlands'*. The Seaford Wetlands is classified as an 'Environmentally Sensitive Area', while parts of the study area to the east and west are identified as habitat corridors.

Clause 22.08 Neighbourhood Character Policy

Council's Neighbourhood Character Policy outlines specific built form objectives to achieve the desired character for each precinct. As seen in Figure 7, the study area is covered by Seaford Precincts 5, 6 and 8. The overall design response for buildings adjacent to the Wetlands is that they *'should be designed to minimise visual impact when viewed from the wetlands reserve through the use of massing, forms, muted colours and materials'*.

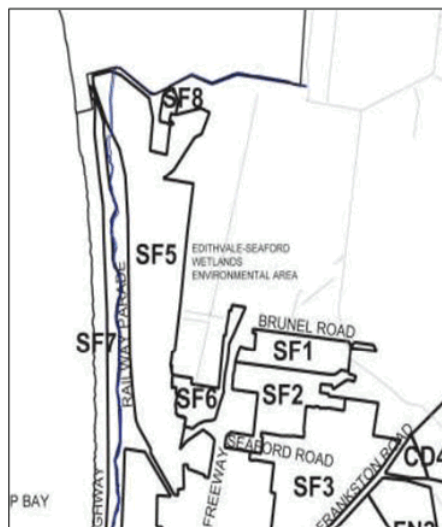


Figure 9 - Neighbourhood Character Precincts Map



Planning Policy Review

Precincts 5 and 6 have similar guidelines; the preferred character statements focus on maintaining open, spacious streetscapes and respecting the wetland environment by not dominating the landscape. A key design response for both precincts is *'Where a site adjoins Kananook Creek or the Seaford Wetlands; Building mass should be located on that part of the lot away from the creek or wetlands. The second storey component of any building should be set back from the ground floor creek or wetland elevation a distance of at least the ground floor building height'*. Precinct 5 requests low pitched roof forms as a design response, while Precinct 6 requires applications to include a landscape plan utilising low maintenance plants and indigenous species where possible. Precinct 6 also requests the retaining of large and established native trees.

Precinct 8, which occupies a small portion of the study area to the north-west, focuses solely on maintaining open streetscapes.



Planning Policy Review

7.1 Zones

Public Use Zone 1 & Public Conservation & Resource Zone

The Public Use Zone 1 (PUZ1) has been applied to the bulk of the public land (the Wetlands). The Public Conservation & Resource Zone has been applied to the northern section of the Wetlands.

Urban Flood Zone, & Green Wedge Zone

The Urban Flood Zone (UFZ) and Green Wedge Zone (GWZ) have been applied to the north-eastern corner of the Wetlands.

Public Use Zone 2

The Public Use Zone 2 (PUZ2) has been applied to schools within the study area.

General Residential Zone Schedule 1

Private land surrounding the Seaford Wetlands is mostly contained within the General Residential Zone Schedule 1 (GRZ1). The General Residential Zone applies to the majority of residential areas in Melbourne and encourages growth in housing which respects existing neighbourhood character. The Zone specifies a minimum garden area of 25-35% dependent on lot size – for most properties in the study area this would be either 30% or 35%. The garden area calculations include areas on spaces such as open entertaining areas, lawns, garden beds, swimming pools, and tennis courts.

There is also a mandatory height control of 11 metres and 3 storeys.

Schedule 1 to the GRZ places no additional conditions on development. This means that aside from the maximum height specified in the Zone, development must conform to ResCode standards for site coverage, permeability, setbacks etc.

As discussed in Section 5, recent changes to Residential Zones (notably the introduction of mandatory garden area requirements, height limits) through Amendment VC110 in March 2017 have placed new restrictions on development which may assist in reducing developable area and increasing site permeability and filtration.

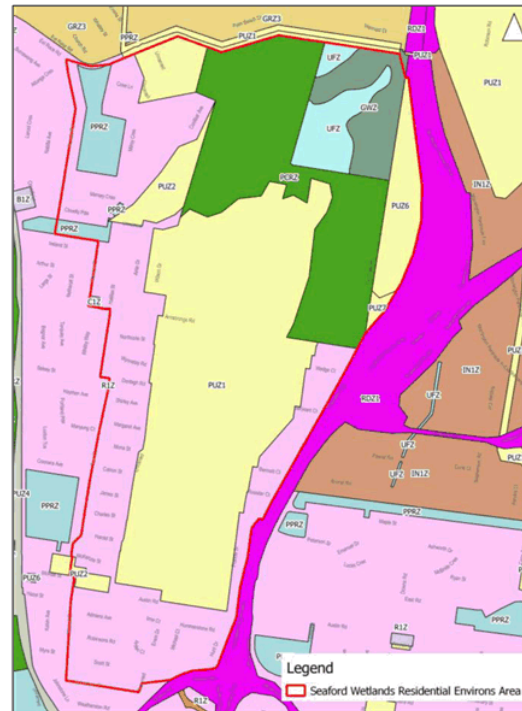


Figure 10 - Zoning Map

7.2 Overlays

Environmental Significance Overlay

The Environmental Significance Overlay (ESO) has been applied throughout the Wetlands to some individual properties and schools in the north west of the Study Area. These properties are included as they have significant tree species and therefore undergo more stringent assessment for vegetation removal. Refer overleaf.

Land Subject to Inundation Overlay

The Land Subject to Inundation Overlay (LSIO) applies to a majority of the Wetlands and also to private property adjacent to the wetlands to the west. Under the LSIO, applications must be consistent with any local floodplain development plan and will be referred to Melbourne Water for referral. Refer overleaf.



Planning Policy Review

Special Building Overlay

A number of properties directly to the south of the Wetlands are covered by the Special Building Overlay (SBO) which applies to urban land liable to flooding from drainage systems. Under the SBO, applications must be accompanied by a site plan, must be consistent with any local floodplain development plan and will be referred to Melbourne Water for referral. See below.



Figure 11 - ESO Map

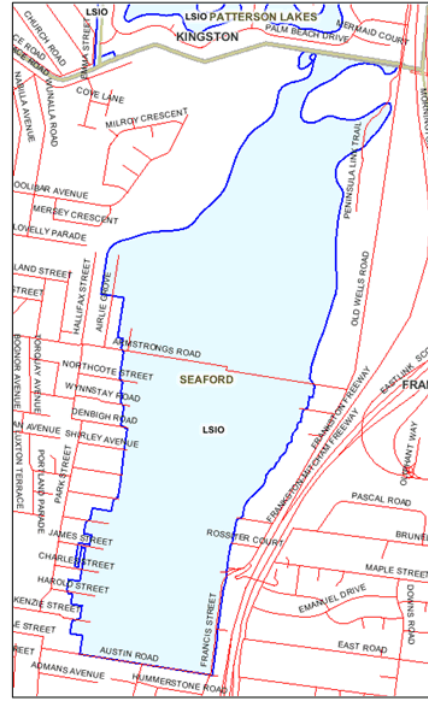


Figure 12 - LSIO Map

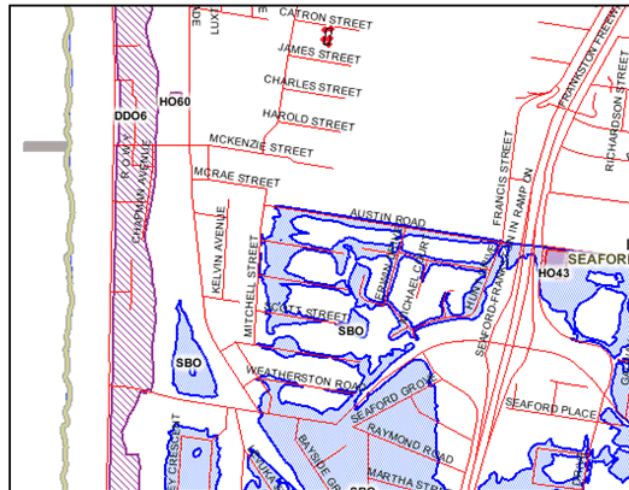


Figure 13 - SBO Map



Planning Policy Review

7.3 Particular Provisions

Clause 53.18 Stormwater Management in Urban Development

Clause 53.18 outlines standards for buildings, works and subdivisions in urban areas and was introduced in October 2018 through Amendment VC154. The policy aims to improve the management of stormwater generated from all forms of urban development, not just subdivision and apartment developments. Clause 53.18-5 (Stormwater management objectives for buildings and works) applies to all applications for two or more dwellings on a lot within the study area. Key objectives which must be satisfied are to:

- *Encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site;*
- *Encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces; and*
- *Ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

The clause states that developments should meet the best practice objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999). General decision guidelines for applications include the incorporation of WSUD, water quality of stormwater discharge and on-site stormwater retention.

The recent introduction of Clause 53.18 may assist in meeting the objectives of this study, but again needs time to play out.

Clauses 54 & 55 Residential Development Standards (ResCode)

ResCode standards at Clauses 54 and 55 outline the development standards for the construction of dwellings on a lot. ResCode includes a suite of objectives and standards – the most relevant to this report are street setback, building height and site coverage/permeability.

The General Residential Zone currently specifies 11 metres as the maximum building height which overrides the ResCode standard of 9 metres.

Street setback is dependent on the setbacks of abutting properties, while side and rear setbacks are dependent on building height. Minimum permeability is specified at 20% while maximum site coverage is 60%.

ResCode also includes standards for neighbourhood character. Applications must be accompanied by a neighbourhood and site description and design response which demonstrate how the development will integrate into the existing streetscape.



Planning Policy Review

7.4 Review of comparable planning controls

We have reviewed planning provisions developed in Frankston and the surrounding municipalities of Kingston and Bayside given common themes pertaining to the protection of wetlands and sensitive environs.

Frankston Schedule 8 to the Design and Development Overlay - Sweetwater Creek Frankston South – Immediate Environs (DDO8)

DDO8 applies to a small portion of Frankston South in the immediate vicinity of the Sweetwater Creek. Design objectives seek to ensure that development is sensitive to the creek and its environs and minimises visual impact. Furthermore, maintaining adequate space on sites to allow for the planting of vegetation and reduced stormwater runoff is encouraged. The overlay extends approximately 50 - 100 metres from the creek.

Frankston Schedule 9 to the Design and Development Overlay - Sweetwater Creek Frankston South – Wider Environs (DDO9)

DDO9 applies to the wider environs of Sweetwater Creek. The design objectives are similar, focusing on enhancing the character of the broader Sweetwater Creek valley and maintaining adequate space on a site for vegetation and reduced stormwater runoff. DDO9 extends as far as 620 metres from the creek.

Kingston South East Non-Urban Area Policy

Kingston's South East Non-Urban Area Policy (Clause 22.04 of its Local Planning Policy) includes a Keysborough/Wetlands framework plan. Key points of the framework plan include:

- *Protection of flood plain storage capacity*
- *Recreation of wetlands*
- *Improvements to water quality along Mordialloc Creek*
- *Ensure that landscaping and urban design along the freeway reserve and main roads contribute to the rural character*
- *Some further opportunities for the establishment of low density 'urban related' uses; siting and design of new buildings to maximise east-west views, be of a low profile and provide sufficient setbacks to reduce visual impact*

Kingston Schedule 3 to the General Residential Zone (GRZ3)

Through Amendment C54 in 2006, the General Residential 1 Zone in the City's Incremental Change areas was replaced with the General Residential 3 Zone. The key changes were a 9m maximum height restriction and a maximum site coverage of 50%.

Kingston Schedule 2 to the Design and Development Overlay – Patterson Lakes Residential Waterways Area (DDO2)

Schedule 2 seeks to protect and enhance the waterway environment of Patterson Lakes. It prohibits buildings and works within 6 metres of the waterfront boundary other than decks and landings, paving, fences and swimming pools.

Bayside Clause 22.08 Water Sensitive Urban Design (Stormwater Management)

Clause 22.08 seeks to reduce the impact of urban development on waterways and water bodies through improving stormwater quality. All dwelling applications must be accompanied by a site layout plan showing stormwater treatment measures, demonstrated compliance with the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO, 1999) and a site management plan. Policy requires the treatment of stormwater runoff in line with the *Best Practice* guidelines as well as measures to prevent litter.



Stormwater Management

8 Stormwater Management

Water Technology (WT) was engaged to review and model stormwater conditions affecting the study area. This included:

- Review of the previous report by SKM, 2011
- Description of the ecological character of the Edithvale-Seaford Wetlands Ramsar Site, 2012
- A high-level water quality (MUSIC) model to estimate pre- and post-development stormwater pollution.
- A meeting with Frankston Council Officers, PLC Consulting and Water Technology (8 January 2019).

A summary of key findings arising from the WT review is provided here.

A full copy of the WT advice is **attached** to this report.

8.1 General

The Edithvale-Seaford Wetlands originally formed part of the much larger Carrum Carrum Swamp. Past development in the area has resulted in the fragmentation of this once wetland habitat, with Edithvale and Seaford Wetlands located in Kingston and Frankston respectively. The Edithvale-Seaford Wetlands is a Ramsar site and is therefore protected under international agreement. This study only considers the Seaford Wetland, a 158 ha wetland, for which Melbourne Water has formal management responsibility. Although located on Crown Land and freehold land owned by Melbourne Water, Frankston City Council also assumes responsibility for the management of some of the drier northern parts of the Seaford Wetland.

As a Ramsar site, the Seaford Wetland supports a range of habitat and waterbirds. The inundation regimes across the Seaford Wetland depend on a number of different sources and vary greatly. Surface inflows to the wetlands are primarily from drains, many of which are actively managed due to the low-lying nature of adjacent residential areas. Saline groundwater inflows also contribute, either via seepage or backflow from Kananook Creek, a drain at the southern end of the wetland. The Seaford Wetland is now actively managed and has been divided into hydrological cells to facilitate its management.

The Seaford population is forecast to increase (incrementally) over the next 20 years, with housing requirements likely to be met via infill development. Infill development has the potential to increase stormwater runoff in areas upstream of the Seaford Wetland, due to increase imperviousness and thus, freshwater inputs to the wetland. These changes may be ultimately positive however, they are also likely to influence how the Ramsar site is managed in the future.

Council officers have advised that all new development lots will need to have on-site detention and rainwater tanks. Additionally, the recently adopted Amendment VC154 introduces new stormwater management provisions for urban development, including all residential multi-dwelling developments.

8.2 Drainage catchments

The catchments contributing directly to Seaford Wetland (ignoring major flood overflows) are shown overleaf. They were delineated based on DELWP LiDAR dataset, existing drainage infrastructure (Melbourne Water and Council), parcels and aerials. Three sub-catchments that drain the site under existing conditions were identified:

- Western residential area (74.3 ha), with fraction imperviousness (FI) estimated to be about 0.6; This catchment has multiple inlets to Seaford Wetland;
- Eastern residential area (16.5 ha), predominantly located east of Brunel Road, with FI estimated to be about 0.6; and
- Seaford Wetland and its reserve (198.6 ha), with negligible FI.

The estimated fraction imperviousness values were derived from Melbourne Water's MUSIC Guidelines and were based on a mixed urban type of land form and the predominant type of residential lot sizes now and into the future. Based on the provided information, it has been assumed that most of the development zones are changing from large residential density to standard density. A maximum of 0.65 fraction imperviousness is expected based on current mandatory Garden Area requirements specified within the Planning Scheme.



Stormwater Management

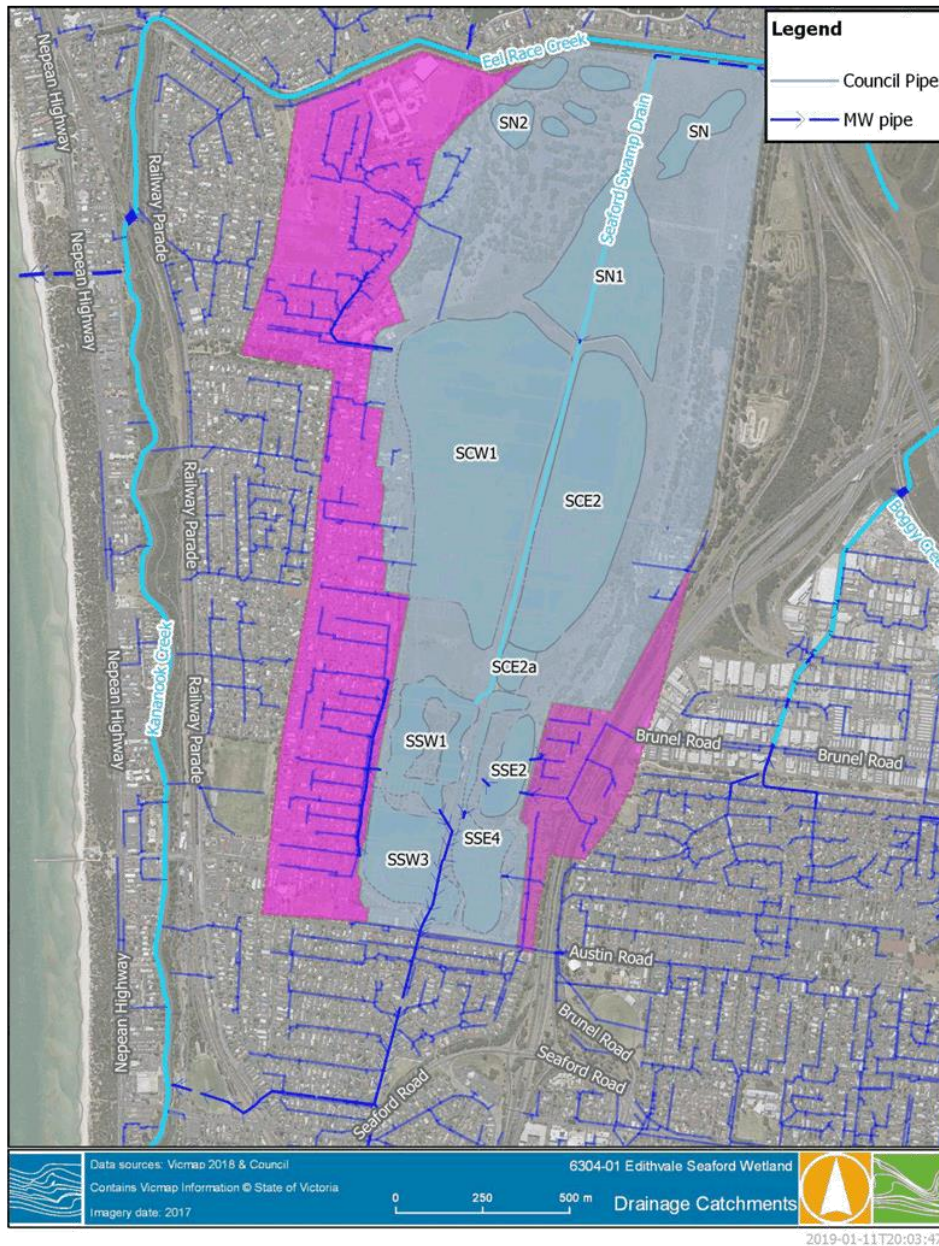


Figure 14 – Drainage Catchments



Stormwater Management

8.3 Key findings

- The modelling results indicate an increase of approximately 10% in surface runoff reaching the Wetlands. In order to preserve the wetland regime and ecological health, runoff treatment, infiltration and/or roof rainwater use will be required in ideal development scenarios.
- New development in the residential environs of the Ramsar listed Edithvale-Seaford Wetlands will need to comply with best practice, i.e. meet the Urban Stormwater – Best Practice Environmental Management (BPEM) Guidelines (Victorian Stormwater Committee, 1999).
- The BPEM requires flow discharges for the 1.5 year Average Recurrence Interval (ARI) at pre-development levels. This should generally ensure that impact from future developments on the hydrology regime of the Wetlands are mitigated.
- The State Environmental Protection Policy (SEPP) also provides a framework to protect and improve the quality of Victoria's waters having regard to the principles of environmental protection set out in the Environment Protection Act 1970 (the Act). It sets pollutant load targets for a number of Victorian waterbodies, including Port Phillip Bay.
- Areas of High Conservation Values, such as Ramsar sites, may warrant an additional level of protection. It may therefore be possible to set further pollutant load targets for the Seaford Wetlands to protect and improve the water and ecological quality. However, this would likely require:
 - Evidences to support the higher level of planning control;
 - Identification of suitable pollutant reduction targets. Pollutant load targets will need to be informed by site particularities including beneficial uses, RAMSAR environmental values and other influences, such as tidal and soil characteristics; and
 - Establishment of baseline conditions and implement a water quality monitoring program to report on targets.

This may help support a range of WSUD strategies to further protect/improve Seaford Wetlands, including:

- The development of Stormwater Quality Contribution Payments to help meet specific stormwater quality requirements for Seaford Wetlands. The levied contributions could subsequently be used to fund a range of stormwater strategies such as:
 - Streetscape raingardens and tree pits – this could be coordinated with planned infrastructure upgrades (e.g. roads);
 - End-of-line WSUD assets at outlets, which could form part of landscaped areas along new walkways.
- Upgrade of stormwater infrastructure, with or without external funding such as Living Rivers and/or Port Phillip Bay Fund.



Key issues

9 Key issues

Key issues identified in this report may be summarised as follows:

a) Protection of Ramsar wetlands

All Ramsar sites including the Seaford Wetlands are required to adopt a comprehensive management framework. The Victorian Auditor General found that risks from recreational activity, changes in water quality and climate change have not been properly addressed previously (this applies to all Ramsar sites). The protection of the Ramsar-listed Wetlands needs to be carefully considered in this context.

The Seaford Wetlands provide other important services such as assisting in the natural flow of flooding, retaining and diverting stormwater runoff and protecting the water quality of Port Phillip Bay through treating stormwater. They also provide education opportunities for schools and community groups.

Based on DELWP EVC (Ecological Vegetation Classes) modelling, there is potential for up to six EVCs to be present within a one-kilometre buffer of the Edithvale-Seaford Wetlands. Exotic predators such as foxes, cats and rabbits are identified as an extreme risk to the wetlands by Melbourne Water (2016). They prey on birds, small mammals and frogs. Other species such as the Mosquitofish, European Rabbit and weeds are prevalent and may cause a threat to flora and fauna. In order to prevent species – particularly foxes – from entering the wetlands, improvements to perimeter fencing and stormwater drains are recommended.

b) Previous attempts to strengthen planning provisions

We note comments made by previous Planning Panels where changes to planning schemes were proposed to combat similar issues, including lapsed Amendment C95. This amendment would have applied a 100m Neighbourhood Residential buffer zone around the Seaford Wetlands. In particular *Schedule 10 Seaford - Kananook Creek Environs west* specified maximum 40% site coverage, 40% permeability, all proposed plantings on landscape plans to be 100% indigenous species, private open space and setback requirements and 12m maximum height. The amendment sought to achieve many of the aspirations sought by this project but was ultimately unsuccessful.

While protection of the Ramsar Wetlands is critical, the amendment of planning schemes requires strong strategic rigour. This is likely to include the identification of:

- Demonstrated threats to the Wetlands (detailed research and reporting);
- Comprehensive stormwater modelling;
- The identification of deficiencies within the existing planning framework which are failing to address threats;
- The identification of planning provisions which would deliver benefit in addressing these threats.

Changes would not be retrospective and would only apply to future development.

c) Stormwater Management

It has been identified that the Seaford Wetlands would be placed at risk due to pollutants entering the system. The nature and severity of this risk needs to be further understood. The literature suggests that water quality in the Edithvale-Seaford Wetlands is likely to be significantly influenced by saline water intrusion from groundwater, exposure of coastal acid sulphate soils, backflows of saline water in drains during high tides and the quality of stormwater runoff from adjoining urban areas.

The Edithvale Seaford Wetlands Ramsar Management Plan 2016 previously identified that a lack of data and monitoring was problematic in understanding these risks and developing appropriate risk management measures. Modelling estimates undertaken through this study identify the potential for 10% increase in surface runoff reaching the Wetlands. We understand through discussion with Melbourne Water that monitoring of the water quality of the Wetlands is currently underway with results likely to be known by mid-2019.

Increasing the buffer of native vegetation and reducing the threat of invasive plant species were seen as key objectives for the Edithvale-Seaford Wetlands. Runoff treatment, infiltration and/or roof rainwater use were identified



Key issues

in this study as further measures for consideration. These recommendations remain high level. There is a need to better understand these risks and develop appropriate risk management measures for the study area.

Stormwater management is an existing issue and threat but is not confined to the study area; these issues manifest more broadly. The City of Frankston is home to a number of Wetlands and sensitive coastal environments. Council could consider the application of policy across the whole municipality to address these issues.

d) Development activity

Council's 2018 Housing Strategy identifies that the study area will experience incremental growth. Development activity has steadily increased over the past decade prior to a significant drop in 2018. There are a number of possible causes for this trend, including recent changes to planning requirements which restrict the potential for single dwelling house lots to be subdivided for multi-unit development. The two policies which show significant potential in reducing both infill development and its stormwater impacts are the new General Residential Zone provisions and Clause 53.18 (Stormwater Management in Urban Development). The mandatory garden area requirement of 25-35% is a significant change and is likely to improve stormwater retention and treatment at the source, thus reducing the impact on the Wetlands.

Water Technology's report outlines that Clause 53.18 will generally mitigate the impact from future developments on the hydrology regime of the Wetlands. These changes need further time to play out, in order to determine whether development activity is pre-or post-2017 conditions. There is a need to monitor development activity within the study area to develop a more definitive understanding of development pressures.

e) Visual impact

The topography of the study area is relatively flat. Visual impact is only likely to be relevant for properties either directly abutting or in close proximity to the Wetlands. A visual analysis of the study area did not identify significant volumes of new development which would negatively impact the study area.

There is no correlation between new development and adverse visual impact. As development does occur, there are a number of opportunities for the private realm to contribute positively to the public realm through good design. This includes:



- Passive surveillance – through the avoidance of blank rear and side walls and the orientation of living spaces and windows to face the public realm (refer example to the right);
- Appropriate setbacks to side and rear boundaries;
- Space for mature trees to grow and develop;
- Appropriate fencing;
- Use of appropriate colours and materials.

f) Public realm

The study area contains both the Seaford Wetlands (public land) and surrounding land consisting of private residential land, the Downs Estate (Council land), the Seaford North Primary School, part of the Seaford Primary School, Patterson River Secondary College and Riviera Reserve. Areas within the study area are used differently. In broad terms, this may be described as:

- The largely fenced area of the Seaford Wetlands is not publicly accessible and is reserved for environmental and drainage purposes.



Key issues

- The perimeter of the Wetlands is largely accessible to the public and contains recreation trails, vegetation, drainage and other infrastructure.
- The broader surrounding environs are developed for housing or education separated from the Wetlands by fences and roads.

The perimeter of the Wetlands which is publicly accessible provides an opportunity to improve the public realm. According to officers, this area is managed and maintained largely by Council but could play a stronger role in providing a suitable interface between private land and the sensitive (fenced) area of the Wetlands. Measures for consideration include:

- Beautification of the Wetlands boundaries – tree planting, landscaping;
- Rain gardens to assist with stormwater management;
- Further completion of the walking trail / circuit around the Wetlands;
- Directional signage to assist with wayfinding;
- Facilities to support walking and cycling;
- Upgrades to existing facilities, including seating;
- Improvements to the Austin Road Rotunda.



Conclusion - Effectiveness of planning framework

10 Conclusion - Effectiveness of planning framework

a) Policy:

The Planning Policy Framework was recently revamped to include State, Regional, and Local policy. The Policy Framework includes broad directions relating to issues including Stormwater Management, Environmental Management, and Built Form (amongst other directions). State Planning Policy provides explicit directions relating to Biodiversity at Clause 12.01 – Biodiversity:

- *Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.*
- *Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:*
 - *Cumulative impacts.*
 - *Fragmentation of habitat.*
 - *The spread of pest plants, animals and pathogens into natural ecosystems.*
- *Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention).*

The Seaford Wetlands are identified in policy as an area of environmental risk in terms of sea level rise and natural hazard events, bushfire risk, flooding and inundation, coastal acid sulfate soil, indigenous flora and fauna and waterway health. Policy seeks to apply a Precautionary Principle to all new developments adjacent to the Wetlands.

Stormwater management is an existing issue and threat but is not confined to the study area. Frankston City Council is home to a number of wetlands and sensitive coastal environments. Council could consider the application of policy across the whole municipality to address these issues.

b) Application of Zones:

Within the public realm, the application of four different zones within the Seaford Wetlands is not reflective of ground conditions. We are aware the Council are looking to rezone the Wetlands to provide more cohesion, and that this may benefit the management of the Ramsar site.

The application of zones within the private realm is largely confined to the General Residential Zone. In recent years, the Zone has been adjusted (across Victoria) to introduce mandatory height limits and garden area requirements. The combination of ResCode and General Residential Zone requirements has impacted the way in which residential land can be subdivided and developed, and is more restrictive than previous iterations. The results of this are still playing out and need time to be understood.

A question this report explores is whether the current zone is appropriate to meet future needs. Through the use of a schedule to the zone there is an ability to customise specific outcomes for the study area. This could be entertained; however, the timing of changes needs to be responsive to a full understanding of issues and their cause in order to design a planning tool which is appropriate.

c) Application of Overlays:

The extent of Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO) provisions relates to flood mapping and modelling. Unless new flood mapping reveals changes in overland flows or flooding, there is no need to change either Overlay.

The Environmental Significance Overlay, Schedule 4 (ESO4) – Significant Trees and Areas of Vegetation has only been applied to schools within the north west of the study area. We note that Armstrongs Reserve may provide habitat connectivity between the study area and coast. As such, the potential for stronger protection through the ESO4 or similar should be further explored.



Conclusion - Effectiveness of planning framework

The Bushfire Management Overlay (BMO) applies to the east of the study area. We understand that changes were made in 2017 to reduce the extent of the BMO within the study area. Discussions with Council officers through the course of the project indicate that a reduction in the extent of the BMO has reduced the number of planning permit applications. This appears to be supported by Council's planning permit data which shows a noticeable drop in planning permit applications within the study area in 2018. Given the recency of this work, and further changes made to the Planning Policy Framework with respect to bushfires, further changes to the BMO are unlikely to be required at this time.

10.1 Implications

We believe there is sufficient planning framework direction (in some cases overlapping) within the current planning scheme to guide decision making. The two policies which show significant potential in reducing infill development and its stormwater impacts are the new General Residential Zone provisions and Clause 53.18 (Stormwater Management in Urban Development). The mandatory garden area requirement of 25-35% is a significant change and is likely to improve stormwater retention and treatment at the source, thus reducing impact on the Wetlands. Meanwhile, Clause 53.18 will generally mitigate the impact from future developments on the hydrology regime of the Wetlands as outlined by Water Technology.

Other policies which support the protection of the Seaford Wetlands from urban development include Frankston's Neighbourhood Character Policy, PPF Clauses 12.01 (Biodiversity) and 12.03 (Water Bodies and Wetlands) and Frankston City Council's WSUD Guidelines.

Based on the policies discussed above and the need to let Amendments VC110 and GC13 and Clause 53.18 play out, we cannot conclude that changing the Schedule to the GRZ or introducing a DDO to address drainage / flooding or built form / visual impact is appropriate at this stage. Stormwater management is certainly an existing issue and threat, but it is not exclusive to the study area. Council could consider the application of relevant policy across the whole municipality to tackle stormwater issues.

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Recommendations

11 Recommendations

PLC Consulting was requested to review the existing planning framework within the study area to determine whether it is sufficient to meet current and future needs. This included the consideration of whether improvements were necessary to encourage better outcomes for Council and the community. Council also sought a high-level stormwater strategy as part of the project.

In summary, it would appear that impacts on the study area posed by increased stormwater are likely to be the priority focus for future action (this may include measures to address site coverage). Impacts posed by built form and visual impact would appear to be of secondary importance.

We are mindful of previous comments made by Planning Panels where similar planning controls have attempted to be introduced. We are also mindful of a number of recent and emerging sources of information which are likely to be important in providing the necessary strategic justification for change.

For these reasons, we believe it would be premature to seek introduction of more restrictive planning provisions within the study area at this point. This is due to:



Source: Frankston City Council

- a) Recent changes to Residential Zones (introduction of mandatory garden area requirements, height limits) through Amendment VC110 in March 2017 that placed new restrictions on development which may assist in reducing developable area and increasing site permeability / filtration. The impacts of these changes need time to play out.
- b) The recent introduction of policy across the State – 'Stormwater Management in Urban Development', VC154 in October 2018 may also deliver protections to the study area. While the Amendment does not make changes to the General Residential Zone, it does introduce changes to Clause 55.03-4 which would apply to the assessment of planning applications for two or more dwellings on a lot. This change may assist in meeting the objectives of this study, but again needs time to play out.
- c) While planning permit applications have steadily risen over the past decade, they have dramatically decreased in 2018. We question whether the relatively low number of applications seen in 2018 will continue.
- d) Through visual inspection, we did not identify developments which had adversely impacted the public realm in terms of scale, massing, or citing of new buildings. We acknowledge one notable exception to the west of the study area; however, we do not believe this provides the basis for change.
- e) Council does not appear to be pressured by a significant number of applications going to the Tribunal within the study area. There is no evidence at this point that the existing planning framework is problematic or threatened by challenge at the Tribunal.

In light of the above findings, we conclude that implementing a DDO or Schedule to the GRZ is not required at this stage. With the above in mind, we would recommend consideration of the following actions overleaf.



Recommendations

Item	Action	Detail	Likely Timing
1	Monitoring and Review	Council monitor and review planning and building permit activity – End 2019. Monitoring should include a qualitative and quantitative assessment of planning outcomes within the study area. This should include an interrogation of Council building permit data to understand the relationship between the size of lots and % site coverage. The review should also include an assessment of changes within the study area over the past 3 years (2017-2019).	End 2019
2	Policy development	Development of a dedicated “Stormwater Management” policy for application across the City of Frankston.	Late 2019
3	Management	<p>Council to further liaise with Melbourne Water to understand its priorities for the Seaford Wetlands, including:</p> <ul style="list-style-type: none"> • Grant monies which may be utilised for Capital Works to improvements to the public realm, including: Tree planting with appropriate tree species; Streetscape raingardens and tree pits; and End-of-line WSUD assets. • The development of standard planning permit conditions applicable to the Study Area focused on improving stormwater quality. • The production of education materials for residents around the significance of the Wetlands and measures that can be implemented to assist in their protection. • In order to prevent species – particularly foxes – from entering the Wetlands, improvements to perimeter fencing and stormwater drains are recommended. 	Ongoing
4	Capital works	<p>The perimeter of the Wetlands which is publicly accessible provides an opportunity to improve the public realm. Measures for consideration include:</p> <ul style="list-style-type: none"> • Beautification of the Wetlands boundaries – tree planting, landscaping; • Rain gardens to assist with stormwater management; • Further completion of the walking trail / circuit around the Wetlands; • Directional signage to assist with wayfinding; • Facilities to support walking and cycling; • Upgrades to existing facilities, including seating; • Improvements to the Austin Road Rotunda. 	Subject to Council budget cycle



Limitations

12 Limitations

This report was prepared for the sole use of Frankston City Council and should not be relied upon by any other person. None of PLC Consulting Pty Ltd or any of its related entities, employees or directors (each a PLC Person) owes a duty of care (whether in contract, tort, statute or otherwise) to any third party with respect to or in connection with this report and no PLC Person accepts any liability for any loss or damage suffered or costs incurred arising out of or in connection with the use of this report by any third party.

The conclusions and recommendations provided in this report are based on available information and it is possible that different conclusions and recommendations could be made should new information become available, or with changing site conditions over time.

The report will not be updated if anything occurs after the date of this report and PLC Consulting Pty Ltd will not be obliged to inform any person of any matter arising or coming to its attention after that date.



Attachment 1 – Water Technology Report



MEMORANDUM

To Tom Harrington | PLC Consulting
From Cintia Dotto & Bertrand Salmi | Water Technology
Date 18 January 2019
Subject Seaford Wetlands Residential Environs Study

Water Technology was engaged by PLC Consulting to undertake a study on the impacts of the residential environs of the Ramsar listed Edithvale-Seaford Wetlands to investigate the need for changes to the Frankston Planning Scheme.

This memorandum documents the findings of a desktop study, to assess stormwater runoff influence pre- and post-development on Edithvale-Seaford Wetlands. It has been informed by:

- A review of the previous report by SKM, 2011¹.
- Description of the ecological character of the Edithvale-Seaford Wetlands Ramsar Site, 2012².
- A high-level water quality (MUSIC) model to estimate pre- and post-development stormwater pollution.
- A meeting with Frankston Council Officers, PLC Consulting and Water Technology (8 January 2019).

This memorandum forms the first stage in providing Frankston City Council with a quantitative impact assessment on future stormwater pollution and provides preliminary recommendations for a future stormwater strategy to mitigate potential impacts.

1 SEAFORD WETLAND

Edithvale-Seaford Wetlands originally formed part of the much larger Carrum Carrum Swamp, as shown in Figure 1-1. Past development in the area has resulted in the fragmentation of this once wetland habitat, with Edithvale and Seaford Wetlands located in Kingston and Frankston respectively. The Edithvale-Seaford Wetlands are Ramsar site and is therefore protected under international agreement.

This study only considers Seaford Wetland, a 158 ha wetland, for which Melbourne Water has formal management responsibility. Although located on Crown Land and freehold land owned by Melbourne Water, Frankston City Council also assumes responsibility for the management of some of the drier northern parts of the Seaford Wetland.

Located within the Bunyip River Basin, Seaford Wetland has been modified and impacted over the years due to land use and urbanisation of its upstream catchment. Seaford Wetlands the water levels are generally quite shallow and stable, supporting a range of habitats – ranging from fresh to saline – and Ecological Vegetation Classes (EVCs), shown in Figure 1-2, all with a Bioregional Conservation Significances of "Endangered".

¹ SKM (for Melbourne Water) (2018). Environmental water requirements and associated capital works for the Edithvale-Seaford Wetlands.

² Victorian Government Department of Sustainability and Environment Melbourne (2012). Description of the ecological character of the Edithvale-Seaford Wetlands Ramsar Site.

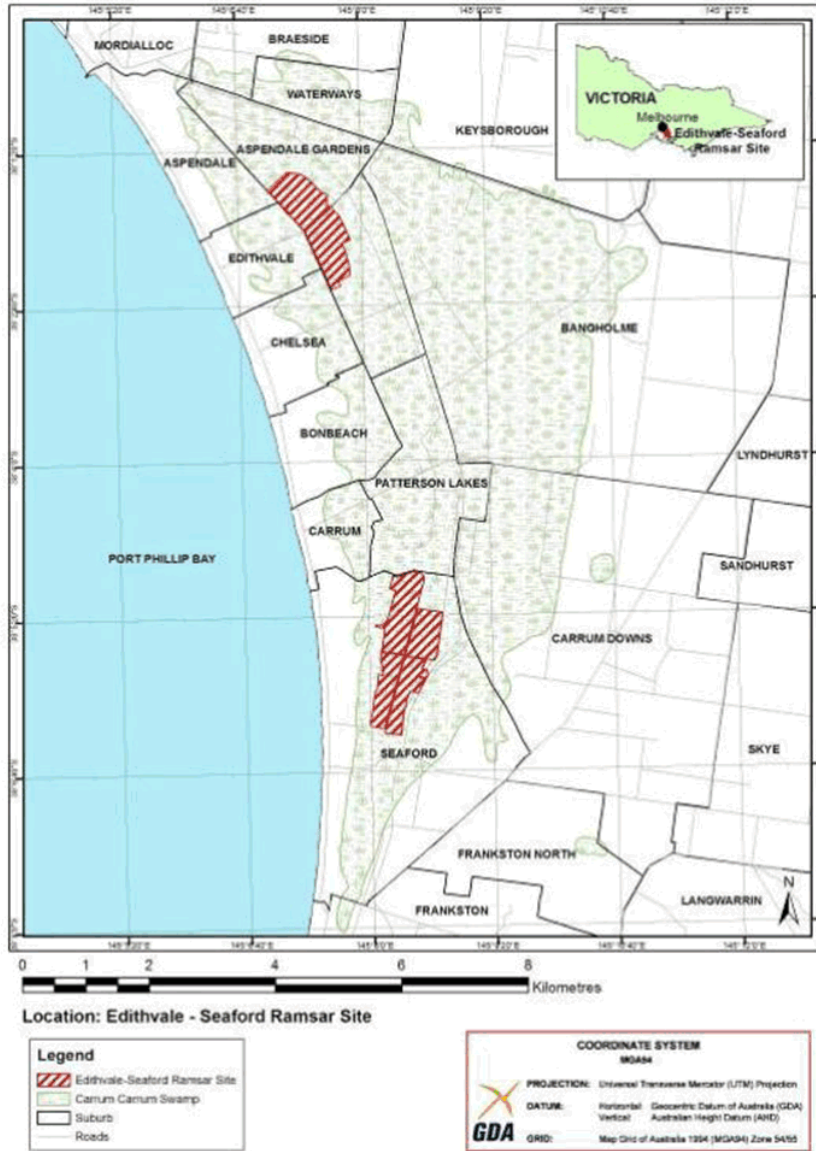


Figure 1-1 Edithvale-Seaford Ramsar Site (source GDA)



■ **Figure 3-2 Distribution of wetland vegetation classes at the Seaford wetland (data sourced from MW)**

Figure 1-2 Ecological Vegetation Classes in Seaford Wetland (source: SKM)



1.1 Hydrological Regime

As a Ramsar site, Seaford Wetland supports a range of habitat and waterbirds, each with their respective water regime requirements (see Appendix A). The inundation regimes across the Seaford Wetland depend on a number of different sources and vary greatly, as is evident from Figure 1-3. Surface inflows to the wetlands are primarily from drains, many of which are actively managed due to the low-lying nature of adjacent residential areas. Saline groundwater inflows also contribute, either via seepage or backflow from Kananook Creek, a drain at the southern end of the wetland.

Seaford Wetland is now actively managed and has been divided into hydrological cells, shown in Figure 1-4, to facilitate its management. Objectives include to maintain a predominantly fresh brackish environment to sustain key invertebrate and wader habitats and/or to provide critical seasonal habitats for a range of bird species in fresh brackish regime (eg in Cell SCE2).

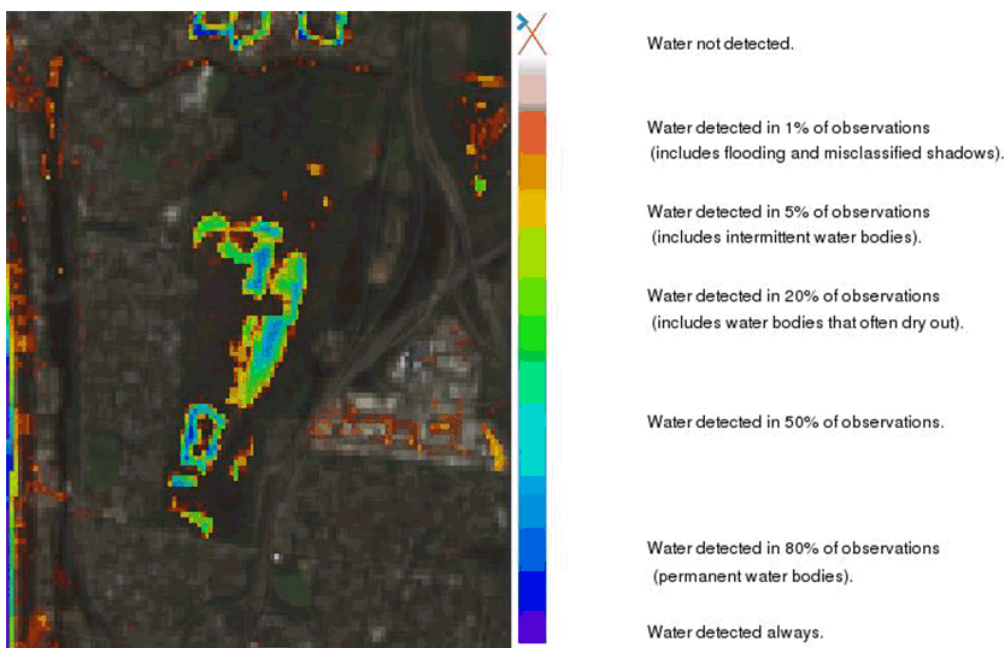


Figure 1-3 Seaford Wetland Typical Water Level (source: WOFS, 2018³)

³ <http://www.ga.gov.au/interactive-maps/#/theme/water/map/wofs>



Figure 1-4 Hydrological Cells in Seaford Wetland (Cell locations obtained from SKM Report)



SKM derived a “ideal watering regime”, shown in Figure 1-5. Whilst its bathymetry is generally quite shallow and stable, salinity levels are increasing, due to the marinization of Kananook Creek and past excavation in parts of the wetland through the natural peat layer (SKM, 2012). Key to achieving this “ideal watering regime” is managing freshwater inputs to the system as well as saline intrusion/levels.

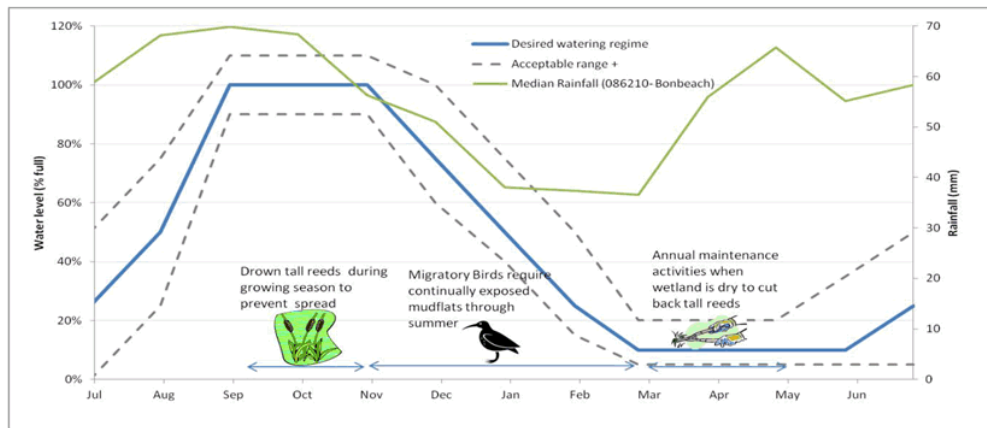


Figure 1-5 Proposed Ideal Watering Regime by SKM (source SKM)

The Seaford population is forecast to increase over the next 20 years, with housing requirements likely to be met via infill development. Infill development has the potential to increase stormwater runoff in areas upstream of Seaford Wetland, due to increase imperviousness and thus, freshwater inputs to the wetland. These changes may be ultimately positive however, they are also likely to influence how the Ramsar site is managed in the future.

The following Section assess quantitatively possible changes in stormwater runoff, both in terms of quality and volumes, due to local infill development and discuss how impacts could be mitigated.

2 STORMWATER QUANTITY AND QUALITY ANALYSIS

A high-level water balance of Seaford Wetland upstream catchments was developed to:

- Identify and delineate existing catchment(s) upstream of the proposed ornamental wetland;
- Assess impacts of future development on stormwater runoff, both in terms of quantity and quality.

2.1 Drainage Catchments

The catchments contributing directly to Seaford Wetland (ignoring major flood overflows) are shown in Figure 2-1. They were delineated based on DELWP LiDAR dataset, existing drainage infrastructure (Melbourne Water and Council), parcels and aerals. Three sub-catchments that drain the site under existing conditions were identified:

- Western residential area (74.3 ha), with fraction imperviousness (FI) estimated to be about 0.6;
 - This catchment has multiple inlets to Seaford Wetland;



- Eastern residential area (16.5 ha), predominantly located east of Brunel Road, with FI estimated to be about 0.6; and
- Seaford Wetland and its reserve (198.6 ha), with negligible FI.

The estimated fraction imperviousness values were derived from Melbourne Water's MUSIC Guidelines⁴, and were based on a mixed urban type of land form and the predominant type of residential lot sizes now and into the future. Based on the provided information, it has been assumed that most of the development zones will be changing from large residential density to standard density. Water Technology has been advised by PCL that a future FI of maximum 0.65 is expected.

2.2 MUSIC Modelling

To understand catchment hydrological regime and pollutant inflows, a MUSIC model was set up and run for 10 years of pluviographic rainfall data from the Melbourne City rainfall gauge. Melbourne City is the recommended rainfall data for the area in Melbourne Water's MUSIC Guidelines⁴.

Table 2-1 summarises MUSIC results under existing conditions, for each sub-area.

Table 2-2 summarises MUSIC results under future conditions.

⁴ Melbourne Water (2018). MUSIC Guidelines: recommended input parameters and modelling approaches for MUSIC users.

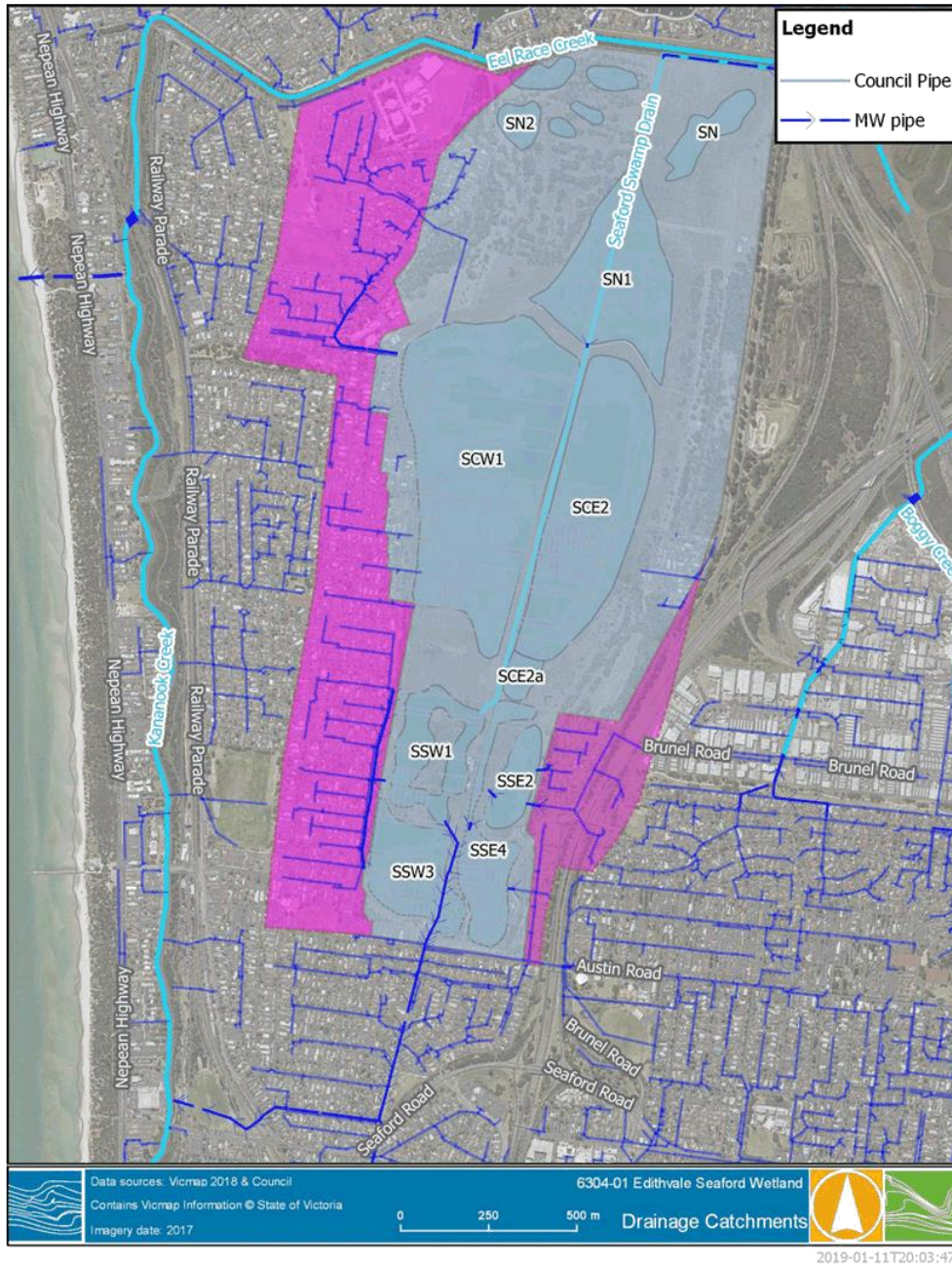


Figure 2-1 Seaford Wetland Direct Catchments



Table 2-1 MUSIC Model Results – Existing Scenario

Catchment	Area (ha)	FI	Stormwater Runoff (ML/year)	TSS (Kg/year)	TP (Kg/year)	TN (Kg/year)
Seaford Wetland	198.6	0.0	260	5,600	46.6	571
Western Res Area	74.3	0.6	299	54,900	116	838
Between Seaford Wetland and Brunel Road	16.5	0.6	66.6	12,100	25.4	184
TOTAL	289.4	0.19 (av)	625.6	72,600	188	1,593

Table 2-2 MUSIC Model Results – Future Scenario

Catchment	Area (ha)	FI	Stormwater Runoff (ML/year)	TSS (Kg/year)	TP (Kg/year)	TN (Kg/year)
Seaford Wetland	198.6	0.05	305	17,500	68	712
Western Res Area	74.3	0.65	312	57,700	121	873
Between Seaford Wetland and Brunel Road	16.5	0.65	70.1	13,200	27.6	196
TOTAL	289.4	0.24 (av)	687.1	88,400	216.6	1,781

Upon the assumption of the development zones changing from large residential density to standard (smaller allotment sizes) under a business as usual scenario (larger portion of the catchments are directly connected to the drainage system), the modelling results indicate an increase of approximately **10% in surface runoff reaching the wetland**. The increase in pollutant loads were estimated to be in the magnitude of approximately:

- 20% for Total Suspended Solids;
- 15% for Total Phosphorous; and
- 12% for Total Nitrogen.

In order to preserve the wetland regime (which has been reported to be appropriated) and protect the wetland ecological health, runoff treatment, infiltration and/or roof rainwater use will be required in the future development scenario.



3 STORMWATER MANAGEMENT STRATEGY - RECOMMENDATIONS

Council officers have advised that all new development lots will need to have on-site detention and rainwater tanks. Additionally, the recently adopted Amendment VC154 introduces new stormwater management provisions for urban development, including all residential multi-dwelling developments. As a result, most new development in the residential environs of the Ramsar listed Edithvale-Seafood Wetlands will need to comply with Best Practice, ie meet the *Urban Stormwater – Best Practice Environmental Management (BPEM) Guidelines* (Victorian Stormwater Committee, 1999).

One of the stormwater management clause in the BPEM document is the requirements to maintain flow discharges for the 1.5 year Average Recurrence Interval (ARI) at pre-development levels. This should generally ensure that impact from future developments on the hydrology regime of the wetlands are generally mitigated.

The State Environmental Protection Policy (SEPP) also provides a framework to protect and improve the quality of Victoria's waters having regard to the principles of environment protection set out in the **Environment Protection Act 1970** (the Act). It sets pollutant load targets for a number of Victorian waterbodies, including Port Phillip Bay.

Areas of High Conservation Values, such as Ramsar site, may therefore also warrant additional level of protections. It may therefore be possible to set further pollutant load targets for Seafood Wetlands to protect and improve the quality of Seafood Wetlands however, this would likely require:

- Evidences to support the higher level of planning control;
- To identify suitable pollutant reduction targets;
 - Pollutant load targets will need to be informed by site particularities, including beneficial uses, RAMSAR environmental values, other influences, such as tidal and soil characteristics;
- To establish baseline conditions and implement a water quality monitoring program to report on targets:

This may help support a range of WSUD strategies, to further protect/improve Seafood Wetlands, including:

- The development of Stormwater Quality Contribution Payments, to help meet specific stormwater quality requirements for Seafood Wetlands. The levied contributions could subsequently be used to fund a range of stormwater strategies:
 - Streetscape raingardens and treepits – this could be coordinated with planned infrastructure upgrades (eg roads);
 - End-of-line WSUD assets at outlets (see Figure 3-1) – this could form part of landscaped area along new walkway.
- Upgrades of stormwater infrastructure, with or without external funding such as Living Rivers and/or Port Phillip Bay Fund.

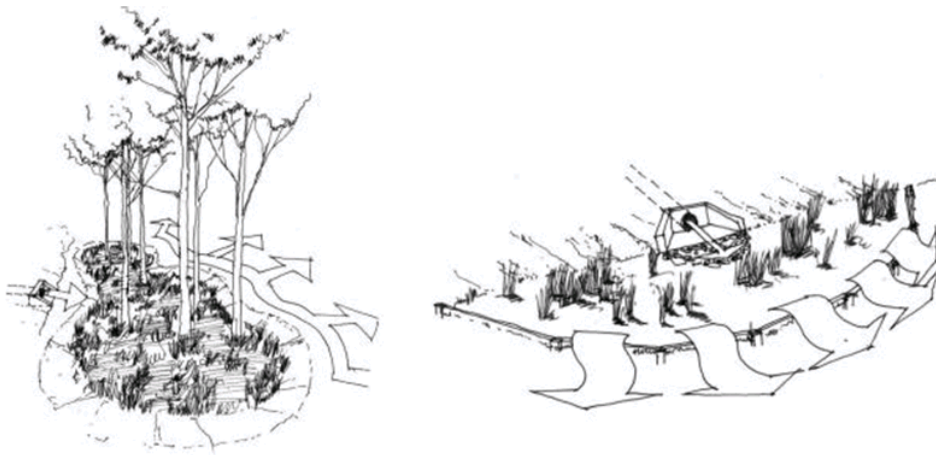


Figure 3-1 Stormwater Outlets to WSUD assets (left) or riparian area (right) (source: Water by Design 2014)

4 SUMMARY

In relation to future residential development of the Seaford suburb, Water Technology has been asked to complete preliminary investigations – including a high-level hydrological assessment - to assess stormwater runoff influence pre- and post-development on Edithvale-Seaford Wetlands. This memorandum summarises findings from the desktop assessment and the preliminary MUSIC modelling undertaken and provides preliminary recommendations as to a possible holistic approach to Stormwater management for the wider catchment.

I trust that we have included sufficient information for consideration.

Yours sincerely

Water Technology Pty Ltd

Bertrand Salmi

Senior Engineer

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APPENDIX A - SEAFORD WETLAND – WATER REGIME REQUIREMENTS (SKM, 2011)

Table 3-4 Water regime requirements to meet objectives for ESW (Higgins and Davies 1996; Marchant and Higgins 1990, 1993; Andrew Silcocks and Sean Dooley, Birds Australia, pers. comm.).

Value/Threat	Ecological objective	Water regime requirements				
		Component	Frequency	Timing	Duration	Depth
RAMSAR VALUES						
Australasian bittern Criterion 2	Maintain and/or enhance suitable habitat to continue to support this species	Common reed and cumbungi and high water levels	Annually	Winter-spring	8-12 months (favours permanent wetlands)	Forage and nest above shallow permanent water (≤ 0.3 m)
Sharp-tailed sandpiper Criterion 6	Maintain and/or enhance suitable habitat to support ecologically significant numbers	Shallow water and exposed mudflats i.e. drying wetlands High secondary productivity of invertebrates required	Annually, or at least in every one of three years	Spring-summer migratory period (drawdown December to February)	6-8 months	Shallow (150 mm) water and bare mudflat should continually be exposed throughout the summer drying phase
High diversity of waterbirds Criterion 3	Maintain and/or enhance the diversity of habitats for supporting populations of species for maintaining biodiversity	Diversity of habitats, including areas of: common reed and cumbungi; deep open freshwater; open shallow water/ exposed mudflat	Annually, or at least in one of every two years	Variable, including Winter-spring (Australasian bittern), Spring-summer (migratory waders) and Winter-summer (diving ducks and black swan)	8-12 months for Australasian bittern and diving ducks and 6-8 months migratory waders	Variable: ≤ 0.3 m for Australasian bittern; shallow (150 mm) water and exposed mudflat for migratory waders; and deep (≥ 0.5 m) for diving ducks
Important foraging habitat for migratory waders, breeding habitat for resident and nomadic species, and/or drought refuge Criterion 4	Maintain and/or enhance habitats for supporting species during the critical phases of their life cycles or providing refuge during adverse conditions	Diversity of habitats, including areas of: common reed and cumbungi; deep open freshwater; open shallow water/ exposed mudflat.	Annually, or at least in one of every two years	Variable, including Winter-spring (Australasian bittern), Spring-summer (migratory waders) and Winter-summer (diving ducks and black swan)	8-12 months for Australasian bittern and diving ducks and 6-8 months for migratory waders	Variable: ≤ 0.3 m for Australasian bittern; shallow (150 mm) water and exposed mudflat for migratory waders; and deep (≥ 0.5 m) for diving ducks



Value/Threat	Ecological objective	Water regime requirements				
		Component	Frequency	Timing	Duration	Depth
OTHER VALUES						
CAMBA/JAMBA migratory species	Maintain and/or enhance habitats for supporting migratory waders	Open, shallow water and/or exposed mudflats	Annually	Spring-summer migratory period	6-8 months	Shallow (150 mm) water and bare mudflat should continually be exposed throughout the summer drying phase
Threatened diving duck species	Enhance habitat so that breeding is regular for key species (e.g. blue-billed duck, hardhead and musk duck)	Deep open water for foraging and inundated vegetation (e.g. reedbeds) for nesting (e.g. nest site is between 10-100 cm above water and in vegetation reaching 50-150 cm above nest)	Annually	Mostly during Winter-summer (July-February), and occasionally in autumn	8-12 months (favour permanent wetlands)	Deep (≥ 0.5 m)
Australasian shoveller (Threatened in Victoria)	Enhance habitat for foraging	Usually forages to about 0.3 m depth, but also dives to greater depths	Annually	Year-round	8-12 months (favour deep permanent wetlands)	≤ 0.3 m to ≥ 2 m
Little bittern (**Edithvale only)	Maintain and/or enhance breeding and foraging habitat	Dense reedbeds (cumbungi and common reed) where forages in shallow water or from emergent or aquatic vegetation over deeper water; and nest in dense vegetation at 5-210 cm above water of 10-70 cm depth	Annually	Late-spring to early-autumn migratory period (November to March)	6 months	≤ 0.3 m to ≥ 2 m mostly sighted where there is Fresh water
Crakes and Rails, including FFG-listed Lewin's rail and Baillon's crake	Maintain and/or enhance breeding and foraging habitat for these species	Shelter and nest in dense vegetation (e.g. reedbeds of cumbungi and common reed) above water or mud and forage in adjoining shallow water (< 5 cm for Lewin's rail and < 3 cm for Baillon's crake) or on exposed mud Baillon's crake nest height above water varies between 4-60 cm	Annually	Year-round for Lewin's rail (possibly resident) and Spring-summer (September to February) for Baillon's crake (summer migrant)	12 months for Lewin's rail and 6 months for Baillon's crake	Variable: shallow water (< 3 cm deep) and exposed mudflat for foraging and inundated reedbeds for nesting to about 0.6 m
FFG-listed great	Maintain and/or	In freshwater wetlands, Great	Annually	Year-round	12 months	Variable water levels to

SINCLAIR KNIGHT MERZ

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Value/Threat	Ecological objective	Water regime requirements				
		Component	Frequency	Timing	Duration	Depth
egret, intermediate egret and little egret	enhance foraging habitat by providing a range of water levels to accommodate the species	Egrets and little egrets forage in open water to 0.3 m and 0.15 m deep, respectively. Intermediate Egrets prefer to forage in freshwater < 80 mm deep and amongst dense aquatic vegetation, but can dive for fish and invertebrates				0.3 m deep
Latham's snipe	Enhance foraging habitat to support higher numbers	Shelter in dense vegetation (e.g. grass tussocks and reedbeds) and forage in shallow (150 mm) water or on exposed mudflat	Annually	September to March	September to March (7 months)	Shallow (150 mm) water and bare mudflat should continually be exposed, especially throughout the summer drying phase
Royal spoonbill	Maintain and/or enhance foraging habitat	Structure of bill limits foraging to waters of less than 0.4 m deep; nest in trees, shrubs (e.g. swamp paperbark) or reedbeds over water 0.5 to 1.5 m deep	Annually	October to February	October to February when water levels are low	≤ 0.4 m deep for foraging
Marshland passerines	Maintain and/or enhance breeding and foraging habitat	Common reed and cumbungi used for nesting and shelter and edges used for foraging; inundation important for maintaining invertebrate supplies over summer	Annually	October to January	October to January	Shallow and drawdown over summer
Raptors	Maintain and/or enhance breeding and/or foraging habitat	Swamp harrier nests and forages within dense vegetation of wetlands (e.g. in reedbeds); other species may forage over wetlands or take prey from areas adjoining wetlands	Annually	October to January	October to January	Shallow and drawdown over summer

SINCLAIR KNIGHT MERZ

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Submitter 1

The report, informs on page 17 (when reviewing historical VCAT decisions) " For properties at 29 to 39 Austin Road Seaford, a permit was granted subject to conditions. Most notably, dwellings were restricted to single storey, the acoustic paling fence was moved back 10m south of the northern boundary, and the applicant entered into an agreement with Melbourne Water to ensure all external lighting be baffled and downcast and no cats or dogs to be kept on the land." My question is - Are any domestic Animals currently registered at the addresses nominated?

Submitter 2

I have lived in [redacted] for 43 years and have never seen flooding as a problem. The water level is always 50mtrs away from houses, and that is almost 50cm lower, even at Austin Rd. If flooding can be considered as possible then minor levy banks would be the solution. Conversely, as houses now catch much rainwater in tanks, the wetlands dry out disastrously. I hope water retention or addition is addressed. Public toilets on each side so 4km apart are seen as needed by all walkers runners and cyclists. The area can be superior to Albert Park in every way in time . A tan sand track adjacent to the bitumen cycle track is required and the North end levy bank at Eel Race drain needs these tracks urgently to create a coherent loop. I note significant tree planting underway and applaud it. As Seafood Wetlands PARK is developed and recognized additional parking in numerous locations right around the perimeter with adjacent picnic and play areas will need to be considered. Tirhatuan park Dandenon and Cheer Lake Altona have some qualities to note. Solar lighting as seen in Chelsea Thames prom park is very unobtrusive. Other poles and signs should be minimized to prevent the galvanized pole forest situation seen in the 50 pole 30 car, car park at PARC TAFE , Fletcher Rd. Please tell me you have noted every word here as I have paid hugely in rates on several buildings whilst forming these ideas???

Submitter 3

Friends of Edithvale-Seaford Wetlands Inc - Submission - Seaford Wetlands Residential Environs Study'

FESWI is disappointed with this *Seaford Wetlands Residential Environs Study* in that it has settled for the status quo and basically has done nothing to further the protection of these unique wetlands particularly with reference to developments on the very boundary of the wetlands.

Contents

Overview of the Seaford Wetlands

Buffer Zones

Considerations of Edithvale-Seaford Wetland Site Ramsar Management Plan 2016 Ecology Australia

Considerations of Ramsar Convention

FESWI Recommendation

Conclusion

Overview of the Seaford Wetlands

The Edithvale and Seaford Wetlands possess a suite of international, national, state and regional fauna conservation values, particularly in relation to avifauna. The significance of the wetlands as foraging habitats for seasonal population of migratory waders has been recognised for many years (Carter 1975 a, b). Seaford Wetlands is a site of international importance for the Sharp-tailed Sandpiper and fulfils one of the Ramsar Convention criteria for this species as it regularly supports more than 1% of the flyway population of the species (Watkins 1993). A relatively diverse array of vegetation types and fauna habitats is present in the wetlands (Donnelly et al. 1985, Moore 1994) which are of high regional significance, given widespread habitat loss and fragmentation in the Mornington Peninsula and Greater Melbourne regions. These remnant habitats support a variety of native bird, mammal, frog, reptile, fish and invertebrate populations, several of which are of regional and state conservation significance. With the exception of the avifauna, other taxa remain undocumented. A report on the ecology of Seaford Wetlands in the mid-1980s (Donnelly et al. 1985) remains the most comprehensive account of the fauna to date. The non-avian fauna of the Edithvale Wetlands has not been documented.

A total of 192 bird species (including 12 exotic species) has been recorded since 1990 in the Edithvale – Seaford Wetlands. The avifaunal value of the Edithvale and Seaford Wetlands has been ascribed to the rarity of wetland habitats remaining in the region, the rarity of several bird species which utilise the wetlands, the overall avian richness and the drought refuge function that the wetlands provide compared to ephemeral wetlands of inland Australia (Carter 1975 a, b). Donnelly et al. (1985) note that the remnant wetlands on the Mornington Peninsula may provide an important habitat link between the nationally significant wetlands in Port Phillip and Westernport Bays.

Bird habitats at Seaford Wetlands are described by Donnelly et al. (1985). Since 1990, 25 JAMBA/CAMBA species (61% of the total listed under these treaties) have been recorded. The Sharp-tailed Sandpiper is recorded in most years, in greatest numbers at Edithvale South.

Five species listed, or nominated for listing, under the Victorian *Flora and Fauna Guarantee Act 1988* (Great Egret, Australasian Bittern, Baillon's Crane, Lewin's Rail and White-bellied Sea Eagle) have been recorded. State-significant populations and foraging and breeding habitat for the Australasian Bittern and Baillon's Crane, and regionally-significant populations and habitat for 19 other species, occur.

All three wetlands have been surveyed since the 1960s and have been the subject of detailed bird census programs (Edithvale North and South since 1989 and Seaford Wetlands since 1994). Mean and total numbers of wetland and non-wetland species and the counts of 22 selected species and eight guilds utilising distinct habitats, have been examined to assess whether avian species richness and abundance has changed over time with active management.

FESWI is disappointed with this *Seaford Wetlands Residential Environs Study* in that it has settled for the status quo and basically has done nothing to further the protection of these unique wetlands. The Friends believe that far greater controls are needed – particularly with reference to those properties that abut the wetland perimeter which includes the buffer zone.

2. Buffer Zones

In the *Edithvale Seaford Ramsar Site Management Plan FINAL with Cultural Heritage Assessments 2016*, buffer zones are considered to be part of the wetlands. (See below)

Ramsar Site Description

2.1 Location

The Edithvale-Seaford Wetlands Ramsar Site is located in Melbourne's south eastern suburbs, c. 30 km from the Melbourne Central Business District (CBD). The site is comprised of (sic) two separate wetlands: Edithvale (104 ha) and Seaford (158 ha) (Figure 1). The site is owned predominantly by Melbourne Water with some sections of Seaford Wetlands, including "Downs Estate", owned by the City of Frankston (KBR 2009; DSE 2012; DEPI 2013a). P. 22

And

9.5 Priority 2 Management Actions (Best Practice Management)

9.5.7 Consolidate Melbourne Water and Frankston City Council Management Boundaries at Seaford Wetland (Capital/Grants Program)

For ease of maintenance and to maintain equal standards, the management boundaries at Seaford Wetland should be consolidated giving ownership of the wetland interior to Melbourne Water and the dryland surrounds to Frankston City Council (see Section 2.5 for additional information). P. 121

Buffer zones are "...critical to the management of natural resources". See following:

Biological Criteria for Buffer Zones around Wetlands and Riparian Habitats for Amphibians and Reptiles
RAYMOND D. SEMLITSCH* AND J. RUSSELL BODIE† *Division of Biological Sciences, 105 Tucker Hall, University of Missouri, Columbia, MO 65211-7400, U.S.A., email semlitschr@missouri.edu †Bodie Design Group, 507 Crooked Oak Drive, Pawleys Island, SC 29585, U.S.A.

Abstract: Terrestrial habitats surrounding wetlands are critical to the management of natural resources. Although the protection of water resources from human activities such as agriculture, silviculture, and urban development is obvious, it is also apparent that terrestrial areas surrounding wetlands are core habitats for many semiaquatic species that depend on mesic ecotones to complete their life cycle. For purposes of conservation and management, it is important to define core habitats used by local breeding populations surrounding wetlands. Our objective was to provide an estimate of the biologically relevant size of core habitats surrounding wetlands for amphibians and reptiles. We summarize data from the literature on the use of terrestrial habitats by amphibians and reptiles associated with wetlands (19 frog and 13 salamander species representing 1363 individuals; 5 snakes and 28 turtle species representing more than 2245 individuals). Core terrestrial habitat ranged from 159 to 290 m for amphibians

and from 127 to 289 m for reptiles from the edge of the aquatic site. Data from these studies also indicated the importance of terrestrial habitats for feeding, overwintering, and nesting, and, thus, the biological interdependence between aquatic and terrestrial habitats that is essential for the persistence of populations. The minimum and maximum values for core habitats, depending on the level of protection needed, can be used to set biologically meaningful buffers for wetland and riparian habitats. These results indicate that large areas of terrestrial habitat surrounding wetlands are critical for maintaining biodiversity.

The buffer zones along part of the south and western boundaries are very narrow, at times about 12 meters in width, and containing some of the least amount of buffering vegetation to be found in all the buffer zones.

Present Housing

Ideally much of the housing that currently surrounds the Wetlands should not have been allowed because of the low-lying nature of the land and impact on the wildlife. However, at the time the decisions were made, the importance of wetlands was not fully appreciated (nor indeed in many cases was the re-establishment of a wetland envisaged). Generally, the older housing around the Wetlands is low density and front-facing, with well-established back gardens facing the wetlands.

This Study suggests that double-storeyed buildings close to the wetland boundary is acceptable and uses a development currently under construction pictured on Page 6 (see below) stating that "this example utilises the Wetlands views through windows and balconies on the second floor. Living spaces are oriented to face the Wetlands rather than turning their back in the manner that much of the older housing stock has traditionally done. Further development in this manner has the potential to improve the outlook from the Wetlands."

How on earth does this improve the outlook from the wetlands?? The current thinking (and has been for years) that the buffer zones are needed to shield the wetlands from signs of close human presence (eg houses) and protect them from human disturbance. The Study itself recommends the planting of more trees.

The idea that this type of development "... also has the benefit of improving passive surveillance of the Wetlands from private property, thereby providing improved security within the public realm."

is also drawing a long bow. Such an outward facing building is far more likely to create disturbance through excessive lighting and noise, and is out of place facing a natural environment as it does. It is basically visual pollution in this environment.

The back gardens that are predominant around the wetlands are ideal in that they provide a further buffering element between building and wetlands.



This is precisely what is not wanted around our beautiful wetlands and for the Study to see it as being some sort of advantage to the wetlands is impossible to understand.

3. Considerations of Edithvale-Seaford Wetland Site Ramsar Management Plan 2016

(Ecology Australia)

Part of this *Ramsar Management Plan* deals with the threat of pollution to the wetlands.

8.1 Pollution: Urban Stormwater – Increased Nutrients, Sediments and Toxicants P.87

Stormwater inflows potentially carry pollutants, nutrients and sediments into the wetlands from urban areas. Sedimentation can result in smothering of aquatic biota and the creation of sites for weed establishment and favour the introduction of exotic or invasive native weed species (e.g. *Phragmites australis* and *Typha* spp.) and reduce the flood carrying capacity of the wetlands by making the wetlands shallower over time. Nutrients can favour conditions suitable for eutrophication and algal blooms of wetlands. Toxicants can be delivered into wetlands which may adversely impact fauna through bioaccumulation (Ecology Australia 2001; DNRE 2002; KBR 2009; SKM 2011; DSE 2012; DEPI 2014b).

Given the current style of developments with their larger site coverage, storm water flows will be increased or require even greater management. The more people living in closer proximity to the wetlands, the greater the potential for general litter pollution and pest animals – namely cats.

Part of this *Management Plan* deals with the threat of human disturbance to the wetlands.

8.11 Recreational Activities – Human Disturbance to Native Wildlife P 90-91

There is a substantial body of literature on the effects of noise and visual disturbance to waterbirds from human recreational activities and the potential implications of disturbance (e.g. Dowling and Weston 1999; Paton et al. 2000; Weston 2003; Weston and Elgar 2005 and 2007; Antos et al. 2007; Maguire 2008; DSE 2011; Glover et al. 2011, Weston et al. 2012, Taylor 2006; Weston et al. 2009 and 2012; McLeod et al. 2013; Martin 2015). Recreational disturbance has been identified as a significant risk and management issue at a number of coastal Ramsar sites, including at Cheetham Wetlands [part of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar Site), Western Port Ramsar Site and Edithvale-Seaford Ramsar Site (DNRE 2002; Antos et al. 2007; KBR 2009; DSE 2011). The consequences include:

- increased energy expenditure when roosting or foraging birds are forced to fly for varying periods or distances until the disturbance has ceased. Increased movement and decreased foraging time is particularly important for migratory shorebirds which need to gain weight prior to long-distance return flights to their breeding grounds;
- Increased risks of mortality to young of breeding birds due to distraction of breeding adults from protecting nests, eggs and chicks from predators and weather (e.g. heat and cold). Decreased breeding success can result from decreased parental attention to young;
- Disturbance of roosting and foraging birds can result in reductions in breeding success and survival of adults, young and hatchlings having cumulative effects on the population;
- Avoidance of important foraging habitats resulting in a reduction in the area of available foraging habitat for waterbirds;
- Increased levels of competition between birds and mortality associated with a reduction in the area of available foraging habitat if there is a lack of other foraging habitat nearby;
- Sensitive species may be driven out of an area totally.

The proximity of massive single dwelling or double-story double-unit buildings exposes the wetlands to significant light and sound and movement (from the balconies) disturbance, which, given the importance of these wetlands, is completely unacceptable.

Behind the wetland fences along parts of the western boundary, are reed beds in significant amounts of water (which varies over years and seasons).

Many of our protected birds do not use the open water but instead frequent muddy edges; others prefer reed beds with access to some water eg. swamphen, rails, crakes. On the other hand, the Australasian Bittern, which is classed as *Endangered* in Victoria, frequents dense reed beds. Many of these birds are easily disturbed. Other birds frequenting this sort of habitat include reed warblers, wrens, grass birds, sometimes moorhens. Migratory waders feed in muddy areas.

Many frogs can also be heard calling from in this area.

Wetlands around the world are regularly under-going 'death by a thousand cuts'. Allowing over-development contributes to this process.

4. Considerations of Ramsar Conventions

Ramsar Resolution

At the 11th Meeting of the Conference of the Parties to the Convention on Wetlands (Ramsar, Iran, 1971) "Wetlands: home and destination" Bucharest, Romania, 6-13 July 2012 was the following resolution.

Resolution XI.11

Principles for the planning and management of urban and peri-urban wetlands

4. RECOGNIZING that the world has become increasingly urbanized and that since the mid-2000s more than 50% of the Earth's human population now resides in cities, towns and urban settlements, and CONCERNED that this trend is placing major and increasing pressure on natural resources within and beyond urban areas;

6. RECOGNIZING that urban areas have the potential to generate a range of negative impacts on the environment, and on wetlands in particular, which can vary in scale and magnitude and with a geographic scope which always extends well beyond municipal boundaries, and which can have global implications in terms of ecological footprints;

9. STRESSING that, for the prosperity of future generations and the maintenance of wetlands, their biodiversity and their services to people, it is essential that society adopt a more sustainable approach to urbanization, recognizing the need to protect the natural resource base that sustains urban areas;

10. RECOGNIZING that urban and peri-urban wetlands provide a range of ecosystem services, including providing food, improving water quality and sustaining drinking water supplies, assisting in water security and mitigating natural hazards through the regulation of flooding and reduction of storm surges, and FURTHER RECOGNIZING that access to urban green space can make a positive contribution to people's physical and mental wellbeing;

24. RECOGNIZES that urban development should be planned and managed in a sustainable way, especially with reference to the Resolution XI.9 on an Integrated Framework for avoiding, mitigating, and compensating for wetland losses, and INVITES Contracting Parties and other relevant organizations to raise awareness of, and provide guidance on, the importance of wetlands as providers of benefits to urban populations;

Given that urban wetland is a rare and precious possession we believe that thoughtful consideration and vigilant protection is required on the boundaries of the wetland, and that, for a change, human interests need to take a back seat.

5. VCAT Precedence

VCAT Decision 2004

The last major development at Seaford Wetlands was that at Austin Road in which two of the units were proposed to be double storey.

The *Victorian Civil and Administrative Tribunal's* decision was to **disallow double-storey units** (28 October 2004)

VCAT Reference Nos P2974, P2975, P2976, p2977 & p2978/2003 AND p266/2004 p973/2004

Permit Application Nos.03592, 03574, 03681, 03368, 03642, 03777 AND 031126

Basis for Decision No.45

There was no disputing the importance of the Seaford Wetlands as a habitat for protected birds.

There was no real disagreement either that the proposed development would be likely to have some impact on the wetlands as a habitat for its protected bird species.

The question to decide therefore is whether, in light of the proposed 10m buffer (which we can impose as a condition of permit given the decision in relation to the question of law), the impact can be sufficiently ameliorated to warrant the grant of a permit.

Our ultimate conclusion is that it can in relation to most of the proposed dwellings, but not in relation to the two dwellings proposed for Nos. 41 and 43 Austin Road or for any two-storey structure. **The reason for this is attributable to our finding that a greater buffer distance is warranted in relation to those allotments and for any two-storey development.**

6. FESWI Believes

On 16th September 2013, Frankston Council resolved that Council makes for *"The provision of a 100 metre Neighbour Residential Zone buffer around the entire perimeter of the Seaford Wetlands:"* Although this amendment (C 95) ultimately lapsed it did indicate that Council had some recognition, even back then when development pressures were far less, the value of our unique wetlands.

FESWI believes that this study does very little to protect the Seaford Wetlands given the likely future urban pressures and believes that the following controls be applied to all residential land on the boundaries of the Wetlands:

- No double-storeyed, double dwelling dwellings. Buildings to be front-facing
- Maximum 50% site coverage
- Discourage the use of hard surfaces
- Adequate setbacks for all buildings on the boundaries abutting the Wetlands ie currently-sized back gardens to remain
- Muted colours be used on new and renovated buildings
- Insist on the use of local plant species.
- Only wood paling fences to be allowed on side and back fences of properties
- No new cat permits to be issued

Submitter 4

From:
Sent: Friday, 31 May 2019 4:39 PM
To: Frankston City Council
Cc:
Subject: FW: Seaford Wetlands Environs Study.

Submission from Down's Estate Community Project

We would like to add our support to the recommendations for


(2.) Policy Development of a dedicated "Stormwater Management" for application across the city of Frankston

(3.) Management: The production of education materials for residents around the significance of the Wetlands and the measures that can be implemented to assist their protection. *We also strongly support the idea that this education be extended to include the whole community in meaningful educational opportunities at the Seaford Wetlands.*

(4.) Capital works: We support the improvements listed. *As Licencees of the east side of Down's Estate we would ask to be included in talks about the completion of the walking track through the western part of Down's Estate.*

Yours sincerely

Secretary
On behalf of Committee
DECP

 Virus-free. www.avast.com

Submitter 5

From:
Sent: Friday, 31 May 2019 11:48 PM
To: Frankston City Council
Subject: Seaford Wetlands Residential Study 2019

This is an excellent Study Frankston City Council have commissioned.
I have a few concerns regarding stormwater runoff .

When parked at Foot street shopping strip when raining heavily , as well as other cars parked in likewise conditions, I noticed a lot of oil mixing in drains runoff.

Can oil be separated from storm water before seeps into the very damaged wetlands.
They are now so polluted, it must be effecting our precious wild life and flora as witness in the study results of Kannanook Creek, done by Melbourne University.
This is just one of damaging pollutants entering Port Phillip Bay, and on our Beach.

Suggest all drives and courtyards are made to be permeable , in new developments, to ease run off in this low lying area.

Sent from my iPad

Executive Summary**11.4 Town Planning Improvements Update Report**

Enquiries: (Michael Papageorgiou: Community Development)

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.1 Services
Priority Action	4.1.2 Implement a rolling service review program.

Purpose

To update Council on previous Council resolutions, current activities underway, and activity being undertaken to identify future options, to improve the Frankston Planning Scheme and Town Planning work systems.

Recommendation (Director Community Development)

That Council:

1. Notes that Council has had approximately 120 resolutions since 2014 relating to the Frankston Planning Scheme and Town Planning work systems that have been actioned.
2. Notes that planning application volumes have been increasing over time.
3. Notes that Council's historic timeframes for consideration of applications are comparable to neighbouring Councils and have further improved recently.
4. Notes that substantial progress has been made in improving Town Planning work systems to date.
5. Notes the current initiatives currently underway to further improve the Frankston Planning Scheme and Town Planning work systems.
6. Notes that work is being undertaken to identify future improvement options to the Frankston Planning Scheme and Town Planning work systems to improve customer service, timeframes and service efficiency, including process methodologies such as NORFI and STAR, and that the future enhancements is being facilitated with key process improvements underway.
7. Notes that a further update report on town planning improvements will be provided by the March 2020 Ordinary Meeting.

Key Points / Issues

- Since 2014, Council has adopted approximately 120 resolutions relating to the Frankston Planning Scheme and Town Planning work systems. These have been actioned.
- The volume of planning applications received by Council has been progressively increasing over time. This is related to the content of planning scheme controls, levels of economic activity, and infill development within established areas.
- As previously briefed to Council, reported timeframes for processing of applications have varied over time, however taken together with median overall processing times is comparable to neighbouring Councils. More recently material improvements are evident in the decision timeframes being recorded by officers.

11.4 Town Planning Improvements Update Report**Executive Summary**

- Over recent years Council's Planning and Environment Department has implemented a program of systems improvements which have improved service delivery through implementation of digital and on-line work processes and document availability.
- Similarly, a range of strategic planning work has been undertaken to update the policies and requirements of the Frankston Planning Scheme.
- Currently, officer capacity is being dedicated to improvement projects focussed on improving referrals processes for planning applications (Referrals Project), and streamlining approval processes for small business (Better Approvals Project).
- Officers are undertaking further work to identify future Planning Scheme and work systems improvement opportunities to enhance outcomes for the community. These opportunities include methodologies such as the NORFI and STAR processes implemented at Kingston and Glen Eira Councils.
- Additional resource allocation will likely be required to support this work on systems improvements.
- The abovementioned work is part of an overall strategy for reviewing and refining the Frankston Planning Scheme. A better planning scheme will improve the quality of decisions made on planning applications over time and will result in a higher and more consistent standard of built outcomes. This has been the subject of the 2019 Frankston Planning Scheme Review report which was received by Council on 3 July 2019 and is currently on public exhibition for comment. The 2019 Frankston Planning Scheme Review and the outcome of the public exhibition process will come back to Council in September for consideration and adoption. Once adopted the 2019 Frankston Planning Scheme Review will form the strategic planning work program for Frankston's Planning and Environment department. (This is one of the key actions arising from the Audit Committee sponsored review of the town planning service in 2017).

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this particular report.

While there are financial costs for individual improvement initiatives these are either accommodated within existing budgets or will be subject to separate resolutions of Council and/or individual project submissions considered through the normal annual budget process.

11.4 Town Planning Improvements Update Report**Executive Summary****Consultation****1. External Stakeholders**

Council's Planning Department maintains a regular users contact list and has communicated with consultants and regular applicants about changes to planning procedures as new initiatives are rolled out, for example the on-line lodgement, payment and assessment of Planning Information Requests (PIRs) and VicSmart Planning applications that were both enabled in the second half of 2018.

As noted earlier, the overarching 2019 Planning Scheme Review Report is currently on public exhibition and will be the subject of a report to Council in September 2019.

2. Other Stakeholders

No new consultation has been undertaken for this report. However it should be noted that town planning process improvement activity to date has involved considerable internal communication and engagement, especially in terms of digital processing (ICT Department) and the streamlining of planning application referrals to the Engineering Department and others including, Property, Economic Development and Community Strengthening.

Analysis (Environmental / Economic / Social Implications)

The town planning improvements program will continue to deliver social and economic benefits by providing better access to planning decisions for applicants and for residents both as property owners and submitters to applications that may affect them. This will promote improved prosperity and social opportunities and well-being for Frankston. Improved regulatory standards and better consistency of decision making and the application of planning provisions will have ongoing benefits for the environment.

Legal / Policy / Council Plan ImpactCharter 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

There are no changes to statutory obligations arising from this report.

Policy Impacts

This report is closely related to the strategic planning work program set out in the 2019 Planning Scheme Review 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

The town planning process improvements will assist in reducing risks that may arise from inefficient, ineffective or inconsistent town planning decisions by Council.

11.4 Town Planning Improvements Update Report**Executive Summary****Conclusion**

A considerable amount of activity by Council officers is focussed on improvements to the town planning system operated by Council. This is informed by recent Council resolutions as well as recommendations from service reviews and new initiatives with Council wide implications. Major improvements have been implemented in recent years, especially with regard to on-line lodgement, fee payment and digital assessment of planning applications. Current work is aimed at further embedding digital handling of planning applications as well as providing better information and communication to all relevant stakeholders.

ATTACHMENTS

Attachment A:[↓](#) List of Council Resolutions on Town Planning Improvements

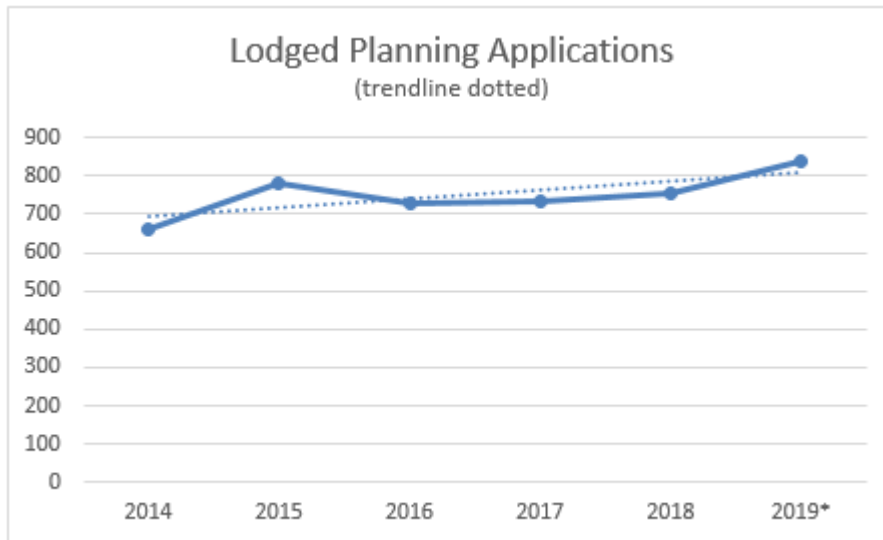
11.4 Town Planning Improvements Update Report

Officers' Assessment

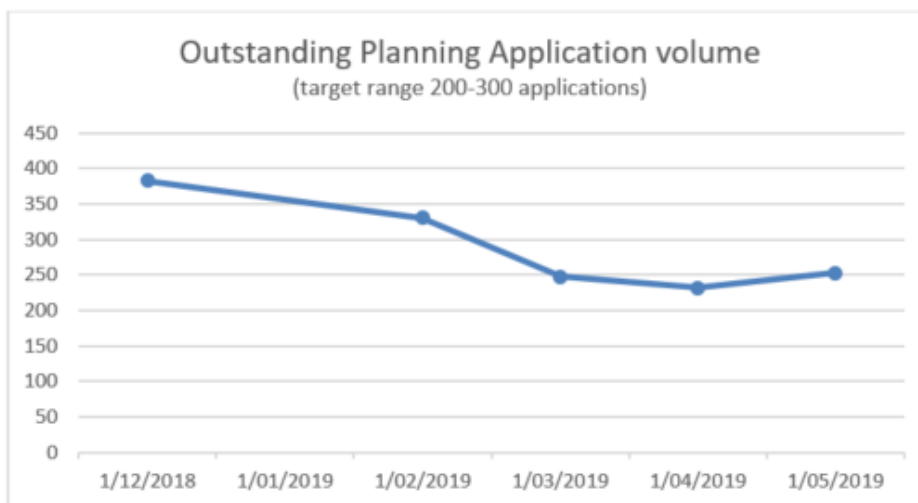
Background

Application volumes and recent timeframes

Over the last 5 years, Council has experienced an increasing number of planning permit applications, with a basic trend increase of approximately 100 applications over that period (ie. approx. 12.5% increase). This is illustrated in the graph below.

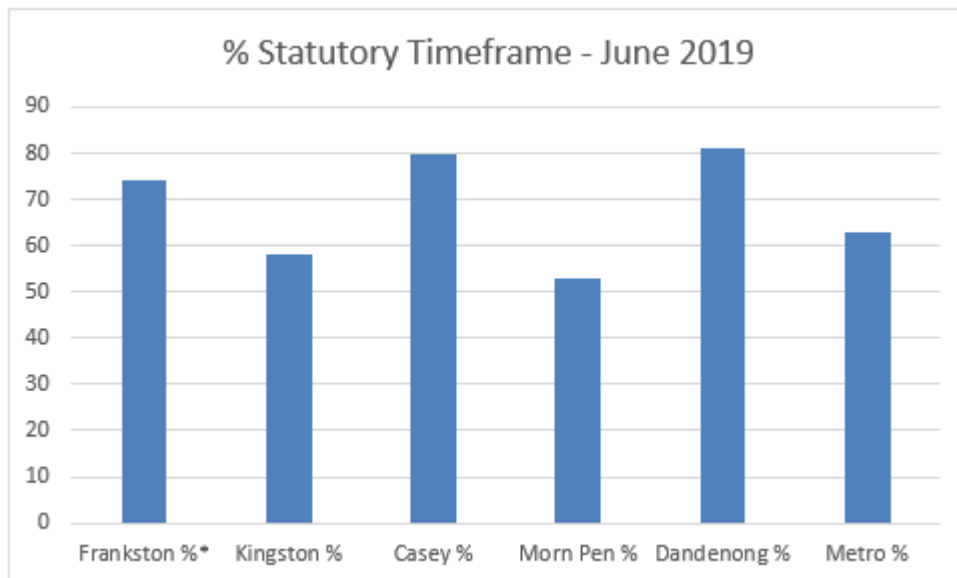


The progressively increasing volume of planning applications and increased complexity of applications resulted in some 'backlog' of planning applications, which in turn contributed to delays in processing in times. Over financial year 2018-19 officers have focussed attention on reducing the outstanding volume of applications. This peaked at over 400 applications in 2017-18 and has been progressively reduced to a more manageable level of approximately 250 as illustrated in the graph below.



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Historically Council has achieved decision making timeframes comparable to nearby Councils. Generally Frankston Council's '% statutory days' reported timeframes have been slightly lower than those Councils, however 'median timeframes to decision' have been slightly better. Additionally, Council's most recent '% statutory days' calculation for June 2018 had improved relative to other Councils.



*manual calculation

The improvement is reflective of the reduced backlog and improvements made to systems as below. In addition, officers are currently reviewing the data recording process for the state government reporting program (PPARS/LGPRF) which may have been causing a long term material under-reporting or 'on-time performance'. Fixing these issues may improve reported timeframes starting in financial year 2019-20.

Previous System Improvements

The town planning service within Frankston City has been the subject of earlier service reviews and has benefited from Council-wide service delivery initiatives arising from new document management software and enhanced use of the proprietary 'Pathway' software for process management. Various improvement efforts have been undertaken progressively in recent years, usually as supplementary activity when current statutory planning workloads allow. From time to time there have been highly specific interventions that have been separately funded such as the implementation of Council's Digital Strategy to selected processes within the statutory planning service that was trialled during 2018 and now has been successfully implemented for a broader range of planning application types.

Electronic Planning Project PCG

The current phase of town planning process improvements commenced in 2016 with the establishment of the Frankston City Council Electronic Planning Project PCG. This was chaired by the Director Community Development and included members from Information Technology, Customer Service and Engineering Departments in addition to the Planning and Environment Department. The PCG oversaw the roll-out of four separate streams of improvements:

11.4 Town Planning Improvements Update Report**Officers' Assessment**

- Procurement and implementation of Trapeze software
- Digital lodgement and enhancement of ePathway functions
- On line Public Exhibition of planning applications
- Web-site enhancements – improved planning information materials available to the public.

The introduction of Trapeze software was essential to enable the digital assessment of plans. Sufficient licences of the proprietary product were purchased to enable planning officers and other Council officers to read, modify and annotate plans, as well as automatically generate common planning measurements, such as site coverage, lot areas, heights and distances. Council officers were trained in the use of Trapeze and by the end of 2016 all statutory planners were equipped with dual computer screens to add to the convenience of reading and comparing plans digitally.

The BIT Department provided specialist advice on the 'activation' of dormant functions on ePathway for town planning processing. Pathway is Council's corporate administration software and ePathway enables digital handling of processes such as town planning applications. The first tranche of improvements undertaken in 2016 enabled automatic reporting on applications and the use of 'dashboards' to monitor application progress and workload allocations to individual planners.

A major initiative in late 2016 was the commencement of on-line advertising of planning applications that were out for public notice. This was of immediate benefit to people that received notice of a planning application. Instead of coming into Council to view plans, people could view them on-line. This service continues to be very effective: all applications currently on advertising can be viewed on Council's website. On conclusion of the advertising period the particular application information is then removed from the site.

During 2016 and into 2017 the planning pages on Council's external website were edited and updated to better inform applicants and residents of Council's planning system. (This work will need to be revisited in concert with the proposed major upgrade of Council's website in 2020.)

Major steps were implemented under the operation of the PCG. However this was achieved with scarce resources – there was largely ad hoc implementation as and when 'business as usual' workloads allowed.

Council Wide Digital Strategy

In 2018 the Business Information Technology Department embarked on the Council wide Digital Strategy. The PCG's work was encompassed within the framework of an organisation wide approach to digital services and on-line administration. Selected sub-projects from the ePlanning program were identified as candidate trial projects for the Digital Strategy 'proof of concept'. Specialist advice was secured and some backfilling of planning and administration officers was provided to address three sub-projects:

- Online payment of planning application fees
- Lodgement and processing of Planning Information Requests(PIRS)
- Lodgement and processing of VicSmart planning applications.

These trial projects involved testing with regular planning applicants that were agreeable to participate and who provided valuable feedback on customer expectations. By the end of 2018, these trials were deemed successful and are currently in operation.

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Public Notice streamlining

In 2016/17 the Statutory Planning branch undertook a trial of using an external contractor to provide a full on-site advertising sign installation service for public notice of all Frankston town planning applications. This service is fully funded by an advertising fee paid by applicants and has the following benefits for all parties;

- Council officers no longer have to prepare the paper work and supporting materials for the installation of the sign.
- Applicants no longer have to install the sign themselves and do not have to provide Council with a Statutory Declaration to the effect that the sign was in place for the required period.
- The contractor to Council takes photos to prove that the sign was properly erected and also ensures that the sign is taken down on the appointed day, and provides this information to Council.
- Should there be any problems experienced with the sign itself (e.g. weather damage), the contractor has a 24 hour replacement service.

Following the extended trial period, Council ran a formal tender process to secure the advertising sign service for a period of 5 years. This is currently operating very well for all parties.

Communication with regular planning system users and other stakeholders

Council's planning department circulates a quarterly newsletter to over 200 industry contacts that presents topical information about local planning initiatives and current planning scheme amendments. This has been in place for over 3 years now and is often cited as a useful information source by local development industry members.

A **Talk to a Planner** service has also been trialled where property owners can make an appointment to speak to a planning officer on any topic. This opportunity has been offered on a regular basis (usually quarterly) over the last 2 years using the Frankston Library as the venue, and has been well received, with users saying they appreciate the chance to speak to officers about their land and development ideas out of hours.

Audit Committee Review and Recommendations

The Internal Audit Committee of Frankston City Council commissioned a review of Council's statutory planning service, which was finalised in November 2017. The objective of the audit was to evaluate the policies, procedures, controls, systems and tools utilised by Council to manage statutory planning and where possible provide relevant opportunities to improve process effectiveness and efficiency.

The review findings were that Council exhibited strengths in terms of its management of the planning scheme and meeting the regulatory requirements of the Planning and Environment Act for scheme amendments and for the public exhibition process. In terms of statutory planning, strengths were identified in terms of procedures for planning permit applications, including processing applications, approval and reporting, communication and feedback to applicants, and finally monitoring and reporting to Council and the wider public.

This review resulted in 7 specific recommendations that have been implemented through the related improvement initiatives described in this report (*See also the commentary on the Audit recommendation implementation contained in the 2019 Planning Scheme Review Report that is currently on public exhibition.*)

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Previous Council resolutions that relate to town planning

In recent years, Council has passed many resolutions that relate to town planning work systems as well as the Frankston Planning Scheme. In addition to improving town planning processes, Council has also passed resolutions that seek to improve town planning outcomes through policy changes and amendments to the Frankston Planning Scheme.

A detailed list of Council resolutions relating to town planning work systems or the Frankston Planning Scheme since 2014 is included as Attachment A.

A shortlist of some of the resolutions is provided in the table below.

2019	
22 June	Adoption of Am C127 to introduce a local public open space contribution rate ➤ Submitted to Minister for Planning for approval and gazettal
2018	
22 October	Establishing a Frankston Native Vegetation Offsets Program: ➤ project funded and now able to commence development
22 October	Introducing Environmentally Sustainable Design (ESD) Rating System ➤ Report on Council agenda 12 August 2019 to progress this initiative
10 September	To establish a Design Advisory Committee ➤ Committee has been established with an initial meeting held in June 2019
4 June	Mandating the amended 'town planning application call-in' template, for use by Councillors ➤ Currently in operation
2017	
16 October	Green infrastructure opportunities and promotion ➤ Council officers have progressively implemented measures to promote green infrastructure e.g. Urban Forest Policy and green walls in new developments
25 September	EOI Process for Heritage Advisory Committee Candidates ➤ New members to the Heritage Advisory Committee were appointed
14 August	Urban Design Excellence to be promoted throughout Council processes ➤ officers have implemented a range of measures including new guidelines documents, specialist urban design advice for development assessment purposes and a new Urban Design Advisory Committee
13 June	The Town Planning Processes Guide for Councillors formally adopted. ➤ Currently in operation
20 Feb	Adoption of the Waste Management Guidelines for new Multi-Unit Developments ➤ applied to all multi-dwelling developments

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2016	
1 Feb	<p>Policy adopted for Councillor's meetings with applicants for proposed developments.</p> <ul style="list-style-type: none"> ➤ Council officers regularly attend any meetings of Councillors where current applicants/developers will be present

Issues and Discussion

Current system improvement initiatives underway

Officer capacity in the Planning and Environment Department is currently fully engaged in two major cross functional system improvement initiatives.

Referrals Project

This project resulted from a 'Referrals Summit' in respect of issues relating to referral volumes, backlogs and extended timeframes. The review was undertaken in conjunction with Council's Business Information Technology Department and Digital Transformation Team. The summit and review built on work being undertaken in Council's Statutory Planning and Engineering Services teams to improve the flow of referrals and responses so as to achieve better outcomes and timeframes for customers. The process review incorporated all departments responsible for internal referral inputs into statutory planning processes and feedback from customer groups. The review has identified 4 key action areas to improving referrals quality and timeframes. It is anticipated that improvements to referral timeframes will contribute to further material improvement in Council's planning processing times and capacity to provide advice to applicants.

Once the priority process improvements have been confirmed, subject to resource allocation the necessary on-line functionality will be initiated and officers trained in its use. Benefits will include transparency and tracking of where referrals have been requested and completed, and the ability to undertake referrals in parallel, but informed by comments supplied by different disciplines within the statutory timeframes.

Better Approvals project

Council's Economic Development Department has secured State Government funding to commence a 'Better Approvals' project for Frankston, commencing in August 2019. The purpose of this project is to significantly re-design Council's outward communications and interactions with small business operators and to provide a seamless applications service. The idea is that Council will provide on-line information that simplifies related approvals for a business from Council's point of view and links these through a potential 'concierge' or single contact service for business applicants. This is a short term initiative that aims to design substantial improvements over a six week timeframe. The town planning service is a key component of this business improvement initiative that is about to commence. A likely outcome will be an improved on-line interface or portal for small business oriented services provided by Council.

Future system improvement initiatives

System Improvement Roadmap

Staff from Council's Statutory Planning and Business Transformation Team recently attended a workshop where various further opportunities for systems improvement (beyond the current initiatives as above) were identified.

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The teams will develop and explore options for these improvements moving forward, developing a 'roadmap' of improvement activities. Actions will be targeted across the 'lifecycle' of a planning application, which typically incorporates many or all of the following steps:

Information->Enquiry->Pre-Application->Lodgement->Allocation->Referral->Initial Assessment->Further Information->Public Notice->[RDM]->Final Assessment->Report->Decision->Issuance->VCAT->Condition Plans->s173 Agreement->Final Inspections

Areas of focus will likely include improving information available to applicants and the community, redeveloping and better utilising IT systems to enable task and timeframe tracking and reporting reliability, and specific customer service initiatives. These will likely include ideas such as:

- Improved public information materials including Council standards and detailed application and design requirements.
- Fast-track application processes (eg. based on NORFI and STAR methodologies implemented by Glen Eira and Kingston Councils, which provide for fast-tracked processing for satisfactory developments), which officers have been considering for some time.
- Options for earlier applicant/neighbour discussions in application processes.
- Improved on-line live application status and on-line objection capability.

It is likely that delivery of many the identified initiatives will be dependent upon some further resource allocation to enable delivery.

Department Service plans are to be completed in October 2019 in order to inform the annual budget process for the next financial year. This will be an opportunity to ensure that resources for delivery of further system improvements are included in the budget for FY 2020-21.

2019 Planning Scheme Review Recommendations

This report which is currently on exhibition and which will be considered for adoption by Council in September 2019 contains the following draft recommendations specific to Town Planning Improvements in *Clause 2.3 Performance of the Planning Scheme and related Statutory Planning services*:

- 2.7.1-1 Completion of the transition to fully on-line processing of planning applications under the Frankston Planning Scheme
- 2.7.1-2 Enabling on-line submissions by objectors and other interested parties.
- 2.7.1-3 Provision of increased access to allow applicants and other parties to monitor the progress of the application through on-line inspection and regular reporting opportunities.
- 2.7.1-4 Provision of on-line tools to improve the quality of applications and to increase understanding of the Frankston Planning Scheme provisions and requirements.
- 2.7.1-5 Publish and regularly update a strategic planning work program to support the progressive enhancement of the Frankston Planning Scheme and its operation.

ATTACHMENT A

Planning process improvement resolutions highlighted in green

Land use and Development related Resolutions adopted by Frankston City Council since 2014

Note: this summary includes relevant Notices of Motion, but it excludes all decisions made at Council meetings on individual planning applications.

Date	Resolution	Comment
<p>10 November 2014</p>	<p>Lot 3, 160 Potts Road, Langwarrin</p> <p>Council Decision Moved: Councillor Mayer Secoded: Councillor Hampton</p> <p><i>That the matter of Lot 3, 160 Potts Road, Langwarrin be accepted as urgent business.</i></p> <p>Carried Unanimously</p> <p>Council Decision <i>Moved: Councillor Mayer Secoded: Councillor Hampton</i></p> <ol style="list-style-type: none"> 1. <i>That officers contact the owner of Lot 3 (the reserve) within one week to request permission for officers to inspect the site for the purposes of assessing the existing condition of Lot 3 (the reserve).</i> 2. <i>Investigate the likely costs of remediation works to reinstate the environmental values of the site.</i> 3. <i>That Council contact DSE to confirm the \$610,000 offset from Eastlink.</i> 4. <i>That the Councillors are briefed on the matter and include any other aspects the Officers deem required.</i> <p>Carried Unanimously</p>	<p>This matter relates to Stage 2 of an existing approved subdivision with a proposal that a large conservation allotment (Lot 3) would revert to public ownership should an increase in the number of residential lots be approved.</p> <p>Council agreed to progress the proposal to an amendment (proposed amendment C103). However the Minister for Planning did not ultimately agree to the amendment proceeding to exhibition. (Council were advised of the Minister’s decision in late 2018.)</p>
<p>1 Dec 2014</p>	<p>NOM 1073 Inappropriate advertising signage</p> <p>Council Decision Moved: Councillor Aitken Secoded: Councillor Cunial</p> <p><i>That Council actively engage with VCAT and the State Government regarding inappropriate signage, particularly major promotional signage. The intent of this motion should be reflected in the proposed planning scheme review amendment and any other appropriate document.</i></p> <p>Carried Unanimously</p>	<p>Council’s new policy on Advertising Signs was incorporated into the Frankston Planning Scheme by Am C100, on 19 October 2017.</p> <p>This policy also references the Frankston City Council, Outdoor Advertising Signage Design Guidelines, 2014.</p> <p>The new policy and the referenced document were intended to address in part the Council’s concerns as set out in this resolution.</p> <p>No further changes to the Advertising Signs policy are proposed here.</p>

Date	Resolution	Comment
1 December 2014	<p>Planning Scheme Review Report</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Dooley</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the findings of the report.</i> 2. <i>Reports the findings of the review to the Minister for Planning.</i> 3. <i>Requests the Minister for Planning for authorisation to prepare and exhibit an amendment.</i> <p>Carried Unanimously</p>	<p>The 2014 Planning Scheme Review report recommended a series of changes to the Frankston Planning Scheme. These were included in Am C100 which was gazetted on 19 October 2017.</p>
1 December 2014	<p>Response to Resident's Petition - Cliff Road Escarpment Geotechnical Investigation</p> <p><i>Recommendation (Director Community Development)</i> <i>That the petition be noted and interim planning controls be considered following public consultation in November and December 2014.</i></p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Tayler</p> <p><i>That the petition be noted and a further report be presented to Council following public consultation.</i></p> <p>Carried Unanimously</p>	<p>Council introduced a new Erosion Management Schedule to address land slip risk in the Oliver's Hill Area. Both an interim control and a final provision were adopted. Am C101 was gazetted on 7 May 2015. Am C109 was gazetted on 3 March 2016.</p>

Date	Resolution	Comment
19 January 2015	<p>Statement of Compliance Audits</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Aitken</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council note the report; 2. Effective immediately, the Chief Executive Officer ensures a 100% Audit of all applications for a Statement of Compliance for all developments that require a Statement of Compliance; 3. The Chief Executive Officer ensures that any retrospective application due to non-compliance be brought to Council; and 4. Additional resources be trialled for a period of 12 months and a further report be brought back to Council in January 2016. <p>Carried</p>	<p>This trigger for reporting applications to Council where they are considered to result from non-compliance arising from a Council inspection was immediately implemented by planning officers. It was eventually included in the formal 'call-in' policy that was endorsed by Council in The Town Planning Processes Guide for Councillors (Document Number A3219028) adopted by Council at its meeting held on 13 June 2017 as part of the Councillor and Staff Interaction Policy 2017.</p> <p>This adopted document sets out the triggers and procedures for applications to be 'called-in' for decision at a Council meeting.</p> <p>In relation to Item 2 Councillors were advised that a formal inspection is made for all developments that are seeking a Statement of Compliance. The Councillors' concern arose from the option of residential developments to seek a Section 173 agreement that allows for lots to be subdivided prior to a development being constructed. The Section 173 protects Council's permit conditions by binding all future owners of the property to comply. An SoC inspection will still be undertaken prior to the development being occupied.</p>

Date	Resolution	Comment
9 February 2015	<p>Cliff Road Geotechnical Investigation - Report on Public Consultation and Interim and Permanent Planning Controls</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Tayler</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the findings and recommendations from the Landslide Susceptibility Study – Cliff Road Area</i> 2. <i>Notes the summary of responses from the community consultation sessions.</i> 3. <i>Authorises officers to prepare a request to the Minister for Planning seeking the application of interim planning controls through an Erosion Management Overlay over areas of identified landslide risk.</i> 4. <i>Authorises Officers to prepare a request to the Minister for Planning seeking authorisation to prepare and exhibit a Planning Scheme amendment to permanently apply an Erosion Management Overlay over areas of identified landslide risk, to include the Landslide Susceptibility Study – Cliff Road Area as a Reference Document and to alter the Environmental Risks plan contained in clause 21.05 of the Frankston Planning Scheme to include land that will be subject to the proposed new EMO schedule.</i> <p>Carried Unanimously</p>	<p>Interim planning controls to manage land slip were introduced for the Cliff Road area by C101 on 7 May 2015.</p> <p>The permanent provisions were introduced by Am C109 on 3 March 2016.</p>

Date	Resolution	Comment
9 Feb 2015	<p>December Town Planning Progress Report</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Dooley</p> <p>1. <i>That Council receives and notes the report.</i></p> <p>2. <i>The CEO is instructed to devise a draft policy and associated guidelines that would require planning applications of interest to Council be automatically reported to Council with such guidelines to be presented to a briefing no later than April 2015.</i></p> <p>Carried Unanimously</p>	<p>The Town Planning Processes Guide for Councillors (Document Number A3219028) was formally adopted by Council at its meeting held on 13 June 2017 as part of the Councillor and Staff Interaction Policy 2017.</p> <p>It was modified by NoM 2018/31 on 4 June 2018 to include a requirement for a form to be submitted for Councillor 'call-ins'.</p> <p>This adopted document sets out the triggers and procedures for applications to be 'called-in' for decision at a Council meeting.</p> <p>It includes as an appendix the Planning Application Submitters and Objectors Engagement Procedure which originally commenced on 5 December 2016.</p>
9 February 2015	<p>Greening Our Future: Environment Strategy</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Spelman That Council:</p> <p>1. <i>Adopts the Greening Our Future: Environment Strategy 2014-24.</i></p> <p>2. <i>Notes that the associated costs will be subject to Council's normal budget approval process.</i></p> <p>Carried Unanimously</p>	<p>The Greening Our Future Environment Strategy is a comprehensive strategy document that replaced a number of existing environmental policies and plans of Council.</p> <p>It contains a detailed set of actions to address all aspects of environmental management activity.</p>

Date	Resolution	Comment
<p>2 March 2015</p>	<p>NOM 1085 On-site Car Parking</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p><i>That the Minister for Planning be invited to meet with Frankston City Council to discuss the car parking issues experienced in Frankston in relation to new development and the unsatisfactory operation of the standard car parking provisions under the Planning and Environment Act 1987 and the relevant planning scheme provisions.</i></p> <p>Carried Unanimously</p>	<p>This resolution was relevant to Council's attempts to introduce two car parking overlays: one for residential visitor parking for multi-dwelling developments and a separate one for all new development in the FMAC area. Only the latter of these amendments was supported by the Minister for Planning and Am C111 was eventually gazetted on 22nd November 2018.</p> <p>Am C114 which sought to introduce Council's Multi-Dwelling Visitor Parking Guidelines into the Planning Scheme as a Parking Overlay, was not allowed by the Minister for Planning: In February 2017, Council was advised that the Minister for Planning did not authorise the preparation and exhibition of Am C114.</p>

Date	Resolution	Comment
23 March 2015	<p>Homelessness in Frankston</p> <p>Council Decision</p> <p><i>Moved: Councillor Aitken Seconded: Councillor Hampton</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Approves, subject to external organisations achieving funding and Council facilitation support only, a 12 month pilot to establish 3 'Magpie Nest' model houses in Frankston.</i> 2. <i>Subject to Council approval of the project, a report be presented to Council at the conclusion of the twelve months outlining the results.</i> 3. <i>An implementation report be brought to Council outlining the program guidelines and framework on the operational activities of the proposal prior to it commencing.</i> 4. <i>Approves officers to commence discussions with Wintringham regarding how existing Council services can support their model in Frankston at no additional cost to Council.</i> 5. <i>Develop and implement an advocacy platform regarding homelessness</i> 6. <i>Approves work to develop a Rooming House Strategy and Regulatory Practice Guidelines.</i> <p>Carried Unanimously</p>	<p>Council has maintained a strong interest in the provision of affordable and social housing in Frankston, with a particular focus on addressing homelessness.</p> <p>The "Magpie Nest" model referred to here was successfully facilitated by Council as a 'one off' with local providers, however it was subject to funding constraints so it has not continued.</p> <p>Council's Housing Strategy 2018 sets out the multiple roles of Council in housing provision including as a regulator and an advocate. (The Frankston Housing Strategy was adopted by Council on 4 June 2018)</p> <p>In 2018, Council was successful in winning a substantial SHIP Grant, which will support the development of housing feasibility projects for affordable and social housing on three Government owned sites in Frankston</p>

Date	Resolution	Comment
<p>13 April 2015</p>	<p>NOM 1097 Approved Planning Permit Statement</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Taylor</p> <p><i>That the following statement, to be printed on yellow paper, be included with every planning permit issued by Frankston City Council.</i></p> <p>“VERY IMPORTANT NOTICE Dear Applicant, Congratulations on securing a planning approval for your development. Frankston City Council is serious about its responsibilities for ensuring excellent development outcomes at all times. Council will take every effort to ensure its planning approvals and all conditions are carefully implemented. Please comply with every requirement set out in this Permit. Should you need to make any change to your development, please discuss this with Council’s Planning Department prior to construction. Council reserves its rights under the Planning and Environment Act 1987 to issue a Statement of Compliance only to those developments where it is satisfied that they are consistent with the applicable planning permit, its conditions and any relevant approved plans”</p> <p>Carried Unanimously</p>	<p>This instruction was implemented by the Statutory Planning Branch in mid-2015. As most planning permits are now issued electronically the message has been modified as part of the ‘eplanning’ process redesign. (Council’s Digital Strategy implementation has included the planning permit process as a pilot activity in 2017/2018 to deliver on-line lodgement and assessment of planning applications.)</p>
<p>13 April 2015</p>	<p>NOM 1098 Advanced landscaping requirements for driveways in multi-unit developments.</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Aitken</p> <p><i>That the standard of landscaping along the fence line of a driveway in multi dwelling developments include the requirement for vegetation to a minimum of 1.5m height at maturity for future applications, and that this be applied as a standard requirement to be implemented immediately.</i></p> <p>Carried Unanimously</p>	<p>This instruction was implemented by the Statutory Planning Branch in May 2015. It has been included in the set of standard conditions for multi dwellings used by Frankston’s planners.</p>

Date	Resolution	Comment
13 April 2015	<p>Post War Modernist Heritage Study (Stage 2) - Individual Citations - Request to prepare and exhibit Planning Scheme Amendment</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Hampton</p> <p><i>That Council seek authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to add the nominated properties listed in the Report to the Heritage Overlay of the Frankston Planning Scheme.</i></p> <p>Carried Unanimously</p>	<p>Am C110 (Part 1) was gazetted on 14 January 2016. The Amendment applies the Heritage Overlay (HO) to thirteen properties in Frankston and Frankston South.</p> <p>Am C110 (Part 2) was gazetted on 18 February 2016. This introduced a further 4 properties into the Frankston Planning Scheme arising from the Post War Modernist Heritage Study Part 2.</p>
13 April 2015	<p>Erosion Management Overlay - Data Collection in the Oliver’s Hill Area - Continued Compilation of Data</p> <p>Council Decision Moved: Councillor Dooley Seconded: Councillor Taylor</p> <p><i>That Council abandons the continued compilation of geotechnical data consistent with the methodology adopted in the previous Council report on this matter.</i></p> <p>Carried Unanimously</p>	<p>An earlier study into slope stability undertaken for Council had recommended that Council gather and maintain monitoring data for the Oliver’s Hill area, provided landowners were sufficiently supportive. A survey of landowners revealed that few were interested in participating, so this initiative was not continued.</p>
13 April 2015	<p>Streamlined process for Industrial Applications</p> <p>Council Decision Moved: Councillor Taylor Seconded: Mayor Mayer</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Council endorses the streamlined program for Industrial Planning Applications and its widespread promotion.</i> 2. <i>The program be promoted widely to regular users and that the report on industrial applications be reported quarterly in the regular progress reports to Council.</i> 3. <i>Council endorses the Priority Procedure for Planning Applications in the Frankston Metropolitan Activity Centre, and be promoted widely to regular users.</i> <p>Carried</p>	<p>Council here has approved a streamlined process for industrial planning applications, and had earlier approved a streamlined process for all planning applications within the FMAC area.</p> <p>Officers have implemented a process where eligible applications are considered at a fortnightly internal meeting and potential referral issues are expedited. Planning scheme provisions for these developments have been progressively simplified or removed, so that the remaining approvals can be more easily handled.</p>

Date	Resolution	Comment
13 April 2015	<p>Local Planning Policy: Gaming</p> <p>Council Decision Moved: Councillor Dooley Seconded: Councillor Aitken</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Endorses the 'Frankston Local Gambling Policy Planning Implementation Report' including recommendations pertaining to the Frankston Planning Scheme.</i> 2. <i>Includes the gaming revisions to the Municipal Strategic Statement and the new Local Planning Policy as part of the documentation of the Planning Scheme Review to be forwarded to the Minister for Planning for authorisation to prepare and exhibit a planning scheme amendment.</i> <p>Carried Unanimously</p>	<p>Council's new policy on Gaming Machines was incorporated into the Frankston Planning Scheme by Am C100, on 19 October 2017.</p>
25 May 2015	<p>Local Planning Policy: Gaming</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Dooley</p> <p><i>That Council endorses the Frankston Gaming Local Policy, amendments to clause 21.08 and the Schedule to Clause 52.28-3 of the Municipal Strategic Statement.</i></p> <p>Carried Unanimously</p>	<p>Council's new policy on Gaming Machines was incorporated into the Frankston Planning Scheme by Am C100, on 19 October 2017. (This item was revisited to ensure that Council had properly adopted the Gaming Policy and authorised the planning scheme amendment content.)</p>

Date	Resolution	Comment
25 May 2015	<p>Frankston Metropolitan Activity Centre Structure Plan</p> <p>Moved: Councillor Hampton Seconded: Councillor Taylor</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Adopts the Frankston Metropolitan Activity Centre Structure Plan</i> 2. <i>Authorises officers to lodge a request with the Minister for Planning to prepare a planning scheme amendment to implement the Structure Plan into the Frankston Planning Scheme.</i> 3. <i>Endorses the Action Plan.</i> <p>Carried</p>	<p>Council adopted the Frankston Metropolitan Activity Centre Structure Plan (FMAC Structure Plan) and authorised officers to submit a request with the Minister for Planning to prepare a Planning Scheme Amendment to implement the FMAC Structure Plan into the Frankston Planning Scheme. Amendment C111 was gazetted on 22 November 2018. Amendments C123 and C124 are with the minister for final approval and gazettal. These three amendments will together implement the main planning scheme changes envisaged by the FMAC Structure Plan and the FMAC Action Plan.</p>
22 June 2015	<p>Frankston Planning Scheme Amendment C109 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel</p> <p>Council Decision</p> <p><i>Moved: Councillor Taylor Seconded: Councillor Cunial</i></p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Council notes the submissions to Frankston Planning Scheme Amendment C109 Erosion Management Overlay.</i> 2. <i>Council continues to progress Amendment C109.</i> 3. <i>Council write to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C109.</i> 4. <i>Council advises all submitters of Council's decision.</i> <p>Carried Unanimously</p>	<p>The permanent provisions for managing land slip risk for the Oliver's Hill area were introduced into the Frankston Planning Scheme by Am C109 on 3 March 2016.</p>

Date	Resolution	Comment
13 July 2015	<p>NOM 1126 Cash in lieu car parking scheme</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p><i>That Council implements Cash-in-lieu of Car Parking Scheme for the Frankston Metropolitan Activity Centre that will allow Council to directly attract funding for public car parking from new developments in the FMAC Structure Plan area. The Cash-in-lieu of Car-parking scheme will have the following key elements:</i></p> <ul style="list-style-type: none"> <i>a) That locations be identified with in the FMAC which could be utilised for car parking, using funding from a future cash in lieu scheme and a report be brought back to Council quarterly on the progress of the cash in lieu scheme.</i> <i>b) A Parking Scheme Overlay will apply to all developments in the FMAC area to ensure they are eligible to participate in the Cash-in-lieu of Car Parking Scheme should they choose not to provide the Frankston Planning Scheme’s required car parking spaces on their own development site.</i> <i>c) Council’s Cash-in-lieu of Car Parking Scheme may include the funding of additional public car parking areas to be provided within the FMAC area as components of the Cash-in-Lieu of Car Parking Scheme.</i> <i>d) That this project become a priority of Council.</i> <i>e) That a comprehensive report be brought back to Council on the Parking Precinct Plan that has been undertaken to date and the cost.</i> <p>Carried Unanimously</p>	<p>Am C111 was prepared by Council in 2015-2016 to introduce a car parking overlay for the FMAC area, including a cash-in-lieu of car parking scheme.</p> <p>Am C111 was gazetted on 22nd November 2018.</p>

Date	Resolution	Comment
13 July 2015	<p>Metropolitan Planning Levy</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Tayler</p> <p><i>That the Council:</i></p> <ol style="list-style-type: none"> 1. <i>Write to the Premier of Victoria, the Minister for Planning, the Opposition Leader and the Shadow Planning Minister to request that the revenue from the Metropolitan Planning Levy be diverted to Local Government to assist with the rising cost of assessing Planning Applications; and</i> 2. <i>Write to the Premier of Victoria, the Minister for Planning, the Opposition Leader and the Shadow Planning Minister to request the implementation of indexation on planning application fees to assist Local Government to offset the rising cost of assessing Planning Applications.</i> <p>Background <i>On 1 July 2015, the State Government introduced the Metropolitan Planning Levy. The Levy applies to all planning applications over \$1M. The Levy rate is set at \$1.30 per \$1,000 (or 0.13% of the whole value of the development) for affected projects.</i> <i>The Levy must be paid to the State Revenue Office to receive a Levy certificate. Responsible authorities in the Melbourne metropolitan area are required to check that, if required, a valid Levy certificate is submitted with a Planning Permit application.</i> <i>In the 14/15 financial year, Council's total fee income was \$600,000 while the labour and associated costs of the Statutory Planning service totalled around \$1.5 million a net cost to the ratepayer of \$900,000. This is due to the Government not implementing Planning Fee indexation.</i> <i>The implementation of Rate Capping, the absence of Planning Fee Indexation, the rising cost associated with accessing planning applications and now, the cost of administering Valid Levy Certificates, will be a challenge for all Victorian Councils.</i> <i>This highlights that residents are subsidising developers' profits while the State Government is imposing additional charges for their own revenue while simultaneously continuing to demand Council's reduce costs and spending further, constraining Council's ability to deliver services.</i></p> <p>Carried Unanimously</p>	<p>Council's advocacy to the State Government was partly successful in that regulated town planning application fees were increased by the State Government in October 2016.</p> <p>However no change to the allocation of funds raised by the Metropolitan Planning Levy has been achieved to date.</p>

Date	Resolution	Comment
3 August 2015	<p>NOM 1131 Cash in lieu Steering Committee</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Taylor</p> <p><i>That this Council form a Steering Committee comprising interested Councillors, CEO and Officers from the Planning Department to overview the completion of Council's Cash-in Lieu Car Parking Scheme and this committee to meet on a monthly basis in order to prepare a business case for a cash-in lieu public car park facility in the Frankston Metropolitan Activity Centre (FMAC) by January 2016.</i></p> <p>Carried Unanimously</p>	<p>Council's FMAC Parking Precinct Plan was adopted by Council on 8 August 2017.</p> <p>Am C111 was prepared by Council in 2015-16 to introduce a car parking overlay for the FMAC area, including a cash-in-lieu of car parking scheme.</p> <p>Am C111 was eventually gazetted on 22nd November 2018</p>
3 August 2015	<p>NOM 1132 Multi-Dwelling Visitor Car Parking Guidelines</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Taylor</p> <p><i>That a report be prepared for Council on the business case and process for the preparation of an amendment to the Frankston Planning Scheme that will effectively incorporate the visitor car-parking provision standards as set out in Council's Multi-Dwelling Visitor Car Parking Guidelines and apply these to all relevant residential zones without impacting on neighbourhood character and landscape area. This is to ensure the consistent implementation of the visitor car parking provisions for all new multi-unit residential development.</i></p> <p>Carried Unanimously</p>	<p>Am C114 which sought to introduce Council's Multi-Dwelling Visitor Parking Guidelines into the Planning Scheme as a Parking Overlay, was not approved by the Minister for Planning to go on public exhibition. Council was advised of the Minister's decision on 28 February 2017</p>
3 August 2015	<p>Private Planning Scheme Amendment Policy</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Cunial</p> <p><i>That Council support the adoption of the draft Private Planning Scheme Amendment Policy and agree that the draft Policy be placed on public exhibition for a four (4) week period.</i></p> <p>Carried Unanimously</p>	<p>Council introduced a policy and fee schedule for accepting and processing privately sponsored planning scheme amendments as a result of this decision. Council's fees were superseded by the new fees for planning scheme amendments that were introduced by the State Government in October 2016.</p>

Date	Resolution	Comment
3 August 2015	<p>NOM 1128 - Oliver's Hill Lookout</p> <p>Council Decision Moved: Councillor Tayler Seconded: Councillor Dooley</p> <p><i>In line with the draft Coastal Management Plan, that Council supports the request for signage at Oliver's Hill lookout to enable visitors to understand the history of Oliver's Hill and Frankston also that large binoculars be installed at the lookout.</i></p> <p>Carried Unanimously</p>	<p>Council adopted a new Coastal Management Plan for Frankston in 2016. The Oliver's Hill Lookout was identified as a key tourist asset for the city and the plan recommended an upgrade of the public facilities and infrastructure at that location. This is yet to be fully implemented, however the current Oliver's Hill Breakwater project is likely to result in improved pedestrian access and interpretative signage for this area</p>
24 August 2015	<p>Frankston Planning Scheme Amendment C110 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submissions to Frankston Planning Scheme Amendment C110 (application of the Heritage Overlay to seventeen (17) properties).</i> 2. <i>Resolves to split Amendment C110 into two parts.</i> 3. <i>Resolves to adopt Amendment C110 part A and forward this to the Minister for Planning for approval.</i> 4. <i>Authorises Officers to request an independent Planning Panel be convened to consider the submissions objecting to Amendment C110 part B.</i> 5. <i>Advises all submitters of Council's decision.</i> <p>Carried</p>	<p>Am C110 (Part 1) was gazetted on 14 January 2016. The Amendment applies the Heritage Overlay (HO) to thirteen properties in Frankston and Frankston South.</p> <p>Am C110 (Part 2) was gazetted on 18 February 2016. This introduced a further 4 properties into the Frankston Planning Scheme arising from the Post War Modernist Heritage Study Part 2.</p>

Date	Resolution	Comment
26 October 2015	<p>Draft Community Engagement Policy 2015-2017</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Tayler</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Council re-endorses the Draft Community Engagement Policy 2015-2017.</i> 2. <i>Council notes that changes to the policy (as per the attachment showing amendments) are minimal and as such the amended policy does not trigger a public exhibition process.</i> <p>Carried Unanimously</p>	<p>Council has sought to introduce consistency to its community engagement activity across all Council areas of activity. For recent planning projects and scheme amendments, Council has implemented consultation activity that extends well beyond the normal statutory requirements for public advertising and review. The Community Engagement Policy is now due for review and this should be completed by the end of 2019.</p>
26 October 2015	<p>Earthworks and the Importation of Fill - Planning Controls</p> <p>Council Decision Moved: Councillor Dooley Seconded: Councillor Tayler</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Applies to the Minister for Planning in accordance with Section 9(3) of the Planning and Environment Act 1987 to obtain authorisation to prepare Amendment C112 which will introduce planning controls for:</i> <ul style="list-style-type: none"> - <i>Earthworks which change the rate of flow or the discharge point of water across a property boundary;</i> - <i>Earthworks which increase the discharge of saline groundwater; and</i> - <i>Earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.</i> 2. <i>Authorises Council officers to prepare the amendment documents.</i> 3. <i>Once authorisation is received, exhibit Planning Scheme Amendment C112 in accordance with Sections 17-19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.</i> <p>Carried Unanimously</p>	<p>Amendment C112 was gazetted in 13 October 2016. The amendment changes the Schedule to the Green Wedge Zone (Clause 35.04), Schedules 1, 1, 3 and 4 to the Rural Conservation Zone (Clause 35.06), the Schedule to the Farming Zone (Clause 35.07) and Schedule 4 to the Design and Development Overlay (Clause 43.02), to require permits for earthworks and land filling activities.</p> <p>This is an important change to allow Council to ensure that earthworks in rural areas of the city do not interfere with stormwater and drainage flow.</p>

Date	Resolution	Comment
26 October 2015	<p>Frankston Native Vegetation Protection Study - Request to prepare and exhibit Planning Scheme Amendment</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Dooley</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Adopts the Frankston Native Vegetation Protection Study.</i> 2. <i>Applies to the Minister for Planning in accordance with Section 9 (3) of the Planning and Environment Act 1987 to obtain authorisation to prepare and exhibit a Planning Scheme Amendment to implement the recommendations of the Frankston Native Vegetation Protection Study.</i> 3. <i>Authorises Council Officers to prepare the amendment documentation.</i> 4. <i>Once authorisation is received, exhibits the Planning Scheme Amendment in accordance with Sections 17 – 19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.</i> <p>Carried Unanimously</p>	<p>Council has progressively enhanced the Frankston Planning Schemes vegetation protection provisions to ensure that the native habitat and landscape values of native vegetation can be better protected. Amendment C113 to the Frankston Planning Scheme was gazetted on 4 May 2017. The amendment implements the findings of the 'Frankston Native Vegetation Protection Study, January 2016' updates vegetation protection controls to conform to Australian Standards, provides consistent permit triggers for buildings and works and vegetation removal, corrects mapping anomalies and removes outdated vegetation protection controls.</p>
26 October 2015	<p>Planning Scheme Amendment C109 - Report on Findings and Recommendations of Panel Report</p> <p>Council Decision</p> <p><i>Moved: Councillor Dooley Seconded: Councillor Tayler</i></p> <p><i>That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Amendment C109 as exhibited, and replace the interim provisions with the permanent controls.</i></p> <p>Carried Unanimously</p>	<p>The permanent provisions for managing land slip in the Oliver's Hill area were introduced into the Frankston Planning Scheme by Am C109 on 3 March 2016.</p>

Date	Resolution	Comment
<p>16 November 2015</p>	<p>Affordable Housing and Homelessness</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Tayler</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Receives the draft discussion paper.</i> 2. <i>Notes the 'Community Roof' project is subject to an existing and separate process.</i> 3. <i>Endorses the recommendations which include:</i> <ol style="list-style-type: none"> 3.1 <i>Advocating to State and Commonwealth Government for a standard set of indicators and quarterly reporting to be built into NGO funding agreements to enable real time trends</i> 3.2 <i>Advocating to State Government to amend the Victorian Planning provisions to authorise Local Government to make decisions about rooming house density and location</i> 3.3 <i>Enhancing planning controls to encourage more affordable housing in Frankston</i> 3.4 <i>Advocating to State Government for improved duty of care provisions to ensure adequate on site management of rooming houses</i> 3.5 <i>Supporting accommodation options for people experiencing homelessness including:</i> <ol style="list-style-type: none"> 3.5.1 <i>Development of the 'Community Roof' project</i> 3.5.2 <i>Establishing a suitable independent governance structure to manage collection and expenditure of donations to address and prevent homelessness</i> 3.5.3 <i>Seeking State Government funding partnership to establish a housing demonstration project</i> 3.5.4 <i>Advocating to State Government for assertive case management.</i> <p>Carried Unanimously</p>	<p>Council has taken a number of steps to address affordable housing and homelessness within Frankston. Council was successful in 2016 in obtaining a State Government grant to prepare feasibility studies for affordable and social housing projects on Government owned land. When completed in late 2019, this work may lead to further planning scheme changes being sponsored by Council.</p>

Date	Resolution	Comment
7 December 2015	<p>Planning Scheme Amendment C110 Part 2 – Report on Findings and Recommendations of Panel Report</p> <p>Council Decision Moved: Councillor Aitken Secoded: Councillor Cunial</p> <p>That Council note the Panel Report and authorise officers to request the Minister for Planning to adopt the Amendment as exhibited subject to the following changes:</p> <ul style="list-style-type: none"> Delete the reference to the former squash court in 83-99 Stotts Lane, Frankston South (HO74) in the Schedule to the Heritage Overlay and reduce the extent of the Heritage Overlay to exclude the former squash court and caretaker’s residence. <p>Carried</p>	<p>Amendment C110 added a further 4 entries onto Council’s Heritage Overlay, following a formal panel review process. Am C110 (Part 2) was gazetted on 18 February 2016</p>
7 December 2015	<p>Draft Frankston Coastal Management Plan</p> <p>Council Decision Moved: Councillor Aitken Secoded: Councillor Taylor <i>That:</i></p> <ol style="list-style-type: none"> <i>The draft Coastal Management Plan is endorsed for public exhibition and comment;</i> <i>The consultation process closes on Wednesday 3 February 2016;</i> <i>A copy of the draft document be forwarded to the Premier, Minister for Environment, Minister for Local Government highlighting the potential for additional costs associated with Council managing crown land, and that this may prove difficult as a result of the impact of rate capping;</i> <i>The draft Coastal Management Plan contain a section in its own right titled Weed Management; and</i> <i>A further report on the outcomes of the consultation process be presented to Council by April 2016.</i> <p>Carried Unanimously</p>	<p>Council adopted the Frankston Coastal Management Plan in 2016. This document provides guidance for managing new development and activities across the full extent of Frankston’s 11km coastline and foreshore areas.</p> <p>The Coastal Plan 2016 should be included in the Frankston Planning Scheme as an incorporated document.</p>

Date	Resolution	Comment
7 December 2015	<p>Funding of Frankston history film and Frankston history event 2016</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Endorses the completion of the Frankston history film with a total funding commitment of \$7,500; and</i> 2. <i>Supports the convening of another Frankston History event at a cost of no more than \$2,500.</i> <p>Carried Unanimously</p>	<p>Council has instituted an annual history day to celebrate and promote Frankston’s social history. This activity complements efforts to add properties to the Frankston Planning Scheme’s heritage overlay.</p>
1 Feb 2016	<p>NOM 1189 - Meetings with applicants for proposed developments</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Aitken</p> <p><i>That Council resolves that at any scheduled meetings, held between a Councillor and the developer/applicant/consultant for any development proposed within the City of Frankston, a minimum of two members of Council staff also be in attendance.</i></p> <p><i>That legal advice be sought to have this incorporated into the Councillor Code of Conduct.</i></p> <p>Carried</p>	<p>The <i>Town Planning Processes Guide for Councillors</i> (Document Number A3219028) was formally adopted by Council at its meeting held on 13 June 2017 as part of the <i>Councillor and Staff Interaction Policy 2017</i>.</p> <p>It was modified by NoM 2018/31 on 4 June 2018 to add a requirement for Councillors to fill out a standard template for all call-ins including grounds for the call in.</p> <p>This adopted document sets out the triggers and procedures for applications to be ‘called-in’ for decision at a Council meeting.</p> <p>It includes as an appendix the <i>Planning Application Submitters and Objectors Engagement Procedure</i> which commenced on 5 December 2016.</p> <p>This Procedure stipulates the need for 2 Council officers to be present whenever Councillors meet with applicants whose planning application is yet to be decided.</p>

Date	Resolution	Comment
15 March 2016	<p>NOM 1195 - Metropolitan Planning Levy</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Mayer</p> <p><i>That Council writes to the Minister for Planning, Hon Richard Wynne, requesting:</i></p> <ol style="list-style-type: none"> 1. <i>an exemption for the requirement to pay \$2,000 to the Metropolitan Planning Levy for the redevelopment of the Frankston Basketball Stadium; and</i> 2. <i>an exemption for local government from the requirement to pay the Metropolitan Planning Levy for the development of community facilities.</i> <p><i>Further, that copies of the letter be sent to the Minister for Local Government, Hon Natalie Hutchins, Shadow Minister for Planning and Shadow Minister for Local Government, Hon David Davis, State Member for Frankston, Mr Paul Edbrooke and State Member for Carrum, Ms Sonya Kilkenny.</i></p> <p>Carried Unanimously</p>	<p>Council was unsuccessful in its request to the State Government that Council be exempted from paying the Metropolitan Planning Levy for community infrastructure projects.</p>
26 April 2016	<p>Frankston Planning Scheme Amendment C113 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel.</p> <p>Council Decision Moved: Councillor Mayer Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submissions to Frankston Planning Scheme Amendment C113 Frankston Vegetation Review.</i> 2. <i>Continues to progress Planning Scheme Amendment C113.</i> 3. <i>Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C113.</i> 4. <i>Advises all submitters of Council's decision</i> <p>Carried Unanimously</p>	<p>Am C113 was adopted on 4 May 2017. The amendment implements the findings of the 'Frankston Native Vegetation Protection Study, January 2016 updates vegetation protection controls to conform to Australian Standards, provides consistent permit triggers for buildings and works and vegetation removal, corrects mapping anomalies and removes outdated vegetation protection controls</p>

Date	Resolution	Comment
16 May 2016	<p>Endorsement of the Melbourne Water Flood Management Strategy - Port Phillip and Westernport.</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Tayler</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Endorses the Melbourne Water Flood Management Strategy – Port Phillip and Westernport; and</i> 2. <i>Notes the endorsement of the Strategy carries no financial obligation to Council.</i> <p>Carried Unanimously</p>	<p>Council has been working with Melbourne Water on the need to update the LSIO and SBO overlays in the Frankston Planning Scheme to reflect new modelling, the impacts of sea level rise, and to differentiate the Melbourne Water and Council management sub-catchments for development assessment purposes.</p> <p>As a result of the completion of new flood mapping work, Council will need to initiate a new planning scheme amendment to update the SBO and LSIO overlay maps and to introduce a new schedule and overlay map for land that will be subject to inundation as a result of predicted sea level rise</p>
16 May 2016	<p>NOM 1203 - Heritage Trail - Streetscape Images</p> <p>Council Decision</p> <p>Moved: Councillor Taylor Seconded: Councillor Aitken</p> <p><i>That a review be undertaken and reported back to Council for the potential installation of historic interpretive signage pictures of streetscapes at selected locations across the Frankston Metropolitan Activity Centre by July meeting.</i></p> <p>Carried Unanimously</p>	<p>Council's Heritage Advisory Committee has overseen a project to implement a heritage trail of interpretative panels in Frankston.</p> <p>A series of 5 panels have been designed as part of this initiative with installation of the first few to be completed by June 2019.</p>

Date	Resolution	Comment
3 July 2017	<p>Submission - Review of the Public and Shared Housing Reforms</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken That:</p> <ol style="list-style-type: none"> 1. <i>Council endorses the submission (Attachment A) dated 16 June 2017 to the Review of the Public and Shared Housing Reforms.</i> 2. <i>Officers forward the submission to the Department of Environment, Land, Water and Planning noting that the submission is now an adopted Council position.</i> 3. <i>That the submission also recommends that future changes should allow Councils to have the ability to assess 'built form', 'location', 'management' and 'cumulative and amenity impacts' that are associated with public and shared housing.</i> <p>Carried Unanimously</p>	<p>Council has consistently sought better controls across a range of legislation to help regulate boarding houses and other forms of shared accommodation. While Council continues to advocate for greater provision of affordable and social housing in the city, the need to protect residential amenity remains a critical concern of planning for new development.</p>
18 July 2016	<p>Assessment of the Down's Estate Community Working Group Project Proposal</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Cunial</p> <p><i>That Council resolves to support Option 4 (\$40,000) to:</i></p> <ol style="list-style-type: none"> A. <i>Support the Down's Estate Community Working Group (DECWG) proposal in principle.</i> B. <i>Enter into a 12 month limited use licence for certain activities once the group is incorporated.</i> C. <i>Undertake basic restoration of the shed including security measures (\$32,000).</i> D. <i>Undertake some minor works (\$8,000).</i> E. <i>Retain the house for a further 18 months with the option to renovate it contingent on funding availability and the progress of the DECWG program.</i> F. <i>Noting that any proposed funding from Council's budget is subject to consideration at the mid-year budget review and its adoption by Council.</i> <p>Carried Unanimously</p>	<p>The Downs Estate is a large parcel of private land owned by Council abutting the Seaford Wetlands Ramsar site. Council has licensed a community group to use a portion of the Down's Estate for a range of community environmental and educational activities that complement the natural values of that are to be retained and protected on this site.</p> <p>Council should further consider the appropriate zoning of this land to reflect its conservation status using for example the Public Conservation and Resource Zone. The same could apply to other Council and Melbourne Water owned land parcels within the Seaford Wetlands area.</p>

Date	Resolution	Comment
3 July 2017	<p>Frankston Green Wedge Management Plan Stakeholder Engagement Program</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken</p> <ol style="list-style-type: none"> 1. <i>That Council endorses Stream 1 and Stream 2 of the Stakeholder Engagement Program towards the production of a Green Wedge Management Plan.</i> 2. <i>With respect to Stream 3:</i> <ol style="list-style-type: none"> a) <i>All meetings proposed for a 'deliberating group' are to be open to any member of the community wishing to participate and there is to be no 'random selection' of ratepayers for this purpose.</i> b) <i>All community engagement meetings are to be advertised on Council's website.</i> <p>Carried</p>	<p>The Green Wedge lands comprise one third of the Frankston City area. Council is required to undertake the preparation of a GWMP by State Government regulation. Given the importance of the Green Wedge to the city and the community, Council has sought to broaden the engagement opportunities for the participation of interested people in the GWMP preparation process. The draft GWMP is expected to be exhibited by Council in April/May 2019.</p>

Date	Resolution	Comment
3 July 2017	<p>NOM 1336 - Green Infrastructure</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p><i>That a report be prepared for the October Council meeting detailing options for Frankston City Council to become a leader in Urban Forest / green initiatives.</i></p> <p><i>The report should consider:</i></p> <ol style="list-style-type: none"> 1. <i>Current and future green initiatives within the Frankston municipality including the delivery of a boulevard program;</i> 2. <i>Current initiatives run by State Government or other municipalities and the possibility of these programs being initiated within Frankston, for example Melbourne City Council's Green Infrastructure fund;</i> 3. <i>Opportunities to replicate successful funding models for green initiatives elsewhere;</i> 4. <i>Opportunities to ensure green infrastructure, other than tree canopies, is incorporated into the fabric of the city, including, but not limited to green walls and roofs; and</i> 5. <i>The timing and resources required for preparation of an Urban Forest Action Plan and how such a plan could incorporate green infrastructure other than tree canopy, including but not limited to green walls and roofs.</i> 6. <i>That Council officers explore and research the practice of resident and commercial rebates for the use of green friendly products and practices (City of Whitehorse) and consider them for the City of Frankston where it is demonstrated to be practicable and beneficial.</i> <p>Carried</p>	<p>Council has consistently sought to improve its planning policies and provisions to support 'green' initiatives including Ecologically Sustainable Development (ESD), Water Sensitive Urban Design (WSUD), Urban Forest outcomes and incentives to support quality urban design and energy efficiency in new buildings and urban area. This interest culminated in a resolution in 2018 to implement mandatory ESD provisions into the Frankston Planning Scheme. These are expected to be introduced as a part of "group of Councils' planning scheme amendment in 2020.</p>

Date	Resolution	Comment
18 July 2016	<p>Frankston Planning Scheme Amendment C100 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer That Council:</p> <ol style="list-style-type: none"> 1. <i>Notes the submissions to Frankston Planning Scheme Amendment C100 LPPF Review.</i> 2. <i>Continues to progress Planning Scheme Amendment C100.</i> 3. <i>Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C100.</i> 4. <i>Advises all submitters of Council's decision.</i> <p>Carried Unanimously</p>	<p>Council's previous review of the Frankston Planning Scheme (undertaken in 2013-2014) resulted in the preparation and adoption of Am C100. Background work commenced in July 2013. Am C100 was exhibited from April to June 2016. The amendment was heard by a Panel and subsequently adopted by Council. Am C100 was finally gazetted by the Minister for Planning on 19 October 2017.</p>
18 July 2016	<p>Response to the Joint Letter to Support the Part Rezoning of the Langwarrin Low Density Residential Zone to the General Residential Zone</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Council notes the Joint Letter was tabled and that the matters raised in the Joint Letter will be addressed at a future Council meeting within 6 – 12 months.</i> 2. <i>The head signatory of the Joint Letter to be advised in writing of the action to be taken by Council to review its Housing Strategy and that the Joint Letter will be considered in full as a submission for the Frankston Housing Strategy Review to be undertaken within the current 2016-2017 financial year.</i> <p>Carried Unanimously</p>	<p>Council receives occasional requests for land to be rezoned to allow a higher residential densities. Council's consistent approach has been to refer these to the preparation and implementation of the Frankston Housing Strategy.</p> <p>This submission for the rezoning of land in Warrandyte Road, Langwarrin was considered as part of the Housing Strategy but did not get support in the Strategy recommendations. The Frankston Housing Strategy was adopted by Council on 4 June 2018. It will be implemented by proposed amendment C120 which is currently in preparation. The rezoning of Warrandyte Road to the General Residential Zone is not included in Am C120.</p>

Date	Resolution	Comment
<p>8 August 2016</p>	<p>Proposed Amendment C114: Multi-Dwelling Visitor Parking Overlay</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Applies to the Minister for Planning in accordance with Section 9 (3) of the Planning and Environment Act 1987 to obtain authorisation to prepare and exhibit Planning Scheme Amendment Am C114 to introduce a Parking Overlay and related Schedule to the Frankston Planning Scheme.</i> 2. <i>Authorises Council officers to prepare the amendment documentation.</i> 3. <i>Once authorisation is received, exhibit the Planning Scheme Amendment in accordance with Sections 17 – 19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.</i> 4. <i>Authorises the preparation of a report on introducing a Resident’s Parking Permit Scheme for selected residential and suburban locations within the City experiencing on-street parking conflicts.</i> <p>Carried Unanimously</p>	<p>Am C114 which sought to introduce Council’s Multi-Dwelling Visitor Parking Guidelines into the Planning Scheme as a Parking Overlay, was not approved by the Minister for Planning to go on public exhibition. Council was advised of the Minister’s decision on 28 February 2017.</p>
<p>8 August 2016</p>	<p>Proposed Planning Scheme Amendment C111 to introduce a Parking Overlay and Schedule into the Frankston Planning Scheme for the Frankston Metropolitan Activity Centre.</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Applies to the Minister for Planning in accordance with Section 9 (3) of the Planning and Environment Act 1987 to obtain authorisation to prepare and exhibit a Planning Scheme Amendment to introduce a Parking Overlay to the Frankston Planning Scheme that includes revised parking rates and a ‘cash in lieu’ provision for car parking in the Frankston Metropolitan Activity Centre.</i> 2. <i>Adopts the FMAC Parking Precinct Plan and Action Plan to be included as part of proposed Am C111</i> 3. <i>Authorises Council officers to prepare the amendment documentation.</i> 4. <i>Once the Minister’s authorisation is received, exhibit the Planning Scheme Amendment in accordance with Sections 17-19 of the Planning and Environment Act 1987, notifying all owners, occupiers and prescribed authorities.</i> <p>Carried Unanimously</p>	<p>Am C111 that was gazetted on 22 November 2018 introduces a Car Parking Overlay and a cash-in-lieu of car parking scheme for the FMAC area.</p> <p>The related FMAC Precinct Plan was adopted by Council on 8 August 2018 and is an incorporated document in the Frankston Planning Scheme courtesy of Am C111.</p>

Date	Resolution	Comment
8 August 2016	<p>Frankston Heritage Trail</p> <p>Council Decision Moved: Councillor Taylor Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Supports a joint workshop of the Frankston Arts Board and Councillors to review the recommendations of the 2010 Frankston Heritage Trail report to identify preferred heritage signage and locations for the trail.</i> 2. <i>Notes that currently there is no allocated budget and any costs intended to be incurred this financial year may be referred to the mid-year budget review or alternatively the 2017/18 capital works program.</i> <p>Carried Unanimously</p>	<p>Council's Heritage Advisory Committee has overseen a project to implement a heritage trail of interpretative panels in Frankston.</p> <p>A series of 5 panels have been designed as part of this initiative with installation of the first few to be completed by June 2019.</p>
29 August 2016	<p>Frankston Planning Scheme Amendment C123 - Report on Review of Submissions to the Amendment and Progression to a Planning Panel</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Taylor</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submissions to Frankston Planning Scheme Amendment C123.</i> 2. <i>Continues to progress Planning Scheme Amendment C123.</i> 3. <i>Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C123.</i> 4. <i>Advises all submitters of Council's decision.</i> <p>Carried Unanimously</p>	<p>Council adopted Am C123 on 3 April 2018. The amendment is currently with the Minister for Planning awaiting final approval and gazettal.</p>

Date	Resolution	Comment
<p>29 August 2016</p>	<p>NOM 1223 - River Red Gum Protection</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer</p> <p>1. <i>That relevant Council officers and interested Councillors meet with members of the City of Greater Dandenong to present Frankston City Council's recent Native Vegetation study. By demonstrating the findings and recommendations of the Panel Report for Planning Scheme amendment C113 in particular, the introduction of proposed Significant Landscape Overlay 7 which aims to protect Red Gums throughout the Carrum Downs area with the mapping of individual trees and expanded tree protection zones, to encourage City of Greater Dandenong to continue the protection across the boundary by adopting a similar approach.</i></p> <p>2. <i>That Council writes to the State Government highlighting the significance of Red Gums throughout the area and seeking greater protection of this species.</i></p> <p>3. <i>That City of Greater Dandenong be encouraged to write to the State Government highlighting the significance of Red Gums throughout the area and seeking greater protection of this species.</i></p> <p>Carried Unanimously</p>	<p>Amendment C113 to the Frankston Planning Scheme was gazetted on 4 May 2017. The amendment implements the findings of the 'Frankston Native Vegetation Protection Study, January 2016 updates vegetation protection controls to conform to Australian Standards, provides consistent permit triggers for buildings and works and vegetation removal, corrects mapping anomalies and removes outdated vegetation protection controls.</p> <p>Council is continuing to investigate further changes to better protect River Red Gums in the Green Wedge areas of the municipality and in neighbouring areas.</p>
<p>29 August 2016</p>	<p>Frankston Planning Scheme Amendment C113 - Report on Findings and Recommendations of Panel Report</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Taylor</p> <p><i>That Council:</i></p> <p>1. <i>Notes the Panel Report.</i></p> <p>2. <i>Authorises officers to request the Minister for Planning to adopt the Amendment, including the changes recommended by the Independent Panel excluding recommendations No 9 and No 10.</i></p> <p>Carried Unanimously</p>	<p>Frankston Planning Scheme Amendment C113 seeks to implement the findings of the Frankston Native Vegetation Protection Study, January 2016 by updating vegetation protection controls</p> <p>The amendment was gazetted on 4 May 2017.</p>

Date	Resolution	Comment
<p>19 September 2016</p>	<p>Oliver’s Hill Lot Restructuring Plan Extension of Time Request Council Decision</p> <p><i>Moved: Councillor Cunial Seconded: Councillor Taylor</i></p> <p><i>That Council authorise officers to extend the time limit of the Oliver’s Hill Lot Restructuring Plan December 2010 for a period of a further two (2) years until the 1st of March 2019.</i></p> <p>Carried Unanimously</p>	<p>The residential zoned land between the Nepean Highway and the Bay in the south west corner of Frankston is not yet fully developed. The Oliver’s Hill Lot Restructuring Plan was included in the Planning Scheme so that the legacy subdivision pattern could be modified to better address land slip and access issues for this location. Council has agreed to extend the life of the Restructure Plan to allow it to continue to guide new development applications. In due course Council should consider extending the Erosion Management Overlay to include land in this area as far as the City’s southern boundary as far as Kackerboite Creek. This will ensure consistency of planning controls for the whole Oliver’s Hill area.</p>
<p>19 September 2016</p>	<p>Frankston City Council Waste Management Guidelines for new Multi-Unit Developments</p> <p>Council Decision</p> <p>Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p>That Council resolves to:</p> <ol style="list-style-type: none"> 1. Receive the proposed Frankston City Council Waste Management Guidelines for new Multi-Unit Developments. 2. Place the Frankston City Council Waste Management Guidelines for new Multi-Unit Developments on public exhibition for a period of three weeks to seek public comment and input. 3. Request a report on any submissions received be prepared for review by Council and consideration of the Guidelines for adoption as a policy document. <p>Carried Unanimously</p>	<p>All new residential developments are required to provide a design in accordance with these guidelines which allows for a Council collection service to occur. Exemptions to allow private waste collection for residential waste may be granted in exceptional circumstances at the discretion of Council.</p> <p>Since adoption by Council in 2016, these guidelines have been applied to new development and are working well.</p> <p>The Guidelines should be now included as a reference document in the Frankston Planning scheme</p>

Date	Resolution	Comment
19 September 2016	<p>FMAC Streetscape Plan and Urban Forest Policy</p> <p>Council Decision Moved: Councillor O'Reilly Seconded: Councillor Spelman</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notifies the head petitioner in relation to the tree at 15 Donnelly Rise, Frankston that the tree will not be removed in accordance with the Street Tree Management Policy.</i> 2. <i>Receives the Draft Frankston Urban Forest Policy and releases the policy for thorough public consultation with a report to be submitted to Council for adoption early in 2017.</i> 3. <i>Notes the Frankston Gateways Guiding Document and the Fletcher Road Gateway concept plan.</i> 4. <i>Notes the Frankston Metropolitan Activity Centre Streetscapes Palettes report that forms part of the Frankston Metropolitan Activity Centre Streetscape Plan which will be utilised to inform future designs of streets within the Activity Centre Area.</i> <p>Carried</p>	<p>The Urban Forest Policy was adopted by Council on 1st of May 2017.</p> <p>The Frankston Metropolitan Activity Centre Streetscapes Palette is used to inform both public and private projects in the FMAC area.</p> <p>Both documents should be referenced in the Frankston Planning Scheme.</p>
19 September 2016	<p>Frankston History Day 2016 Event Overview</p> <p>Council Decision Moved: Councillor Cunial Seconded: Councillor Aitken</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Note the success of the Frankston History Day 2016.</i> 2. <i>Thank the participants, including speakers and organisations, who contributed to the day's proceedings.</i> 3. <i>Agree that a report is to be prepared for the incoming Council setting out options for consideration on how a similar event could be held in 2017.</i> 4. <i>Encourages the future Council to fund the completion of the short film featuring the City of Frankston for the period of 1966 to present.</i> <p>Carried Unanimously</p>	<p>Council has instituted an annual history day to celebrate and promote Frankston's social history. This activity complements efforts to add properties to the Frankston Planning Scheme's heritage overlay.</p>

Date	Resolution	Comment
28 November 2016	<p>Frankston Planning Scheme Amendment C100 - Report on Findings and Recommendations of Panel Report</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Toms</p> <p><i>That Council notes the Panel Report and authorises officers to request the Minister for Planning to adopt Frankston Planning Scheme Amendment C100 as exhibited, subject to the following changes:</i></p> <ol style="list-style-type: none"> 1. <i>Replace the word 'high' in the first policy statement in Clause 22.03-3 with the words 'appropriate higher'.</i> 2. <i>Relocate the last strategy for Objective 1 in Clause 21.08-2 to the last strategy for Objective 4 in Clause 21.05-2 and delete the words 'and flood'.</i> 3. <i>Retain the policy stated in the last dot point at Clause 22.03-3 of the current planning scheme.</i> 4. <i>Replace the existing Key Issue at Clause 21.06-1 that commences with 'Protecting waterways...' with 'Protecting waterways, significant wetlands and habitats and ecosystems (including the coastal zone) from inappropriate development or environmental degradation'.</i> <p>Carried Unanimously</p>	<p>Am C100 was finally gazetted by the Minister for Planning on 19 October 2017.</p>
30 January 2017	<p>Submission - Review of the Liquor Control Reform Act 1998</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Council endorses the submission (Attachment A) dated 9 December 2016 to the Review of the Liquor Control Reform Act 1988 Consultation Paper.</i> 2. <i>The submission also recommends that all liquor licence holders be compulsory members of municipal liquor accords.</i> 3. <i>Officers forward the submission to the Office of Liquor, Gaming and Racing noting that the submission is now an adopted Council position.</i> <p>Carried Unanimously</p>	<p>Council continues to seek better clarity in the responsibility of planning authorities and the Liquor Licensing Commission for managing amenity issues for licensed premises.</p>

Date	Resolution	Comment
30 January 2017	<p>Frankston Planning Scheme Amendment C123 - Report on findings and recommendations of Panel Report For the Panel recommendations to be adopted and to request the Minister for Planning to adopt Amendment C123 into the Frankston Planning Scheme.</p> <p>Deferral Motion to another Council Meeting Moved: Councillor Aitken Seconded: Councillor Hampton</p> <p><i>That the matter be deferred to allow new Councillors to be further informed and relisted in the near future.</i></p> <p>Carried</p>	<p>Council adopted Am C123 on 3 April 2018. The amendment is currently with the Minister for Planning awaiting final approval and gazettal.</p>
20 February 2017	<p>NOM 1281 - Seaford Downs Estate Report</p> <p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p><i>Upon the completion of the twelve month licence issued to the Down's Community Estate Project Group, a briefing be conducted between councillors, staff and members of the Down's Community Estate Project Group to discuss the future revitalisation of the Down's Estate site.</i></p> <p>Carried Unanimously</p>	<p>The Downs Estate is a large parcel of freehold land held by Council. It is adjacent to the Seaford Wetlands Ramsar area and is considered an important birdlife habitat for the city and the region. Council has licensed a community group to use part of the downs estate for environmental education and related purposes.</p> <p>Council should consider an appropriate zoning for this land and similar publically owned sites adjacent to the Seaford Wetlands to protect its conservation values.</p>

Date	Resolution	Comment
20 February 2017	<p>Review of Native Vegetation regulations</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken</p> <p><i>That Council notes the report and endorses the draft submission to be sent to the Department of Environment Land, Water and Planning.</i></p> <p>Carried Unanimously</p>	<p>The proposed changes to the native vegetation clearing regulations as presented in the Outcomes Report released by DELWP are supported in principle by Council officers.</p> <p>Generally, it was considered the proposed improvements will result in more effective regulation, however, the Outcomes Report and supporting documents lack detail on how some of these improvements will be implemented. The completion of this supporting documentation by DELWP is critical to the successful introduction of the improved regulations.</p> <p>Council's submission emphasises that the Responsible Authority should have the ability to require a site - based assessment in all cases where it considers the mapping is questionable.</p>
20 February 2017	<p>Report on Review of Submissions to the Exhibition of Council's Draft Waste Management Guidelines for new Multi-Unit Developments</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submission to the exhibition of Council's Draft Waste Management Guidelines for new Multi-Unit Developments.</i> 2. <i>Adopt the Waste Management Guidelines for new Multi-Unit Developments.</i> 3. <i>Advises all submitters of Council's decision.</i> <p>Carried Unanimously</p>	<p>Since adoption by Council in 2017, these guidelines have been applied to new development and are working well.</p> <p>The Guidelines should be now included as a reference document in the Frankston Planning scheme</p>

Date	Resolution	Comment
1 May 2017	<p>Draft Frankston Housing Strategy 2017</p> <p>Deferral Motion to another Council Meeting</p> <p>Moved: Councillor McCormack Seconded: Councillor Bolam.</p> <p><i>That the matter be deferred to the next Ordinary Meeting on 22 May 2017.</i></p> <p>Carried</p>	<p>The Frankston Housing Strategy was adopted by Council on 4 June 2018</p>
1 May 2017	<p>Urban Forest Policy - Consultation Summary</p> <p>Council Decision</p> <p>Moved: Councillor Mayer Seconded: Councillor McCormack</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submissions received and subsequent changes to the draft document.</i> 2. <i>Adopts the final Urban Forest Policy.</i> <p>Carried Unanimously</p>	<p>The Urban Forest Policy was adopted by Council on 1 May 2017. An Action Plan will be submitted to Council in mid-2019</p>
1 May 2017	<p>Frankston Planning Scheme Amendment C123 - Report on findings and recommendations of Panel Report</p> <p>Deferral Motion to another Council Meeting</p> <p>Moved: Councillor Bolam Seconded: Councillor Toms</p> <p><i>That the matter be deferred for further consideration.</i></p> <p>Carried</p>	<p>Council adopted Am C123 on 3 April 2018. The amendment is currently with the Minister for Planning awaiting final approval and gazettal.</p>

Date	Resolution	Comment
22 May 2017	<p>NOM 1317 - Frankston Nature Conservation Reserve</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p><i>That in light of the State Government's precipitous decision, without Council and community consultation, to discontinue the Frankston Nature Conservation Reserve Committee:</i></p> <ol style="list-style-type: none"> 1. <i>Council writes to Frankston MP, Paul Edbrooke and the Victorian Minister for the Environment, Lily D'Ambrosio MP seeking confirmation that the Frankston Reservoir will remain open to the public as per existing access arrangements upon the transfer of reserve stewardship to Parks Victoria; and</i> 2. <i>Letters of Appreciation be presented to members of the Frankston Nature Conservation Reserve Committee appointed in March 2014 and its volunteers, expressing appreciation for their tireless dedication to the Frankston Reservoir. Letters of appreciation be presented to the committee members and volunteers at the next 'Mayor's Picnic' event (in the spirit of NOM 1258).</i> 3. <i>That Council writes to the State Government and asks that the volunteers that are currently preserving the Frankston Nature Conservation Reserve be part of the future management of the reserve.</i> <p>Carried Unanimously</p>	<p>Council has maintained a close interest in the management of the FNCR. Council has consistently supported the conservation values of this reserve.</p> <p>Now that the FNCR is under the control of Parks Victoria it is considered timely to consider its rezoning from PUZ1 - PUBLIC USE ZONE - SERVICE AND UTILITY (which applies to water resources) to a suitable Conservation zoning e.g. PCRZ - PUBLIC CONSERVATION AND RESOURCE ZONE</p>

Date	Resolution	Comment
22 May 2017	<p>C.4 Review of Kananook Creek Management Arrangements</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That:</p> <ol style="list-style-type: none"> 1. <i>Council notes the Kananook Creek Ministerial Advisory Committee – Final Report recommendations and proposal that Frankston City Council be appointed Committee of Management for all Crown Land within the Creek Corridor.</i> 2. <i>Council requires a further investigation and specific information from the Minister about the future resourcing costs of implementing the Kananook Creek Ministerial Advisory Committee Final Report recommendations.</i> 3. <i>Council consults the Kananook Creek Association regarding Items 1 and 2 and relay any observations and/or concerns from the Association to the Minister.</i> 4. <i>A report be presented at the August Ordinary Meeting on the water management aspects of the creek, including proposed solution/s for meaningful and consistent de silting of the creek.</i> <p>Carried</p>	<p>The Kananook Creek is a major natural feature of the Council area and draws on substantial resources from Council to manage its natural values and to facilitate access by residents and visitors.</p> <p>Issues with silting of the Creek and with management of public land reserves are yet to be satisfactorily resolved.</p> <p>Council should initiate measures with the State Government to come to an agreement for future management arrangements.</p>

Date	Resolution	Comment
3 July 2017	<p>NOM 1336 - Green Infrastructure</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p>That a report be prepared for the October Council meeting detailing options for Frankston City Council to become a leader in Urban Forest / green initiatives.</p> <p>The report should consider:</p> <ol style="list-style-type: none"> 1. Current and future green initiatives within the Frankston municipality including the delivery of a boulevard program; 2. Current initiatives run by State Government or other municipalities and the possibility of these programs being initiated within Frankston, for example Melbourne City Council's Green Infrastructure fund; 3. Opportunities to replicate successful funding models for green initiatives elsewhere; 4. Opportunities to ensure green infrastructure, other than tree canopies, is incorporated into the fabric of the city, including, but not limited to green walls and roofs; 5. The timing and resources required for preparation of an Urban Forest Action Plan and how such a plan could incorporate green infrastructure other than tree canopy, including but not limited to green walls and roofs; and 6. That Council officers explore and research the practice of resident and commercial rebates for the use of green friendly products and practices (City of Whitehorse) and consider them for the City of Frankston where it is demonstrated to be practicable and beneficial. <p>Carried</p>	<p>The Urban Forest Policy was adopted by Council on 1 May 2017. An Action Plan will be submitted to Council in mid-2019.</p>
24 July 2017	<p>Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Mayer</p> <p><i>That the matter be deferred until a meeting has been scheduled with the Committee of Greater Frankston.</i></p> <p>Carried Unanimously</p>	<p>Am C111 was gazetted on 22 November 2018. It introduces a Car Parking Overlay and a cash-in-lieu of car parking scheme for the FMAC area</p>

Date	Resolution	Comment
<p>14 August 2017</p>	<p>NOM 1354 - Urban Design Excellence</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam</p> <p><i>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.</i></p> <p><i>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.</i></p> <p>Carried</p>	<p>Council officers have implemented a range of measures to promote urban design excellence in Frankston. These range from guidelines documents, to processes to obtain specialist urban design advice for development assessment purposes. Most recently (April 2019) Council has established an Urban Design Advisory Panel to provide advice to Council on urban design matters.</p>
<p>4 September 2017</p>	<p>NOM 1368 - "Thumbs Up" Policy</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam</p> <p>That all Councillors be provided as soon as practicable with information of any major building project, development or approach by major organisations or other major bodies (once it is established that contact is genuine) or alternatively, a register be kept for Councillors perusal at their convenience.</p> <p>Council has a "no surprise" policy with future development and investment or approaches.</p> <p>Carried Unanimously</p>	<p>Councillors are provided with regular updates on all development applications lodged and various 'major' classes of application are highlighted.</p> <p>In some cases formal Councillor briefings are organised to inform Councillors of the proposal. In other cases All Councillor memos are provided on a major proposal that is likely to be of broad community interest.</p> <p><i>Note: this resolution applies across Council, not just the town planning department.</i></p>

Date	Resolution	Comment
4 September 2017	<p>Council Decision</p> <p>Frankston Planning Scheme Amendment C111 Moved: Councillor Hampton Seconded: Councillor O'Connor</p> <p><i>It is recommended that Council:</i></p> <ol style="list-style-type: none"> 1. Notes the submissions to Frankston Planning Scheme Amendment C111. 2. Continues to progress Planning Scheme Amendment C111. 3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C111. 4. Determines that the attractiveness of design of multi-storey carparks be one of the primary considerations in any application that is proposed. 5. Advises all submitters of Council's decision. <p>Carried Unanimously</p>	<p>Am C111 that was gazetted on 22 November 2018 introduces a Car Parking Overlay and a cash-in-lieu of car parking scheme for the FMAC area</p>
25 September 2017	<p>EOI Process for Heritage Advisory Committee Candidates</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Toms</p> <p><i>That Council authorises officers to undertake an Expression of Interest process for suitably experienced candidates to join Council's Heritage Advisory Committee and expand the Committee's breadth of knowledge.</i></p> <p>Carried Unanimously</p>	<p>Council officers have implemented a range of measures to promote urban design excellence in Frankston. These range from guidelines documents, to processes to obtain specialist urban design advice for development assessment purposes. Most recently (April 2019) Council has established an Urban Design Advisory Panel to provide advice to Council on urban design matters.</p>

Date	Resolution	Comment
25 September 2017	<p>Draft Frankston Housing Strategy 2017</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Mayer</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the findings and recommendations of the report.</i> 2. <i>Releases the draft Frankston Housing Strategy 2017 on public exhibition for 8 weeks consultation.</i> <p>Carried</p>	The Frankston Housing Strategy was adopted by Council on 6 June 2018
25 September 2017	<p>Draft Frankston Biodiversity Policy (proposing that the draft policy be placed on public exhibition)</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken</p> <p><i>That the matter be deferred to the next Council Meeting.</i></p> <p>Carried Unanimously</p>	Frankston's Biodiversity Policy was adopted on 19 February 2018.

Date	Resolution	Comment
16 October 2017	<p>NOM 1376 - Inconsistencies of Clause 52.48 - Bushfire Protection Exemptions (Known as the 10/30 Right)</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Toms</p> <p><i>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.</i></p> <p>Carried Unanimously</p>	<p>Council has made numerous submissions to DELWP and the Planning Minister to have Frankston removed from the Section 52.48 automatic exemptions. In February 2019 Council officers responded to a DELWP information request for a review of these provisions. Council will continue to press for these changes to be made.</p>

Date	Resolution	Comment
16 October 2017	<p>NOM 1383 - Lack of consultation for Frankston Nature Conservation Reserve</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Writes to the Minister for the Environment, the Hon Lily D'Ambrosio MP, expressing concern that there has been:</i> <ol style="list-style-type: none"> (a) <i>No community consultation regarding current management arrangements for Frankston Nature Conservation Reserve; and</i> (b) <i>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.</i> 2. <i>Seeks a meeting with Parks Victoria forthwith to discuss their future management and their proposed access arrangements.</i> <p>Carried Unanimously</p>	Council has consistently advocated to the State Government for the management of the FNCR to ensure that its nature conservation values are protected

Date	Resolution	Comment
16 October 2017	<p>Response to NOM 1336 - Green Infrastructure</p> <p>Council Decision</p> <p>Moved: Councillor Toms Seconded: Councillor Mayer</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Supports the recommended key road corridors of Cranbourne Road from Fletcher to Peninsula Link; Nepean Highway from Davey Street to Liddesdale and Hastings Road from Moorooduc Highway to Young Street for boulevard treatment. 2. Notes the opportunities for promoting Green Infrastructure in Frankston 3. Supports the implementation of a Gardens for Wildlife pilot project 4. Notes a range of State and Federal Government rebate programs exist which are promoted by Frankston City Council. At this time additional Council based rebates are not recommended as they may duplicate existing external rebates. 5. Notes progress on the development of the Urban Forest Action Plan and that proposals to further explore and fund opportunities for Green Initiatives throughout the City will be considered in the 2018/19 budget. 6. Requests the Economic Development Officers initiate discussions between Frankston City Council and business/industry owners in relation to the installation of 'green walls' in prominent locations of the municipality and a report be presented to Council at its first Ordinary meeting of 2018. <p>Carried Unanimously</p>	<p>Council officers have progressively implemented measures to promote green infrastructure in Frankston, consistent with Council's resolutions</p> <p>The Urban Forest Policy was adopted by Council on 1 May 2017. An Action Plan will be submitted to Council in mid 2019.</p> <p>The Gardens for Wildlife project was implemented in March 2019</p> <p>A Green Wall pilot project has been designed and will be considered for Council approval in April 2019.</p>
16 October 2017	<p>Draft Frankston Biodiversity Policy</p> <p>Council Decision</p> <p>Moved: Councillor McCormack Seconded: Councillor Mayer</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council endorses the draft Frankston Biodiversity Policy for public exhibition of Policy for a period of 6 weeks. 2. A report to be submitted to Council reviewing all submissions received with a view to formal adoption of a revised Biodiversity Policy early in 2018. <p>Carried Unanimously</p>	<p>Frankston's Biodiversity Policy was adopted on 19 February 2018.</p>

Date	Resolution	Comment
11 December 2017	<p>Proposed GC (Group of Councils) planning scheme amendment to introduce a Packaged Liquor policy into the Frankston Planning Scheme</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Requests authorisation from the Minister for Planning under Section 9 of the Planning and Environment Act 1987 to prepare a GC 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.</i> 2. <i>Prepares a motion for consideration for the MAV State Council in 2018 which echoes the sentiments contained within this report; and the need for policy reform.</i> <p>Carried Unanimously</p>	Council wishes to reduce the impact of alcoholism within the city and part of its planning approach is to reduce the easy availability of packaged liquor in suburban residential parts of the city.

Date	Resolution	Comment
11 December 2017	<p data-bbox="300 268 1328 295">Councillor Bolam tabled a Notice of Motion regarding concerns at 6 – 7 Apsley Place Seaford.</p> <p data-bbox="300 347 486 375">Council Decision</p> <p data-bbox="300 395 1171 422">Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p data-bbox="300 443 891 470"><i>That, as a matter of urgency, the following is to occur:</i></p> <ol style="list-style-type: none"> <li data-bbox="300 491 1503 753"><i>1. Frankston City Council is to formally request that the Victorian Environmental Protection Agency (EPA) to undertake an urgent environmental audit of 6-7 Apsley Place, Seaford (Wuxhou Foam Australia Pty Ltd). The audit is to be thorough and occur during the peak of the company's daytime operations. The audit is to investigate noise pollution due to machinery within the premises, the discharge of unknown atmospheric emissions from the site, the staining of soil from unknown chemical/s and the release of an unknown airborne chemical/s which many residents have detected (and some whom have had adverse responses to it ranging from displeasure to dizzy spells). A copy of this correspondence is to be forwarded to the Victorian Minister for the Environment and the Victorian Shadow Minister for the Environment;</i> <li data-bbox="300 774 1503 965"><i>2. Frankston City Council is to formally request that the Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) urgently investigates the welfare of a canine on-site 6-7 Apsley Place, Seaford (Wuxhou Foam Australia Pty Ltd). The canine is thought to be a guard dog for the premises. Residents have expressed concerned about its audible distress (howling, barking, whimpering) and whether it is properly housed and fed. Officers are to work with residents to determine whether EPA and Frankston City Council bylaws are being contravened in relation to the noise issues this dog is creating;</i> <li data-bbox="300 986 1503 1114"><i>3. The CEO is requested to ensure that officers investigate whether permit conditions for Wuxhou Foam Australia Pty Ltd are being properly adhered to. Furthermore, the CEO is to ensure that officers actively investigate the site, on regular basis, for any contraventions against Local Law No.8 (noise, the unsightly nature of the site);</i> <li data-bbox="300 1134 1503 1262"><i>4. The CEO is requested to ensure that officers approach the owner of the site expressing community concern with the state and operation of the site. The CEO is to see to it that officers work with the owner to explore resolution/s to the numerous community concerns thus raised. Discussions are to include the owner erecting a new fence line which blocks visibility of the site;</i> <li data-bbox="300 1283 1503 1410"><i>5. That the CEO is to ensure that Bruce Aitken Memorial Park is regularly maintained as residents feel the current maintenance regime is insufficient. If stock is available, some plantings (within the park) are to occur intended to improve residential morale (the park backs on to the aforementioned 6-7 Apsley Place, Seaford);</i> <li data-bbox="300 1431 1272 1458"><i>6. That the CEO clarify as to whether a permit is in place at the aforementioned location;</i> <li data-bbox="300 1479 1503 1589"><i>7 A public meeting is to be organised in February 2018 comprising of immediately impacted residents (who are to be advised via mail out), relevant council officers, the CEO and the ward councillors to discuss what is being done to resolve the concerns of the residents. The CEO is to ensure that staff are fully briefed and able to respond to the concerns of the residents. In addition, Sonva Kilkenny (Member for Carrum) and</i> 	<p data-bbox="1516 268 2085 363">This matter relates to conflict between existing industrial uses in an industrial zone and nearby residential areas affected by noise and emissions.</p> <p data-bbox="1516 395 2085 523">Councillors were concerned to ensure that all regulatory measures were being followed to ensure compliance with approvals and scheme requirements.</p>

Date	Resolution	Comment
19 February 2018	<p>South East Councils Climate Change Alliance (SECCCA) membership</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Cunial</p> <ol style="list-style-type: none"> 1. That Council resolves to not re-join the South East Councils Climate Change Alliance on the basis that: <ol style="list-style-type: none"> a) Other external organisations, and indeed internal departments within the Frankston City Council, already perform similar tasks relative to reducing the municipality's contribution to climate change; b) The membership cost (\$16,000 pa), combined with the in-kind support required of the Frankston City Council (anticipated to be up to \$18,000 pa) has also contributed to this decision; and 2. The Alliance be invited to re-approach Frankston City Council for membership in twelve months; and must articulate how re-joining will particularly benefit the Frankston municipality. <p>Carried</p>	<p>Council was presented with a report to its Ordinary meeting of the 11 December 2017 (OM310) on opportunities available for Council membership of the South East Councils Climate Change Alliance (SECCCA). Council resolved to defer consideration pending a further report to detail the costs of joining SECCCA and the potential benefits.</p>
19 February 2018	<p>Biodiversity Strategy Consultation Summary</p> <p>Council Decision Moved: Councillor McCormack Seconded: Councillor Mayer</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the submissions received and subsequent changes to the draft document.</i> 2. <i>Adopts the final Biodiversity Policy.</i> 3. <i>Delegates the signing of the policy to the Mayor and CEO.</i> <p>Carried Unanimously</p>	<p>Frankston's Biodiversity Policy was adopted on 19 February 2018.</p> <p>The Biodiversity Policy is to be supported by a detailed action plan to be submitted to Council in mid 2019.</p>

Date	Resolution	Comment
<p>13 March 2018</p>	<p>Response to NOM 1391 - Apsley Place</p> <p>Council Decision</p> <p>Moved: Councillor O'Reilly Seconded: Councillor Mayer</p> <p>That Council notes:</p> <ol style="list-style-type: none"> 1. <i>The current actions being undertaken by officers.</i> 2. <i>The community meeting was held Tuesday 27 February 2018.</i> 3. <i>Officers continue to follow up with EPA.</i> <p>Carried</p>	<p>Cr Bolam advised the Mayor that he will raise a Notice of Rescission in response to this decision.</p> <p>This matter relates to conflict between existing industrial uses in an industrial zone and nearby residential areas affected by noise and emissions.</p> <p>Councillors were concerned to ensure that all regulatory measures were being followed to ensure compliance with approvals and scheme requirements.</p>
<p>3 April 2018</p>	<p>Final Draft 'Refresh' Frankston Housing Strategy 2017 - Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones</p> <p>Deferral Motion to another Council Meeting</p> <p>Moved: Councillor Cunial Seconded: Councillor McCormack</p> <p><i>That the matter be deferred to the next Ordinary Meeting, 14 May 2018 to allow for a briefing of interested Councillors.</i></p> <p>Carried Unanimously</p>	<p>The Frankston Housing Strategy was adopted by Council on 6 June 2018.</p>

Date	Resolution	Comment
3 April 2018	<p data-bbox="295 266 1503 292">2018/NOM13 - Rescission Motion - Response to NOM 1391 - Apsley Place Council Decision</p> <p data-bbox="295 331 1503 357">Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p data-bbox="295 397 1503 491"><i>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:</i></p> <p data-bbox="295 531 1503 557">That Council notes:</p> <ol data-bbox="295 563 1503 657" style="list-style-type: none"> 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. <p data-bbox="295 697 1503 722"><i>Should the rescission be carried, we give notice of our intention to move the following motion:</i></p> <p data-bbox="295 762 1503 788">That Council notes:</p> <ol data-bbox="295 794 1503 1589" style="list-style-type: none"> 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 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: <ol data-bbox="295 1153 1503 1589" style="list-style-type: none"> 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. 7. Writes to the appropriate Minister and Shadow Minister, outlining the need for clear legislative 	<p data-bbox="1512 266 2110 491">The interface between commercial and industrial uses and residential properties has proven to be a planning challenge. Balancing residential amenity with the impacts of legitimate industrial activities has entailed strong enforcement activity by Council officers to ensure approvals and conditions are properly complied with.</p>

Date	Resolution	Comment
3 April 2018	<p>Frankston Planning Scheme C123 Report on the Findings and Recommendation of the panel Report and submissions to FMAC Illustrative Guidelines</p> <p>Council Decision</p> <p>Moved: Councillor Mayer Seconded: Councillor Toms</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>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).</i> 2. <i>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.</i> 3. <i>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:</i> <ol style="list-style-type: none"> a) <i>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.</i> b) <i>Amends the Precinct objectives in Clause 5.1-2 of Schedule 1 to the Activity Centre Zone to include the following:</i> c) <i>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.</i> d) <i>Amend the Precinct objectives in Clause 5.2-2 of Schedule 1 to the Activity Centre Zone to include the following:</i> <p style="margin-left: 40px;"><i>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.</i></p> e) <i>Include the following application requirement in Clause 6.0 of Schedule 1 to the Activity Centre Zone, as shown in Appendix B:</i> <p style="margin-left: 40px;"><i>VicTrack land – potential contamination</i></p> <p style="margin-left: 40px;"><i>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.</i></p> f) <i>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</i> 	<p>Council adopted Am C123 on 3 April 2018. The extended process to consider the provisions at Council resulted in a number of changes to the exhibited document, as set out here.</p> <p>Amendment C123 is currently with the Minister for Planning awaiting final approval and gazettal.</p>

Date	Resolution	Comment
23 April 2018	<p>Final Draft 'Refresh' Frankston Housing Strategy 2017 - Report on public consultation and Progress to a Planning Scheme Amendment to implement the reformed residential zones</p> <p>Deferral Motion to another Council Meeting Moved: Councillor Cunial Seconded: Councillor McCormack</p> <p><i>That the matter be deferred to the next Ordinary Meeting, 14 May 2018 to allow for a briefing of interested Councillors.</i></p> <p>Carried Unanimously</p>	<p>The Frankston Housing Strategy was adopted by Council on 6 June 2018.</p> <p>It is to be implemented via Am C120 which has been submitted to the Minister for approval to exhibit.</p>
14 May 2018	<p>Frankston Planning Scheme Amendment C111 - Report on findings and recommendations of Panel Report</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam</p> <ol style="list-style-type: none"> 1. <i>That Council notes the Panel Report and</i> 2. <i>Adopts Amendment C111.</i> 3. <i>Authorises officers to request the Minister for Planning to approve Frankston Planning Scheme Amendment C111 as exhibited, subject to the following changes:</i> <ol style="list-style-type: none"> a. <i>Delete the motor cycle parking rates in Clause 3 of Schedule 1 to the Parking Overlay.</i> b. <i>Delete the requirement for a Car Parking Management Plan in Clause 4 of Schedule 1 to the Parking Overlay.</i> c. <i>Modify the wording in Schedule 1 to the Parking Overlay to accord with the Panel preferred version.</i> 4. <i>Authorises officers to amend the FMAC Parking Precinct Plan to remove reference to motor cycle parking rates in accordance with Panel recommendations.</i> 5. <i>Authorises officers to initiate the establishment of the Integrated Car Park Cooperation and Management Parking Coordination Committee as proposed by the FMAC Parking Precinct Plan in order to advance the issues raised in the Councillors Urgent Business item from OM308 held on 16 October 2017.</i> <p>Carried Unanimously</p>	<p>Am C111 that was gazetted on 22 November 2018 introduces a Car Parking Overlay and a cash-in-lieu of car parking scheme for the FMAC area</p>

Date	Resolution	Comment
14 May 2018	<p>Final Draft Refresh Frankston Housing Strategy 2017 – Report on Public Consultation and Progress to a planning Scheme amendment to implement the reformed residential zones</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p>Deferred by Council to allow further consideration of issues raised by submitters</p> <p>Carried</p>	The Frankston Housing Strategy was adopted by Council on 6 June 2018
4 June 2018	<p>Update on Short Term Accommodation/Party Houses</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor McCormack</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes Officers act under General Local Law 2016 No 8, Public Health & Wellbeing Act 2008, Environment Protection Act 1970 and the Building Act 199 (Acts).</i> 2. <i>Notes Officers proactively apply the provisions of the Local Law and Acts in respect of investigating and prosecuting complaints received in relation to short term accommodation/party houses.</i> 3. <i>Notes Council has listed the matter of non-registration of a Short Term Accommodation property at the Magistrates Court on 14 June 2018. The outcome of this case will set the precedence not only for Frankston City Council but for other Local Government agencies. Further, issues of non-compliance with building regulations are also being separately pursued.</i> 4. <i>Notes Council officers have researched all short term accommodation in Frankston and have a letter prepared to send to them pending the outcome of the court case.</i> <p>Carried Unanimously</p>	Council has regularly sought to apply regulatory provisions to manage residential amenity issues arising from the use of dwellings for short term accommodation.

Date	Resolution	Comment
4 June 2018	<p>Response to 2018/NOM13 Rescission Motion NOM 1391 Apsley Place Seaford</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. <i>Notes the current actions being undertaken by officers with regard to 6-7 Apsley Place.</i> 2. <i>Notes legal advice highlights that Council does not have the power under the Planning and Environment Act to enter properties without reasonable suspicion.</i> 3. <i>Resolves to continue a complaints based system of enforcement compliance.</i> 4. <i>Continues to examine pollution (noise, air, water) complaints about industrial properties on a case by case basis in co-operation with the Environmental Protection Authority to ensure they fulfil appropriate testing in a timely way.</i> 5. <i>Officers take every reasonable effort to initiate an immediate proactive investigation into complaints of a similar nature to effect a wrap around response; potentially incorporating planning investigation, environmental health, building compliance and relevant sections of the General Local Law No 8.</i> <p>Carried Unanimously</p>	<p>This matter relates to conflict between existing industrial uses in an industrial zone and nearby residential areas affected by noise and emissions.</p> <p>Councillors were concerned to ensure that all regulatory measures were being followed to ensure compliance with approvals and scheme requirements.</p>

Date	Resolution	Comment
4 June 2018	<p>2018/NOM31 - Improvements to the Planning Process</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. Supports officers reporting the average legal and officer costs together with the number of planning consultants and lawyers associated with each month's resolved VCAT cases as part of the monthly Town Planning Report. 2. Approves officers conveying residents' and ratepayers' concerns (on their behalf where agreed) to Council's legal representatives where a related planning matter is scheduled for VCAT. 3. Mandates the amended 'town planning application call-in' template, which will be attached to all reports called in by Councillors (see attached). 4. Endorses Resident Discussion Meetings be required for all applications where there are more than three objectors and the applicant is willing to attend. 5. Notes that Town Planning Progress Reports will be presented no later than 2 months after the cessation of the month on the proviso that State Government data is available. 6. Seeks a report on the process for establishing a Frankston Native Vegetation Offsets Policy for the October Ordinary Meeting. 7. Notes that all planning matters that involve liquor or gaming machines are to be referred to the appropriate agency/organisation for expert advice (i.e. Frankston Liquor Accord, Frankston/Carrum Downs Police etc.). All subsequent reports, with the above instances, must be accompanied with feedback from such agencies/organisations. Where such agencies/organisations have not provided formal responses, this is to be reflected in the report. <p>Carried Unanimously</p>	<p>The Town Planning Processes Guide for Councillors (Document Number A3219028) was formally adopted by Council at its meeting held on 13 June 2017 as part of the Councillor and Staff Interaction Policy 2017.</p> <p>It was modified by NoM 2018/31 on 4 June 2018 to include a requirement for a form to be submitted for Councillor 'call-ins'.</p> <p>A report on the process for establishing a Frankston Native Vegetation Offsets Policy for the 22 October 2019 Ordinary Meeting was submitted and supported by Council.</p>

Date	Resolution	Comment
2 July 2018	<p data-bbox="304 266 853 293">Response to NOM 1354 - Urban Design Excellence</p> <p data-bbox="304 331 483 359">Council Decision</p> <p data-bbox="304 365 909 392">Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p data-bbox="304 430 445 458">That Council:</p> <ol data-bbox="304 464 1496 916" style="list-style-type: none"> 1. Explores opportunities to establish an advisory committee to provide feedback on town planning development applications; 2. Supports officers in appointing an additional consultancy firm to Council's existing external design review panel of consultants to enhance choice and responsiveness; 3. Supports officers in undertaking an analysis of the municipality to identify areas where Urban Design Frameworks may be appropriately applied; 4. Commits to Councillor and officer training to assist evaluation and application of best practice urban design; 5. Seeks to facilitate best practice urban design information forums for the community, developers, Councillors and staff; and 6. Supports officers in the provision of publicly accessible urban design information on Council's digital platforms. 7. Provides a report to the September Ordinary Meeting on the composition, parameters and Terms of Reference for the potential advisory committee as per Item 1. <p data-bbox="304 970 535 997">Carried Unanimously</p>	<p data-bbox="1525 266 2101 523">Council officers have implemented a range of measures to promote urban design excellence in Frankston. These range from guidelines documents, to processes to obtain specialist urban design advice for development assessment purposes. Most recently (April 2019) Council has established an Urban Design Advisory Panel to provide advice to Council on urban design matters.</p>

Date	Resolution	Comment
2 July 2018	<p>2018/NOM35 - Proposed Downs Estate Business Case</p> <p>Council Decision Moved Councillor Bolam Seconded: Councillor Cunial</p> <p><i>It is noted that the University of Melbourne is engaging with the Friends of the Downs Estate community group to prepare a business case on the future sustainability of the site as food security demonstration site. The business case will cost between \$80k to \$100k and subject to Council approval, the University of Melbourne is seeking \$25k contribution from Council. Should Council support the proposal, \$25k will be referred for consideration to the midyear budget review.</i></p> <p><i>A report is to be provided to 10 September Ordinary Meeting outlining the proposal and considerations that will be detailed in the business case</i></p> <p>Carried Unanimously</p>	<p>Council has sought to promote the Downs Estate property for community use and environmental education purposes where these are consistent with the conservation values of the Seaford Wetlands area and environs.</p>
2 July 2018	<p>2018/NOM44 - Green Space in the CAD</p> <p>Council Decision Moved: Councillor Aitken Seconded: Councillor Toms</p> <p><i>Given that open space is fundamental to the quality of life for Frankston City's residents, workers and visitors, that Council strongly supports its position on the value of preserving and reinforcing green space in the Frankston Central Activities District (CAD) both now and into the future.</i></p> <p><i>That a report be presented back to Council at its meeting in October 2018 about all Council owned land in the CAD area and what can be done to improve open space in the CAD area.</i></p> <p>Carried</p>	<p>Council reaffirmed its commitment to ensure that additional green public space is provided as the FMAC develops.</p>

Date	Resolution	Comment
23 July 2018	<p>2018/NOM45 - Greening our City</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p><i>That a report be provided back to the October Ordinary Meeting on what learnings Council can take from Melbourne City Council's Policy of Greening Laneways and the implementation of a Developer Green Infrastructure Contribution fund. The report should map out the costings and options for greening three (3) of the Frankston Central Activity District (CAD) laneways.</i></p> <p>Carried Unanimously</p>	<p>Council is keen to apply learnings from other Councils to help deliver new green developments and green public spaces in Frankston.</p>
23 July 2018	<p>2018/NOM47 - Environmentally Sustainable Design (ESD) Development Rating System</p> <p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken</p> <p><i>That a report be presented to Council at its meeting in October 2018 on a review of Council's current Environmentally Sustainable Design (ESD) design policy for all new development in the Frankston Metropolitan Activity Centre (FMAC) and for this to be publically advertised. This should be part of a package of new ESD requirements that are put in place to achieve superior environmental outcomes across our FMAC.</i></p> <p>Carried Unanimously</p>	<p>While Council has a number of existing policies and guidelines to promote ESD in new developments, it now wishes to move on to incorporating measurable ESD provisions into the planning scheme.</p> <p>Council recently rejoined CASBE (the Council Alliance for a Sustainable Built Environment) with a view to taking part in a group amendment to introduce mandatory ESD provisions for new development.</p>

Date	Resolution	Comment
23 July 2018	<p>To brief Council on the findings and recommendations of the Panel Report for Frankston Planning Scheme Amendment C124 and to further progress Frankston Planning Scheme Amendment C124.</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Toms</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the Amendment C124 Panel Report;</i> 2. <i>Adopts Amendment C124 with the following changes (as recommended by the Panel Report):</i> <ol style="list-style-type: none"> a) <i>Amends Design and Development Overlay Schedule 5 as shown in the Panel preferred version in Attachment A.</i> b) <i>Amends zoning maps to correct the incorrect application of the Residential Growth Zone and the Design and Development Overlay Schedule 12 to 35R Beach Street and the Fletcher Road Reserve.</i> c) <i>Amends the relevant requirements in Clause 2.0 Buildings and Works in the Design and Development Overlay Schedules 12 and 13 to read:</i> <i>For buildings of more than 2 storeys above natural ground level, the wall/s of the storey/s above second storey should be setback from the floor below a minimum of 2.5 metres to the street and rear. Balconies may encroach into the setback.</i> <i>'At grade' car parking areas should be located away from street interfaces and not within the front setback. Landscaping should be incorporated within 'at grade' car parking areas.</i> <i>Utilities and services should not be located within the street frontage and should be screened.</i> d) <i>Corrects any minor spelling errors within the Design and Development Overlays.</i> <i>and,</i> 3. <i>Includes a minor change to the proposed DDO5 by amending Table 2: Setbacks – Sub-precinct A to remove the word 'Rear' from the title for the third column, and by replacing the word 'rear' with 'west' in the text of the first dot point in the third column.</i> 4. <i>Authorises officers to request the Minister for Planning to adopt Amendment C124 as amended in Items 2) and 3) above and with the inclusion of the Built Form Guidelines as referenced documents in the Frankston Planning Scheme.</i> <p>Carried Unanimously</p>	<p>Am C124 implements planning controls recommended by the FMAC Structure Plan.</p> <p>Am C124 is currently with the Minister for Planning for final approval and gazettal</p>

Date	Resolution	Comment
10 September 2018	<p>2018/NOM55 - Car Parking Provision Rates for outer suburban Melbourne</p> <p>Council Decision Moved: Councillor Hampton Seconded: Councillor Mayer</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Writes to the State Premier, the Hon Daniel Andrews MP and the Victorian State Minister for Planning, the Hon Richard Wynne MP condemning the recent State Government amendment (VC148) that affects planning schemes state wide.</i> 2. <i>Advocates to Councils that are members of the South East Melbourne regional group to consider and support Frankston's concerns on the ill-judged impact of Am VC148's reduced car parking rates on new development in outer suburban Melbourne Council areas</i> 3. <i>Seeks the support of the MAV to have the recently introduced parking rates repealed for outer suburban Melbourne areas.</i> <p>Carried Unanimously</p>	<p>Council has expressed its concern at VC148 introduced by the State Government in 2018 that reduces car parking provision rates for all development within 500 metres of a priority public transport services. Council has argued that outer suburban areas cannot be easily equated with inner city or even middle ring suburbs in terms of access to public transport. Council's lobbying has not been successful in regard to the continuing application of Am VC148 to parts of Frankston City.</p>
1 October 2018	<p>Oliver's Hill Lot Restructuring Plan Extension of Time Request</p> <p>Council Decision Moved: Councillor Mayer Seconded: Councillor O'Reilly</p> <p><i>That Council authorises officers to extend the expiry time limit of the Oliver's Hill Lot Restructuring Plan December 2010 for a period of a further two (2) years until the 1 March 2021.</i></p> <p>Carried Unanimously</p>	<p>The residential zoned land between the Nepean Highway and the Bay in the south west corner of Frankston is not yet fully developed. The Oliver's Hill Lot Restructuring Plan was included in the Planning Scheme so that the legacy subdivision pattern could be modified to better address land slip and access issues for this location. Council has agreed to further extend the life of the Restructure Plan to allow it to continue to guide new development applications</p>

Date	Resolution	Comment
<p>22 October 2018</p>	<p>Response to 2018/NOM45 - Greening our City</p> <p>Council Decision Moved: Councillor Cunial Seconded: Councillor O'Reilly</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the opportunities for providing Green Infrastructure in the Frankston Metropolitan Activity Centre.</i> 2. <i>Supports officers in further developing the Urban Forest Action Plan to include key actions and requirements for the provision of green infrastructure in new development within the FMAC. A further report to Council for the adoption of the Urban Forest Action Plan is to be submitted by March 2019.</i> <p>Carried Unanimously</p>	<p>The Urban Forest Policy was adopted by Council on 1 May 2017. An Action Plan will be submitted to Council in mid 2019</p>
<p>22 October 2018</p>	<p>Response to 2018/NOM47 - Environmentally Sustainable Design (ESD) Rating System</p> <p>Council Decision</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Refers \$6,600 per financial year for the next two years to the mid-year budget review for a subscription to the CASBE council network to enable strategic planning policy work and subsequently ESD rating assessments; and 2. Supports officers in undertaking further research for the establishment of a local Environmentally Sustainable Development Policy for inclusion in the Frankston Planning Scheme in association with further research for the adoption of an appropriate Environmentally Sustainable Development assessment tool, with a report to Council to be provided within the next six (6) months. 3. Notes that should Council endorse the recommendations, an additional Band 6 planner will be required in due course to undertake the rating assessments at an approximate cost of \$82K plus on costs. <p>Carried</p>	<p>Council has joined CASBE (January 2019), with a view to participating in a group amendment with other Councils to introduce ESD standards for new development. This will include measures to ensure that reduction in emissions is supported by the design and materials used in new development.</p>

Date	Resolution	Comment
19 November 2018	<p>Response to 2018/NOM44 - Green Space in the CAD</p> <p>Council Decision</p> <p>Moved: Councillor Mayer Seconded: Councillor Cunial</p> <p><i>That Council:</i></p> <ol style="list-style-type: none">1. <i>Receives and notes the report.</i>2. <i>Supports the utilisation of the open space development assessment tool as outlined in the Open Space Strategy 2016-2036, to evaluate land suitability in respect of potential new open space.</i> <p>Carried</p>	<p>Council reaffirmed its commitment to ensure that additional green public space is provided as the FMAC develops.</p>
29 January 2019	<p>Response to NOM1316 - Frankston Ambassador Site Status Report</p> <p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor O'Connor</p> <p><i>That Council:</i></p> <ol style="list-style-type: none">1. <i>Notes the status report.</i>2. <i>Notes that Council officers will continue to monitor and investigate any issues and/or breaches of relevant Acts and Regulations emanating from the Frankston Ambassador site.</i> <p>Carried Unanimously</p>	<p>Council has taken an ongoing interest in the future of the former Ambassador Motel complex as it lies at the gateway to the central commercial area of Frankston and has been used illegally as a place of permanent residence similar to unregistered boarding houses with associated residential amenity conflicts. Council has found that its existing regulatory powers are not sufficient to adequately control the situation for a positive outcome for all stakeholders. This is a challenge that extend beyond the reach of normal planning controls.</p>

List of Council Resolutions on Town Planning Improvements

Date	Resolution	Comment
18 February 2019	<p>Update on the response to NOM 1340 - Homelessness Count</p> <p>Council Decision <i>Moved: Councillor McCormack Seconded: Councillor Mayer</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the update provided in this report on the response to NOM 1340 – Frankston Homelessness Count;</i> 2. <i>Notes the Victorian Government funding committed to Frankston City to establish two new rough sleeper response teams (Assertive Outreach and Housing Support) as part of the delivery of Victoria’s Homelessness and Rough Sleeping Action Plan; and</i> 3. <i>Notes Council’s ongoing collaboration, advocacy and coordination with the homelessness sector in the municipality, including the establishment of the Frankston City Strategic Homelessness Alliance.</i> <p>Carried Unanimously</p>	<p>Council has maintained a strong interest in the provision of affordable and social housing in Frankston, with a particular focus on addressing homelessness.</p> <p>Council’s Housing Strategy 2018 sets out the multiple roles of Council in housing provision including as a regulator and an advocate. (The Frankston Housing Strategy was adopted by Council on 6 June 2018)</p> <p>In 2018, Council was successful in winning a substantial SHIP Grant, which will support the development of housing feasibility projects for affordable and social housing on three Government owned sites in Frankston</p>

Executive Summary**12.1 Notice of Motion Status Update for 12 August 2019**

Enquiries: (Phil Cantillon: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To update and brief Council on the current status of resolutions.

Recommendation (Chief Executive Office)

That Council:

1. Receives the Notices of Motion Report as at 12 August 2019.
2. Notes and accepts that there are 7 Notices of Motion that have been reported as being complete.
 - 2019/NOM11 – Container Deposit Scheme (CDS)
 - 2018/NOM52 – Car Parking Forum August 2018 - Committee for Greater Frankston
 - 2019/NOM7 – At-call Hard Rubbish Collection
 - 2019/NOM21 – Funding for Frankie's Cafe at Frankston South Community and Recreation Centre
 - 2019/NOM10 – Boat Moorings at Kananook Creek
 - 2019/NOM24 - Small Business Friendly Councils (SBFC)
 - 2019/NOM9 – Car parking in Frankston Metropolitan Activity Centre (FMAC)
3. Notes that the reports listed below will not be presented back to Council by its advised date and that a detailed explanation is provided in the body of the report:
 - Urgent Business – Evelyn Street Site
 - Response to 2018/NOM45 – Greening Our City

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).”
- Additionally, at the Ordinary Council Meeting 2019/OM9, held on 22 July 2019, Council resolved that:

12.1 Notice of Motion Status Update for 12 August 2019**Executive Summary**

- “4. a) Includes in the attached monthly report (Notice of Motion Cost Summary), the number of Urgent business items per councillor
- b) Includes the updates of the status of Urgent Business items in the attached monthly report (Notice of Motion Report)”
- The Notices of Motion Report as at 12 August 2019 is attached and will continue to be updated and reported at each Ordinary Council Meeting. Note that there are no items listed under confidential, as such this report has not been attached.
 - There are 7 Notices of Motion action that have been reported as ‘complete’.
 - 2019/NOM11 – Container Deposit Scheme (CDS)
 - 2018/NOM52 - Car Parking Forum August 2018 - Committee for Greater Frankston
 - 2019/NOM7 - At-call Hard Rubbish Collection
 - 2019/NOM21 - Funding for Frankie's Cafe at Frankston South Community and Recreation Centre
 - 2019/NOM10 - Boat Moorings at Kananook Creek
 - 2019/NOM24 - Small Business Friendly Councils (SBFC)
 - 2019/NOM9 – Car parking in Frankston Metropolitan Activity Centre (FMAC)
 - Due to various factors, it is sometimes not possible for reports to be brought back before Council in accordance with the time frames resolved. There is 1 report listed as being delayed for this meeting. Progress updates have been supplied for the items set out below:
 - Urgent Business – Evelyn Street Site
Planting and landscaping design options have been discussed and concept plans are currently being finalised. A report will be presented to Council at its 23 September 2019 Ordinary Meeting.
 - Response to 2018/NOM45 – Greening our City
A Councillor Briefing is to be scheduled in August prior to presenting to Council. A report will be provided to Council at its 23 September 2019 Ordinary Meeting.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

12.1 Notice of Motion Status Update for 12 August 2019**Executive Summary****Consultation****1. External Stakeholders**

Nil.

2. Other Stakeholders

Nil.

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 ImpactCharter 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.

ATTACHMENTS

Attachment A: [↓](#) Notices of Motion Cost Summary as at 12 August 2019

Attachment B: [↓](#) Notices of Motion as at 12 August 2019

Attachment C: [↓](#) Urgent Business Status Report as at 12 August 2019

Notice of Motion Report - 2019 - for the 12 August Council Meeting (A4016640).XLSX

**Notice of Motions Estimated Costs
 By Councillor
 2016 – 2020 Term**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost	2019/20 Budget Cost *	Urgent Business
Cr Cunial	11	\$0	\$128,800	\$257,500	\$35,000	1
Cr McCormack	15	\$17,025	\$11,300	\$238,000	\$140,000	2
Cr Toms	34	\$7,240	\$70,000	\$259,158	\$87,000	1
Cr Aitken	35	\$7,115	\$0	\$69,750	\$85,000	10
Cr Bolam	85	\$61,978	\$842,392	\$588,800	\$1,005,000	4
Cr O'Connor	18	\$2,600	\$4,000	\$25,163	\$80,000	0
Cr Mayer	3	\$200	\$66,000	\$0	-	6
Cr Hampton	25	\$6,565	\$4,200	\$34,250	\$190,000	0
Cr O'Reilly	3	\$0	\$0	\$0	-	1
TOTAL	243	\$ 102,723	\$ 1,126,692	\$ 1,472,621	\$ 1,622,000	25

NOTE: There may be occasions when the Ongoing Cost is ALSO reported under Outcome costs: this is on the occasions when the ongoing cost has a KNOWN FINITE total. This is to note for budgeting purposes (for eg: \$121,000 total over 11 years = \$11,000 budgeted per year). Notes/comments are provided in the report when this occurs

* 2019/20 Budget Cost: these are totals reflective of costs associated with project requests that Councillors have submitted as part of the 2019/2020 Budget Process and not associated with the outcomes of Notices of Motion submissions.

Notice of Motion Report - 2019 - for the 12 August Council Meeting (A4016640).XLSX

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
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	30 July 2019 - There is still no response from DELWP on Council's numerous proposals to the State Government to date to review the application of the Bushfire vegetation clearing exemptions to Frankston. 9 July 2019 - There is as yet no response from DELWP on Council's requested changes. 18 June 2019 - Council officers met on 24/5 with officers from Casey, Cardinia and Morning Peninsula Councils to consider a joint submission to the State Government on this matter. 21 May 2019 - No further update 29 April 2019 - No further update from DELWP on progress with Council's requested changes. 8 April 2019 - No further news from DELWP on progress with their review of these exemptions. 18 March 2019 - Following Council's submission to DELWP on Clause 52.12 - Bushfire Protection: Exemptions made in February we have been advised that DELWP is considering a similar change for a number of other Councils. We are hoping that the outcome of the exemption review by DELWP will be a group planning scheme amendment. We do not have a date for when DELWP will complete its deliberations. No further updates to report. 25 February 2019 - DELWP has advised that it is reviewing the provisions (now contained in Clause 52.12 rather than 52.48). Officers have provided information for DELWPs consideration in respect of the impact of the provisions in Frankston, including in respect of vegetation removal. Council will need to await the outcome of DELWPs review. Revised Target Date changed by: Craig, Tenille From: 30 Jan 2019 To: 31 Jul 2019 Reason: To allow DELWP to undertake its review. 4 February 2019 - We are now awaiting DELWP advice on the best way forward. Council may sponsor a GC amendment with neighbouring Councils that have the same issue with the exemptions. Council officers met with DELWP officer in January 2019 to advise of the urging of removing the exemption and the impact on the progress of the planning scheme initiative such as the update for the Significant Tree Register. 14 January 2019 - Revised Target Date changed from: 27 Nov 2018 To: 30 Jan 2019 26 November 2018 - As the State Government is now in caretaker period, there will be no news of any further progress on changes to the current bushfire exemption provisions until early next year (2019). Council Officers will pursue a meeting with DELWP officers prior to the end of January 2019. 8 October 2018 - Still to meet with the DELWP Officer. No announcement likely prior to State Government caretaker period	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	Tim Bearup	30 July 2019 - Council has continued to work closely with St Kilda Football Club to identify potential future uses and achieve broader community use of the Belvedere Precinct in a long-term arrangement. SKFC have confirmed their support to achieve greater community use of the site, and the planning discussions for a Registration of Interest process are progressing. 9 July 2019 - Legal obligations and all options are being reviewed to enable an ROI to proceed. 18 June 2019 - Council Officers have been working with St Kilda on the relinquishment of their lease and licences and discussions are ongoing with the expectation that St Kilda will relinquish their existing rights in return for limited access to the facility. Once this has been completed then Council Officers will begin the Expression of Interest process with the community. CEO noted - Council to discuss further at a briefing on 24 June 2019. Action reassigned to Bearup, Tim by: Hall-davis, Tracee for the reason: Transferred to new Manager 21 May 2019 - No further update 29 April 2019 - Revised Target Date changed by: Hall-davis, Tracee From: 29 Apr 2019 To: 10 Jun 2019 8 April 2019 - A walkthrough of Linen House for Councillors and EMT was held on 29 March 2019 at 3pm. Councillors were given a walk through of the facility and highlighted the area that the AFL would like to use for office space. Council Officers are working with the AFL and key stakeholders to develop surrender documents for St Kilda. Revised Target Date changed by: Hall-davis, Tracee From: 18 Mar 2019 To: 29 Apr 2019 18 March 2019 - A report was presented to Councillors at 4 March Briefing. The CEO and Mayor have met with St Kilda to further discussions and action of St Kilda relinquishing their lease to Linen House and licence to car park and oval so that the registration of interest process can proceed. A walkthrough for Councillors is being organised and a date will be finalised shortly. 25 February 2019 - A report on the progress and way forward for Linen House will be brought to the 4 March Councillor briefing to seek Councillor guidance. An update will be provided on negotiations with St Kilda to assist with clearing the way for the registration of interest process. 4 February 2019 - The committee has met recently on Tuesday 18 December 2018. Information on all communications between council and the St Kilda FC over the past six months was provided to Councillors at the meeting and also distributed in Councillor pigeon holes for those who were unable to attend. Minutes of the meeting were distributed out to Councillors on 16 January 2019. As agreed at the meeting, further reference group meetings are to be held off until the registration of interest process has been undertaken	Primary Cost: \$350 (meetings held) Year 1: \$10,000
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	Phil Cantillon	30 July 2019 - No change from previous update 9 July 2019 - No change to the status. 18 June 2019 - Ongoing negotiations about funding and ownership of assets. An update Memo was provide to Councillors on 10 April 2019. The expected cost burden of assuming asset ownership has been raised with the LCRP on a number of occasions and formally communicated to the Minister for Public Transport. The Mayor has requested a meeting with the Minister to discuss this and other key matters. Council has to date refused to accept these assets pending a better deal for Council. This position is not dissimilar to that taken by the many other Council impacted by level crossing removal works. Other than ongoing Memo update, this matter will not likely be brought to Council for a decision until a response is received from the Minister's office. 21 May 2019 - No further update 29 April 2019 - A Memo to Councillors was distributed on 10 April 2019. No further update at this time. 8 April 2019 - A Memo to Councillors is currently being prepared and will shortly be provided to the Councillors. 18 March 2019 - The next update for Councillors is planned via Memo in April 2019. 25 February 2019 - No change to the status. 4 February 2019 - No change to the status. 14 January 2019 - Discussions have been held with both Transport for Victoria (ED Asset Management) and CEO of LXRA in relation to Council's advocacy for funding to compensate for any gifted assets handed over to Council. Councillors have also been briefed on this as part of a wider LXRA presentation. Any decision to accept assets will be determined by Council and after further negotiation on costs. Presentation provided to EMT on 10 December 2018 outlining projected cost impact. Discussions with TfV have confirmed draft code of practice is potentially two years away and will not provide any relief in the short term. The last wider update for Councillors on the wider LXRA issues was on 29 October 2018. A further update on wider LXRA issues is planned for the Councillors in March 2019. 26 November 2018 - Officers are following up on this matter. No update at this time. 5 November 2018 - Action reassigned to Cantillon, Phil	Primary Cost: \$820 (letters sent & large meeting held)

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
2-Jul-18	14.1	2018/NOM35 - Proposed Downs Estate Business Case Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Cunial It is noted that the University of Melbourne is engaging with the Friends of the Downs Estate community group to prepare a business case on the future sustainability of the site as food security demonstration site. The business case will cost between \$80k to \$100k and subject to Council approval, the University of Melbourne is seeking \$25k contribution from Council. Should Council support the proposal, \$25k will be referred for consideration to the mid-year budget review. A report is to be provided to 10 September Ordinary Meeting outlining the proposal and considerations that will be detailed in the business case</p> <p>Carried Unanimously</p>	Michael Papageorgiou / Kim Jaensch	<p>30 July 2019 - University of Melbourne (UoM) contacted Council last week to advise they are very advanced with the \$25,000 UoM cash commitment to Primary Cost: match the \$25,000 from Frankston City Council. UoM have been working to align a multi-faculty contribution that will be matched by the DVC research - therefore the contribution may exceed the \$25,000. A couple of weeks are needed to finalise to ensure involvement of key stakeholders to assist. Significant progress has been achieved on the project with \$100,000 already mobilized for the indigenous bush food aspect of the work from a philanthropy which will really allow to kick start work while completing the business case. It is still expected that this project will proceed as planned and that the \$25,000 from Council will be required.</p> <p>9 July 2019 - CEO noted - funding allocated but awaiting advice from U.O.M. 18 June 2019 - CEO noted - funding allocated but awaiting advice from U.O.M. 21 May 2019 - No change to status 29 April 2019 - No change to status 8 April 2019 - No change to status.</p> <p>18 March 2019 - University of Melbourne (UoM) have advised that they have commitment from one and possibly two government agencies outside of Frankston City Council with the UoM willing to make up any cash deficit in the \$25K remaining. Council will not release its \$25K until evidence of other government commitments have been provided as this was a condition in the resolution.</p> <p>25 February 2019 - Council has not received any notification through the Planning and Environment Department of a Business Case from Melbourne University. An amount of \$25,000 has been considered and committed during the budget review process. These funds will be quarantined until such time as the Melbourne University business case has been received and approved. Comment added on behalf of Manager, Financial and Corporate Planning: no change to status 4 February 2019 - No further update 14 January 2019 - An amount of \$25,000 has been considered and committed during the budget review process. These funds will be quarantined until such time as the Melbourne University business case has been approved. 26 November 2018 - This item has been noted and a provisional amount of \$25,000 has been flagged for consideration at the Mid-Year Budget review on the condition that the business case is approved. 5 November 2018 - This item has been noted and a provisional amount of \$25,000 has been flagged for consideration at the Mid-Year Budget review on the condition that the business case is approved</p>	Primary Cost:
13-Aug-18	14.2	2018/NOM52 - Car Parking Forum August 2018 - Committee for Greater Frankston Cr Cunial	<p>Council Decision Moved: Councillor Aitken Seconded: Councillor Toms In response to the Committee for Greater Frankston's request to attend a forum in August 2018 to discuss the provision of publicly available parking in Frankston (copy attached), that all Councillors be invited to the Committee. Further that the Chief Executive Officer is requested to make available the relevant officer(s) to also attend the forum to provide technical advice if required and advise the Committee of Council's decision.</p> <p>Carried Unanimously</p>	Michelle Tipton	<p>30 July 2019 - As the report was provided to Council at its 08 1 July 2019 meeting, this is now requesting to be archived.</p> <p>9 July 2019 - A report was included in OM8 1 July 2019. Approved Option 8 to form working group, TOR and refers \$30,00 towards implementation of the Year 1 Actions to the Mid Year Budget Review. Forum is scheduled for 17 July 2019.</p> <p>18 June 2019 - CEO noted new working group requested with a report to July 2019 Council meeting. 21 May 2019 - No further update 29 April 2019 - CEO noted and provided the following comment - further investigation being undertaken prior to organising second car parking forum. 8 April 2019 - I am still waiting on a confirmation date for the second forum. Councillors will be notified once a date has been confirmed. 18 March 2019 - Still awaiting details of the second forum to be organised. 25 February 2019 - Second forum being organised. Confirming details with COGF on details which will be provided to Councillors. This forum will include discussions held at the last Forum. 4 February 2019 - CEO noted and provided updated comment: "Second forum being planned to discuss outcomes." CEO noted the following comment - "Second forum to be organised." 14 January 2019 - The Committee of Greater Frankston will be distributing information on the outcomes of the forum. 26 November 2018 - The Committee of Greater Frankston will be contacted to provide the outcomes of the forum and next steps. This information will then be distributed to Councillors. 5 November 2018 - Memo to Councillors to be prepared by Director Community Development on the outcome of the discussions held at the Car Parking Forum. CEO noted - no further follow up meeting has occurred as yet as an outstanding action from the forum. 8 October 2018 - The Car Parking Forum was held on 14 September 2018. Council officers attended the forum, but no Councillors were present. Michelle to speak with Dennis to see if a memo should be prepared to provide Councillors with an update on what was discussed at the forum and any outcomes/recommendations. 17 September 2018 - The Car Parking Forum is scheduled for 14 September. At this stage, there are no Councillors attending the forum.</p>	Primary Cost:
22-Oct-18	14.4	2018/NOM65 - New Bylaws Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That the next review of Council's 2016 General Local Law No 8 pending legal advice is to consider the following bylaws for adoption: 1. Brimbank City Council's bylaw offence: participating (including bystanding) in 'hooon events'; 2. Melton City Council's bylaw offence: noise from vehicle sound equipment; and 3. City of Onkaparinga (SA) bylaw offence: flying a drone aircraft in an unsafe manner and/or (by flying a drone aircraft) detracting from another person's lawful use and enjoyment of public land.</p> <p>Carried</p>	Leonie Reints / Brianna Alcock	<p>30 July 2019 - Officers across the organisation are continuing to review the General Local Law No. 8 with a view to having first draft finalised later in 2019.</p> <p>9 July 2019 - No further update 18 June 2019 - Officers have commenced the review of General Local Law No. 8 2016 with a view of presenting to Council in April 2020. 21 May 2019 - No further update 29 April 2019 - A review of the local law is due to commence in April 2020 and a report will be provided to Council in June 2020 with the outcome of this review. Also noting that a new local law is to be created for short stay accommodation and this is due in December 2019. The short stay accommodation local law will be undertaken independently of the whole local law review. Revised Target Date changed by: Hall-davis, Tracee From: 4 Nov 2019 To: 06 Apr 2020 8 April 2019 - Revised Target Date changed by: Hall-davis, Tracee From: 12 Nov 2018 To: 04 Nov 2019 Reason: Review of Local Law late 2019 18 March 2019 - Officers will be reviewing Frankston City Council General Local Law No. 8, 2016 in late 2019 and the items raised in this NOM will be investigated at the time of the review. 25 February 2019 - The next review date for the General Local Law is being considered. No further action as yet. 4 February 2019 - The next review date for the General Local Law is being considered. 14 January 2019 - The next review date for the General Local Law is currently being considered.</p>	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
10-Dec-18	14.1	2018/NOM67 - Kananook Railway Station Improvements Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Council: 1. Writes to The Hon. Jacinta Allan MP, Minister for Public Transport seeking a meeting to discuss the current changes underway to Kananook Railway Station and surrounds as a result of the Level Crossing Removal Authority projects. In particular to discuss the impacts of these projects and opportunities available to better enhance the public use of the precinct such as improving disability access, landscaping and urban design improvements (e.g. lighting). 2. Offers to work with the relevant State Government Departments to develop a Kananook Railway Station Precinct Plan. C/U	Doug Dickins/ Michael Papageorgiou	30 July 2019 - No change to the status. 9 July 2019 - no further update. 18 June 2019 - Director Community Assets - "no meeting obtained as yet but project proceeding. Follow up calls about a meeting to be organised made via CEO's office on 5 February, 13 February, 26 February, 21 March, 9 April and 17 April 2019." 21 May 2019 - CEO commented, "no meeting obtained as yet but project proceeding." Follow up calls about a meeting to be organised made via CEO's office on 5 February, 13 February, 26 February, 21 March, 9 April and 17 April 2019. 29 April 2019 - A response is yet to be received to the letters sent. 8 April 2019 - A response is yet to be received to the letters sent 18 March 2019 - Letters have been sent to the Hon. Jacinta Allan MP, Minister for Public Transport, Shadow Minister for Public Transport and Ms Sonya Kilkenny (State Member for Carrum) 25 February 2019 - A letter has been sent to Minister for Transport Infrastructure (ref A3787569). 4 February 2019 - No further update 14 January 2019 - Council Officers are currently drafting the letter to MP and likely to be forwarded next week.	Primary cost: \$600 (letters sent)
10-Dec-18	14.3	2018/NOM69 - White Street Mall Revitalisation Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That: 1. Council notes the recent comments made by Mr Paul Edbrooke MP, Member for Frankston to Councillors and Council officers with respect to his commitment to working with Council on the revitalisation of the White Street Mall in Central Frankston, including accepting a design from Council. 2. On the basis, Council submits a revitalisation plan for the White Street Mall to Mr Paul Edbrooke MP, Member Frankston and ask that he provides, in writing, confirmation of the State Government's funding for this project, subject to Council making application for the funding. 3. A meeting with Mr Paul Edbrooke, MP, Member for Frankston and Council officers be held to discuss the White Street Mall in Central Frankston. 4. A report be provided to Council at the April Ordinary Meeting 2019 detailing the response from Mr Paul Edbrooke MP, Member for Frankston and potential funding to the 2019/2020 Annual Budget for White Street Mall upgrade design works. Carried Unanimously	Vishal Gupta	30 July 2019 - No change to the status. 9 July 2019 - On behalf of CEO: The report to Council has been delayed pending a presentation by external stakeholders, scheduled for August, which could have a potential to impact on the current proposals for White Street Mall. The report will be rescheduled after this presentation, likely in September 2019. 18 June 2019 - A further update was presented at the May 29th MPAC meeting. Several Councillors were apologies at this meeting so meetings with individual Councillors to provide an update on concepts are underway. Currently awaiting confirmation of a meeting opportunity with Paul Edbrooke before reporting to Council on 22 July 2019. 21 May 2019 - Initial presentation was provided to MPAC on 27 March on ideas for White Street Mall revitalisation. Further discussion occurred with key stakeholders including Bayside Shopping Centre, to refine options. Concepts are being developed for discussion with Paul Edbrooke through May. A further update to be presented at the May 29th MPAC meeting before reporting to Council in July 2019. 29 April 2019 - No change to the status. 8 April 2019 - Presentation was provided to MPAC on 27 March on ideas for White Street Mall revitalisation. Further discussion with key stakeholders including Bayside Shopping Centre, to refine options and then develop concept options for discussion with Paul Edbrooke through May, with an update on the preferred options to be presented at the May 27th MPAC meeting before reporting to Council in June. 18 March 2019 = Consultation and options underway. Presentation to March Major Projects meeting 25 February 2019 - Officers are currently consulting with key internal and external stakeholders and preparing options for Councillors to consider in April 2019. Meetings are being arranged with Ward Councillors. 4 February 2019 - No change to status 14 January 2019 - Action reassigned to Prideaux, Sally by: Gupta, Vishal for the reason: This is part of CAA initiatives which is managed by Sally Prideaux and Graeme Read. Consultation and investigations have commenced.	Primary Cost: \$620.00 (meetings held) 2x officer time (stakeholder discussions and prep for concepts x4hrs) Concept cost to be added when known
23-Apr-19	14.1	2019/NOM7 - At-call Hard Rubbish Collection Cr Hampton	Council Decision Moved: Councillor Hampton Seconded: Councillor Toms That the CEO prepares a report to Council by June 2019 to look at and evaluate the cost and feasibility to offering two free at-call hard rubbish collections per year as an alternative to once a year collection. Carried Unanimously	Bruce Howden	30 July 2019 - Report provided to Council at 22nd July meeting. Requesting to close action. 9 July 2019 - Report to be provided for 22 July Council meeting. 18 June 2019 - It was agreed to be postponed to 22 July Council meeting due to collecting cost for current service to undertake comparion with at-call service. 21 May 2019 - Report being prepared for June 24th briefing to provide costing for two at-call hard waste collections per household within each financial year.	
23-Apr-19	14.2	2019/NOM8 - Local Law to regulate Short Stay Rental Accommodation Cr McCormack	Council Decision Moved: Councillor McCormack Seconded: Councillor Toms 1. That Frankston Council develops and implements a Local Law to provide clear guidelines on the required standards for the operation of Short Stay Rental Accommodation within the municipality. 2. That the objectives of the Local Law, replicate those of the Mornington Peninsula Shire Council, namely: a) Regulate and control the use of Short Stay Rental Accommodation within the municipality of Frankston; b) Ensure an appropriate standard of management and presentation of such accommodation; c) Minimise the risk of such accommodation affecting neighbouring properties and the peace of neighbours; d) Implement a registration requirement; and e) Provide for a Code of Conduct under the Local Law. 3. The local law be implemented by December 2019. Carried Unanimously	Leonie Reints	30 July 2019 - The draft Short Term Rental Accommodation Local Law is still with Maddocks Lawyers. Officers continue to work to have this implemented by December 2019. 9 July 2019 - No further update 18 June 2019 - The draft Short Term Rental Accommodation Local Law has been forwarded to Maddock's Lawyers for feedback. Revised Target Date changed by: Hall-davis, Tracee From: 14 May 2019 To: 20 Dec 2019 21 May 2019 - A meeting was held with Mornington Peninsula Shire to better understand the requirements of implementing the Local Law. The draft local law and code of conduct are currently being compiled by officers using Mornington's as a basis to work from. It is expected this will be completed by December 2019	Direct Cost (once-off) - \$14,000 Direct Cost (recurring) - \$11,300 Coming back to Council in December 2019 Costs for officer time to investigate, develop and implement the new local law; legal advice and initial set up costs with BNB Guard. Ongoing Annual costs - monthly BNB Guard reports and administrative support.

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
23-Apr-19	14.5	2019/NOM11 - Container Deposit Scheme (CDS) Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Hampton That Council based on its previous support for the introduction of a Container Deposit Scheme within Victoria: 1. Write to the Minister for the Environment, the Hon. Lily D'Ambrosio MP, seeking an urgent update on what efforts have been undertaken by the Victorian State Government to have legislation introduced to mandate a Container Deposit Scheme within Victoria. 2. Write to all Victorian Local Government Councils seeking their support to advocate to the Victorian State Government for the introduction of a Container Deposit Scheme within Victoria through the passing of appropriate legislation. 3. Write to the MAV suggesting that they give consideration to the commencement of an advocacy campaign that would seek the introduction of a mandatory Container Deposit Scheme within Victoria with such a campaign to be funded from voluntary contributions from Victorian Councils with Frankston City Council pledging \$2000.00. 4. Write to all State Members of Parliament within the Frankston Municipality requesting that they support and advocate for the introduction of a mandatory Container Deposit Scheme within Victoria as a matter of urgency.	Luke Ure/Kim Jaensch	30 July 2019 - No further action is required. This is now requesting to be archived 9 July 2019 - A letter has been written to other key stakeholders seeking their support to advocate the Victorian Government to legislate the introduction of a Container Deposit Scheme (CDS). The letter was distributed on 27/06/2019 to the Minister for the Environment; all Victorian Local Government Councils; the MAV; and, the State Members of Parliament within Frankston municipality. No further action is required. Draft letters have been prepared to be distributed to other key stakeholders seeking their support to advocate the Victorian Government to legislate the introduction of a Container Deposit Scheme (CDS). The letter, once finalised and signed off, will be distributed to the Minister for the Environment; all Victorian Local Government Councils; the MAV; and, the State Members of Parliament within Frankston municipality. 18 June 2019 - A draft letter has been prepared to be distributed to other key stakeholders seeking their support to advocate the Victorian Government to legislate the introduction of a Container Deposit Scheme (CDS). The letter, once finalised and signed off, will be distributed to the Minister for the Environment; all Victorian Local Government Councils; the MAV; and, the State Members of Parliament within Frankston municipality. 21 May 2019 - Action item 3 noted - if a mandatory Container Deposit Scheme is supported, a voluntary contribution of \$2,000 will be made available through the mid-year budget process. It is requested that this action item be closed.	
13-May-19	14.1	2019/NOM9 - Car parking in Frankston Metropolitan Activity Centre (FMAC) Cr Cunial	Council Decision Moved: Councillor Toms Seconded: Councillor Cunial That Council: 1. Requests a report to come back to Council at the 1 July 2019 Ordinary Meeting on the proposed establishment of a Frankston City Council Working Group for the purpose of preparing independent recommendations for the consideration of Council to improve Frankston City Centre's present car parking pricing, supply and management, and benefit Frankston's CBD for its future parking needs in 2035. The working group should include interested Councillors, appropriate Council officers, one representative of the Committee for Greater Frankston, and a representative from each of the following groups/organisations Frankston City traders, Chisholm, PARC, and Monash University; 2. Provides in this report recommendations on suitable funding sources in order to secure funding required to enable the working group to properly perform its task, which should include: o An update on the Frankston Metropolitan Activity Centre 2016 car parking usage study Part A (including private spaces); o An expanded car parking supply-demand model across the FMAC; o Accurate forecast growth rates in demand for car-parking over the next decade; o User needs analysis including price sensitivity, substitution options and market competition; o Expert advice best practise solutions and case studies; and o Expert advice on car parking management technologies that would assist the better management of existing car parking now and into the future. Carried Unanimously	Michael Papageorgiou	10 July 2019 - A report was included in OM8 1 July 2019. Approved Option B to form working group, TOR and refers \$30,00 towards implementation of the Year 1 Actions to the Mid Year Budget Review. Forum is scheduled for 17 July 2019. 18 June 2019 - 1) Noted, report has been scheduled to come back to OM1/7/2019. 2) Noted Revised Target Date changed by: Hall-davis, Tracee From: 3 Jun 2019 To: 05 Jul 2019 Reason: Scheduled back to OM1/7/2019	Estimated Cost: Coming to Council 1/7/2019 OM Costs to be considered after report goes to OM.
13-May-19	14.2	2019/NOM10 - Boat Moorings at Kananook Creek Cr Cunial	Council Decision Moved: Councillor Cunial Seconded: Councillor Toms Officers to investigate and prepare an updated report for consideration by Council at its Ordinary Meeting on 22 July 2019 on the benefits of reintroducing permanent boat mooring facilities along Kananook Creek, Frankston, between its mouth and Wells Street, with particular attention to the economic, social, recreational and health benefits associated with activation of the Kananook Creek and the Kananook Creek Boulevard Carried Unanimously	Phil Cantillon	30 July 2019 - A report was presented to Council at its OM9 – 22 July 2019. A further report is to be presented to Council at its October 2019 Ordinary Meeting. This is now requesting closure. 9 July 2019 - Report to be presented to 22 July OM. 18 June 2019 - Action reassigned to Dickins, Doug by: Gaynor, Andrea for the reason: Manager Engineering Services to manage this action. A report will be provided to Council on 22 July 2019.	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
1-Jul-19	14.1	2019/NOM12 - Legal Advice Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Mayer That:</p> <p>1a. Councillors be provided a quarterly report on consultancy expenditure relating to obtained legal advice. The confidential closed council report should provide an itemised description of the advice sought and is to include the YTD accumulative total expended by Frankston City Council on legal advice;</p> <p>1b. Councillors be provided a retrospective internal report on sought legal advice particulars (cost and description specifics) since 2016. This confidential closed council report is to be provided by September 2019.</p> <p>2. A report be provided to Council at the September Ordinary Meeting on governance, resourcing and financing relating to potential in-house legal counsel to:</p> <p>a) reduce external reliance on sought legal advice; and</p> <p>b) provide greater legal guidance to the organisation and Council on legal considerations</p> <p>3. A report be provided to Council on a new process to seek legal advice. The process is to apply to both staff and councillors and should seek to implement controls on the type of information sought and the level of approvals required.</p> <p>The report should look at templates and checks-and-balances that are practiced externally (both inside and outside of the sector) to ensure accountability and the best use of public monies. The report is to be provided at the September Ordinary Meeting.</p> <p>Carried Unanimously</p>	Brianna Alcock	<p>30 July 2019 - A quarterly report will be prepared on consultancy expenditure relating to obtained legal advice. This report will be presented at the September 2019 Ordinary Council Meeting. The report will also include the expenditure since 2016. The same report will also discuss governance, resourcing and financing relating to potential in-house legal counsel and a Policy or Protocol that will be developed detailing the process for legal requests.</p> <p>9 July 2019 - A quarterly report will be prepared on consultancy expenditure relating to obtained legal advice. This report will be presented at the September Ordinary Council Meeting. The report will also include the expenditure since 2016. The same report will also discuss governance, resourcing and financing relating to potential in-house legal counsel and a Policy or Protocol that will be developed detailing the process for legal requests.</p>	
1-Jul-19	14.2	2019/NOM15 - Consultancy Fees Report Cr Bolam	<p>Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer</p> <p>1. That a quarterly report be provided to open Council on organisational consultancy expenditure. The report should provide both an overall and departmental analysis. At the completion of twelve months, the report should juxtapose overall and departmental consultancy expenditure against the previous year's expenditure. The first report should be provided to Council in September with quarterly reports thereafter; and</p> <p>2. Where a respective department incurs a variation in consultancy expenditure - specifically 20% above the median average for departments - reference must be made in the report with explanations from both the CEO and relevant Director about such variations.</p> <p>Carried Unanimously</p>	Kim Jaensch	<p>30 July 2019 - 1. A quarterly report will be provided at the next available open Ordinary Meeting held on 14 October 2019, after the 30 September 2019 quarter close off period. The report will provide both an overall and departmental analysis of Council's organisational consultancy expenditure. At the completion of twelve months, a report will be developed comparing financial year results i.e. 2019-2020 against 2018-2019 results .</p> <p>2. The above report will include details of departments incurring a variation in 20% above the median average for departments - reference will be made in the report with explanations from both the CEO and relevant Director about such variations.</p> <p>9 July 2019 - A report will be prepared in due course.</p>	
22-Jul-19	14.1	2019/NOM17 - Kananook Rail Stabling Facility Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Council writes to the Hon. Jacinta Allan MP, Minister for Public Transport, the Hon. David Davis MLC, Shadow Minister for Public Transport and Ms Sonya Kilkenny MP (State Member for Carrum) requesting that the current design and construction of the Kananook Rail Stabling Facility incorporate:</p> <p>1. Effective noise mitigation measures to attenuate noise disturbance from the operation of the facility to adjoining residential areas with relevant project team staff that are delivering the facility to be available to consult and appropriately explain the noise testing data and design measures to residents and interest groups;</p> <p>2. A permanent security presence to deter inappropriate behaviour and activities attributable to the facility;</p> <p>3. Work sheds to house operating rail infrastructure to improve the overall aesthetics of the facility.</p> <p>Carried Unanimously</p>	Doug Dickins	30 July 2019 - A letter is currently being prepared.	
22-Jul-19	14.2	2019/NOM19 - CCTV in Frankston CAA Cr Toms	<p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That Council:</p> <p>1. Notes 2018/NOM25 which resolved: "Should grant funding not be awarded in 19/20 the full list of CCTV cameras will be presented for consideration as part of each year's capital works budget process";</p> <p>2. Notes Priority 11 (Excelsior Drive) at \$10K was approved by Council at its 1 July 2019 Ordinary Meeting;</p> <p>3. Supports Priority 1 (foreshore park opposite South East Water) at \$54K and Priority 2 (Nepean Highway between Wells St and Fletcher Rd) at \$63K, noting there is a \$27K shortfall in available budget; and</p> <p>4. Refers \$27K for consideration at the 2019-2020 mid-year budget review.</p> <p>Carried Unanimously</p>	Cam Arullanantham / Leonie Reints / Kim Jaensch	<p>30 July 2019 - Noted. The matter will be referred to mid year budget review for consideration.</p> <p>Grant application has been submitted and outcome and report will be presented to council in November 2019.</p> <p>Officers are currently working with property owners in Excelsior Drive Frankston North to install CCTV. Some additional negotiations will apply as CCTV needs to be fixed to private property.</p>	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
22-Jul-19	14.3	2019/NOM20 - Re-Affirmation of Victorian Local Government Women's Charter Cr McCormack	Council Decision Moved: Councillor McCormack Seconded: Councillor Cunial That Council: 1. Reaffirms its status as a signatory to the Victorian Local Government Women's Charter. 2. Develops and implements an action plan, incorporating the Charter aims, that supports the progress of gender equality, diversity and active participation in Council. 3. Refers an amount of \$20,000 to the 2019-2020 mid-year budget review for a community event in support of International Women's Day 2020, recognising the centenary of the first ever woman elected to local government in December 2019. Carried Unanimously	Brianna Alcock / Kim Jaensch	30 July 2019 - Reaffirmation of Council's status as a signatory to the Victorian Local Government Women's Charter will be undertaken. An action plan will be developed with input from key stakeholders to incorporate the Victorian Local Government Women's Charter aims to support active participation in Council. It will be noted with the relevant officers to undertake a community event and the referral of \$20,000 to the Mid-year budget review process. Council officers have listed an amount of \$20,000 to the 2019-2020 mid-year budget review for a community event in support of International Women's Day 2020, recognising the centenary of the first ever woman elected to local government in December 2019. It is requested that this action is closed.	
22-Jul-19	14.4	2019/NOM21 - Funding for Frankie's Cafe at Frankston South Community and Recreation Centre Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Bolam That Frankston City Council include the installation of Bi-fold doors and a servery with supporting HVAC system at Frankie's Café at the Frankston South Community and Recreation Centre, to be referred for consideration in the 2020/21 Capital Works budget to increase the capacity of the training café for the benefit of the trainees, their customers and the centre to offer social inclusion programs. The works are estimated to be \$150,000. Carried	Kim Jaensch / Sam Jackson	30 July 2019 - The estimated cost of \$150,000 for the installation of Bi-fold doors and a servery with supporting HVAC system at Frankie's Café at the Frankston South Community and Recreation Centreworks has been listed to be referred for consideration in the 2020/21 Capital Works budget. It is requested that this action is closed.	
22-Jul-19	14.5	2019/NOM22 - Save our Red Gums Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Toms That Council makes representation to the Premier, the Hon. Daniel Andrews MP, Minister for Energy, Environment & Climate Change, Minister for Planning, Minister for Aboriginal Affairs and all local members of Parliament requesting a special significant classification be placed over the native Red Gum (Eucalyptus Camaldulensis) population in the municipality of Frankston City. Of particular importance are the more mature trees ranging in age between 100 years and in excess of 500 years. We also note that, given the life span of this species (around 1000 years), the older trees occupy a highly significant place in both landscape and history, pre-dating European settlement, and therefore are an irreplaceable living link with traditional owners of this land to the present day and, as such, should be enshrined as part of the national heritage. Supporting information can be sought at https://www.nationaltrust.org.au/treeoftheyear/ To support the basis of this Motion, other examples of strict legislation on the protection of native trees include: • Sequoiadendron Giganteum, United States • Quercus Robur, United Kingdom Carried Unanimously	Michael Papageorgiou	30 July 2019 - Officers have received the recent resolution by Council and are commencing the research required to support a case for enhanced regulatory protection for red gums in Frankston City.	
22-Jul-19	14.6	2019/NOM23 - Evelyn Street Park Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer Council calls for a report to the August 2019 Ordinary Meeting on the option to formalise Evelyn Street as a public park. Carried Unanimously	Michael Papageorgiou	30 July 2019 - A report on options for rezoning the Evelyn St Frankston open space property will be considered by Council at its meeting to be held on 12 August 2019.	
22-Jul-19	14.7	2019/NOM24 - Small Business Friendly Councils (SBFC) Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms 1. That Frankston City Council is to formally become a member and therefore signatory of the 'Small Business Friendly Councils' (SBFC) which is a partnership between the Victorian Small Business Commission (VSBC) and participating local governments (ie. City of Kingston, City of Yarra etc). 2. Upon successful membership, the CEO of the day is to ensure that all parameters of SBFC charter are being adhered to by Frankston City Council; and 3. Frankston City Council is to use its membership with/to the SBFC in economic and social branding exercises Carried Unanimously	Sam Jackson	30 July 2019 - 1. Complete - the CEO, Mayor and Small Business Commissioner signed the Charter on 30 July 2019 2. Noted - this is now programmed in standard operating procedures or specific programs of works - such as the Better Approvals Project 3. Noted - this is now programmed in standard operating procedures. From a reporting perspective this is now completed. This action item is recommended for closure as all items are now either standard operating procedure or complete.	

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Urgent Business

Meeting Date	NOM Title and Councillor	Council Resolution	Responsibility	Comments
3-Jun-19	Urgent Business - Evelyn Street Site Sale Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Toms 1. That Council resolves the Evelyn Street site 17R and 19R-21R will not be sold and is to be retained as open space for the people of Frankston both now and into the future. 2. That a report be provided at the August Ordinary Meeting on options for planting and landscape improvements to the Evelyn Street open space as a value added public area. Carried	Vishal Gupta	30 July 2019 - Council officers met with Cr Toms and Cr Aitken to discuss options for the proposed redevelopment of the site as public open space. Concept plans are now being refined and will be presented to Council at its September meeting. 10 July 2019 - Works are currently underway to develop concept plans for the site. A report will be presented on this matter to Council at its August meeting. 27 June 2019 - Council officers are currently investigating options for planting and landscape improvements to the Evelyn Street open space as a value added public area. A report will be presented to Council in August as per Council resolution.
22-Jul-19	Urgent Business - Leave of Absence for Cr Steve Toms Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That Leave of Absence be granted to Cr Steve Toms for the period of 13 August to 4 September 2019 (inclusive) and that the resolution be incorporated into the public minutes of this meeting. Carried Unanimously	Vera Roberts	30 July 2019 - Noted the dates of Leave of Absence for Cr Toms. Mayor & CEO calendar updated to reflect Leave of Absence dates. Request for this matter to be archived.

Executive Summary

12.2 Record of Assemblies of Councillors

Enquiries: (Brianna Alcock: 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 table the written records for the Assembly of Councillors as defined by the *Local Government Act 1989*.

Recommendation (Chief Executive Office)

That Council receives the following written records for the Assembly of Councillors on:

- 20 May 2019 (Councillor Briefing);
- 3 June 2019 (Pre-Agenda Council Meeting)
- 5 June 2019 (Councillor Briefing);
- 11 June 2019 (Councillor Briefing including Special Council Meeting);
- 24 June 2019 April 2019 (Councillor Briefing);
- 26 June 2019 (Councillor Briefing);
- 1 July 2019 (Pre-Agenda Council Meeting)
- 8 July 2019 (Councillor Briefing);
- 15 July 2019 (Councillor Briefing).

Key Points / Issues

Council is required under the *Local Government Act 1989* to keep a written record for the Assembly of Councillors, including:

- the names of all Councillors and members of Council staff attending a Councillor Briefing or other meeting;
- any matters considered;
- any conflict of interest disclosures made by a Councillor or member of Council staff and;
- if the Councillor or member of staff who disclosed a conflict of interest, left the meeting.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

12.2 Record of Assemblies of Councillors**Executive Summary**

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

Consultation**1. External Stakeholders**

It is a statutory requirement to present all written records of all Councillors who participate in an advisory committee, planned or scheduled meeting to the next practicable Council meeting. Thus it is not necessary to consult with external stakeholders.

2. Other Stakeholders

It is a statutory requirement to present all written records of all Councillors who participate in an advisory committee, planned or scheduled meeting to the next practicable Council meeting. Thus it is not necessary to consult with internal stakeholders.

Analysis (Environmental / Economic / Social Implications)

Making written records available to the public may provide some confidence in transparency of decision making and is best practice advice from the Office of the Local Government Inspectorate.

Legal / Policy / Council Plan ImpactCharter 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

Under Section 76AA of the *Local Government Act 1989*, Council is required to make a written record of all Councillors who participate in;

- An Advisory Committee where at least one (1) Councillor and a member of Council staff is present; and
- A planned or scheduled meeting where at least half the Councillors and a member of staff is present.

Policy Impacts

There are no policies that will impact the decision of 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

There are no risks associated with this report.

12.2 Record of Assemblies of Councillors**Executive Summary****Conclusion**

It is recommended that the written records as attached to the report be received.

ATTACHMENTS

- Attachment A: [↓](#) Record of Assembly of Councillors - 20 May 2019 (Councillor Briefing)
- Attachment B: [↓](#) Record of Assembly of Councillors - 3 June 2019 (Pre-Agenda Council Meeting)
- Attachment C: [↓](#) Record of Assembly of Councillors - 5 June 2019 (Councillor Briefing)
- Attachment D: [↓](#) Record of Assembly of Councillors - 11 June 2019 (Councillor Briefing including Special Council Meeting)
- Attachment E: [↓](#) Record of Assembly of Councillors - 24 June 2019 (Councillor Briefing)
- Attachment F: [↓](#) Record of Assembly of Councillors - 26 June 2019 (Councillor Briefing)
- Attachment G: [↓](#) Record of Assembly of Councillors - 1 July 2019 (Pre-Agenda Council Meeting)
- Attachment H: [↓](#) Record of Assembly of Councillors - 8 July 2019 (Councillor Briefing)
- Attachment I: [↓](#) Record of Assembly of Councillors - 15 July 2019 (Councillor Briefing).pdf



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 20 May 2019			
Commencement Time: 5:30pm		Location:	
Finish Time: 7.00pm		Acacia Room/Chambers	
Matters Considered: <i>(Heading only)</i> Project update - Jubilee precinct Revocation of various council policies Centenary Park update General business / notes from previous Councillor Briefing Special Meeting to adopt Annual Budget 2019-2020			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5:30pm	Left:
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.14pm	Left:
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left:
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left:
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.35pm	Left:
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.58pm	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left:
Council Staff Attendance: <input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Tenille Craig, James Robinson, Roy Furtado, Luke Ure, Luke Walker, Vishal Gupta, Byron Douglas, Claire Benzie			

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

None.

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

None.

Name of Council Staff Member responsible for this written record: Brianna Alcock**Position Title:** Manager Governance and Information

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Council Meeting (2019/OM7)			
Meeting Date: 3 June 2019			
Commencement Time: 6pm - pre-agenda; 7pm Council Meeting		Location:	
Finish Time: Officers asked to leave at 8.24pm		Acacia Room and Council Chambers	
Matters Considered: <i>(Heading only)</i> Initial presentation on Peninsula Leisure Council Agenda (pre-meet and Council Meeting)			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.46	Left:
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.14	Left:
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40	Left:
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 7.31	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Council Staff Attendance:			
<input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Martin Poole, Michael Papageorgiou, Sam Jackson, Tenille Craig, Vera Roberts, Taylor McVean, Luke Ure, Brianna Alcock, Doug Dickins, Vishal Gupta			

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby

Rob Gregory (Maddocks), Tim Gledhill - CEO (PARC/Peninsula Leisure)

Conflict of Interest Disclosures*"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"*

Nil

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:**Name of Council Staff Member responsible for this written record:** Sam Jackson**Position Title:** A/Director Corporate Development

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 5 June 2019			
Commencement Time: 6.00pm		Location: Acacia Room, Civic Centre	
Finish Time: 6.28pm			
Matters Considered: <i>(Heading only)</i> Frankston North Education Plan			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input checked="" type="checkbox"/> No	Arrived:	Left:
Cr Sandra Mayer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.35pm	Left: 6.28pm
Cr Glenn Aitken	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.28pm
Cr Quinn McCormack	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 6.28pm
Cr Michael O'Reilly	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.53pm	Left: 6.28pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Council Staff Attendance:			
<input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input checked="" type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Joanne Ferrie, Karen Wheeler			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

NIL

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:**Name of Council Staff Member responsible for this written record:** Dr Gillian Kay**Position Title:** Director Community Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing and Special Council Meeting			
Meeting Date: 11 June 2019			
Commencement Time: 6pm		Location:	
Finish Time:		Acacia Room /Council Chamber	
Matters Considered: <i>(Heading only)</i> Councillor Briefing (6-7) - Jubilee Park and Langwarrin Library Special Council Meeting (Closed). Meeting was opened, and then a vote was taken to bring it into closed. Vera Roberts was the only officer that remained.			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.49	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: <small>via phone briefing only</small>	Left:
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.55	Left:
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30	Left:
Council Staff Attendance: <input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Sam Jackson, Vera Roberts, Taylor McVean, Fran Boyd, James Robinson, Cam A, James Lim, Simone Bonella, Tammy Goodwin, Karen Wheeler			

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

Nil

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:**Name of Council Staff Member responsible for this written record:** Sam Jackson**Position Title:** A/Director Corporate Development

Please submit completed form to the Councillor's Office within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 24 June 2019			
Commencement Time: 5.52pm		Location: Acacia Room, Civic Centre	
Finish Time: 6.57pm			
Matters Considered: <i>(Heading only)</i> Agenda review RSL - ANZAC Day funding			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.55pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.55pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.55pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.35pm	Left: 6.55pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 6.55pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 6.55pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 6.55pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 6.55pm
Council Staff Attendance: <input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Melanie Boulton, Joanna Drennan, Sam Jackson, Kim Jaensch, Andrew Moon, Michael Papageorgio, Martin Poole, Leonie Reints, Jess Schuyler, Rachel Weaver			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

NIL

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

NIL

Name of Council Staff Member responsible for this written record: Kim Jaensch**Position Title:** Acting Director Corporate Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 26 June 2019			
Commencement Time: 6.00pm		Location: Council Chambers, Civic Centre	
Finish Time: 7.45pm			
Matters Considered: <i>(Heading only)</i> Centenary Park Update Belvedere Precinct Local Government Bill 2019			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Colin Hampton	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 7.45pm
Cr Kris Bolam	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 7.30pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Glenn Aitken	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 7.45pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Michael O'Reilly	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 7.45pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input checked="" type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm	Left: 7.45pm
Council Staff Attendance:			
<input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input checked="" type="checkbox"/> Phil Cantillon Brianna Alcock, Tim Bearup, Simone Bonella, Kim Jaensch, James Madder, Martin Poole, Leonie Reints, James Robinson			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

NIL

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

NIL

Name of Council Staff Member responsible for this written record: Kim Jaensch**Position Title:** Acting Director Corporate Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Pre-Agenda Meeting			
Meeting Date: 1 July 2019			
Commencement Time: 6.00pm		Location: Acacia Room, Civic Centre	
Finish Time: 6.57pm			
Matters Considered: <i>(Heading only)</i> 1 July 2019 Ordinary Meeting Agenda Review			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.57pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.57pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.57pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.53pm	Left: 6.57pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 6.57pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.57pm
Council Staff Attendance:			
<input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Doug Dickins, Joanne Ferrie, Kim Jaensch, Sharon Lozsan, Taylor McVean, Michael Papageorgio, Vera Roberts, Michelle Tipton, Luke Ure, Karen Wheeler			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

NIL

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

NIL

Name of Council Staff Member responsible for this written record: Kim Jaensch**Position Title:** Acting Director Corporate Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 8 July 2019			
Commencement Time: 6.05pm		Location: Civic Centre, 30 Davey Street	
Finish Time: 8.15pm			
Matters Considered: <i>(Heading only)</i> Accountability and transparency reform update Community Centre/Neighbourhood House Review Draft Community Engagement Policy Draft Tennis Action Plan 2019 General Business			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.25pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 8.25pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.15pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.25pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 8.25pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 8.25pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.25pm
Council Staff Attendance:			
<input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Kim Jaensch, Brianna Alcock, Tim Bearup, Simone Bonella, Doug Dickins, Melissa King, Jarrod Madder, Michelle Tipton, Ken Liddicoat			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

Nil

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

Nil

Name of Council Staff Member responsible for this written record: Kim Jaensch**Position Title:** Acting Director Corporate Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.



RECORD OF ASSEMBLY OF COUNCILLORS

Title of Meeting: Councillor Briefing			
Meeting Date: 15 July 2019			
Commencement Time: 5.55pm		Location:	
Finish Time: 8.50pm		Civic Centre	
Matters Considered: <i>(Heading only)</i> Agenda Review Social Housing Investment Planning General Business Notes from previous Councillor Briefing held on 8 July 2019			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 7.15pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.49pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.00pm (phone)	Left: 8.50pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 8.50pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 8.50pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.50pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 8.50pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Council Staff Attendance: <input type="checkbox"/> Dennis Hovenden <input type="checkbox"/> Tim Frederico <input type="checkbox"/> Dr Gillian Kay <input type="checkbox"/> Phil Cantillon Kim Jaensch Doug Dickins, Cam Arullanantham, Shekar Atla, Tim Bearup, Keith Black, Stuart Caldwell, Jack Ellis, Sam Jackson, James Madder, Daniel Meadh, Martin Poole, Michael Papageorgiou, Amy Parsons, Vera Roberts, Jeremy Starr, Isuru Thilakarathne, Luke Ure			

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Others in attendance (including titles): Prue Digby**Conflict of Interest Disclosures**

"This is an assembly of Councillors as defined in the Local Government Act. Does any Councillor present have a conflict of interest in any of the matters to be considered at this assembly?"

Nil

Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:

Nil

Name of Council Staff Member responsible for this written record: Kim Jaensch**Position Title:** Acting Director Corporate Development

Please submit completed form to Governance within 24 hours of conclusion of meeting.

Executive Summary**12.3 Delegate Resignation from the Audit and Risk Committee**

Enquiries: (Phil Cantillon: Chief Executive Office)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To brief Council on the resignation to Cr Bolam from the Audit and Risk Committee and nominate a replacement.

Recommendation (Director Chief Executive Office)

That Council:

1. Accepts the resignation of Cr Bolam from the Audit and Risk Committee
2. Nominates Cr xx as Council's new representative on the Audit and Risk Committee

Key Points / Issues

- At its Statutory Meeting on 8 November 2018, Council resolved to nominate Cr Kris Bolam as Council's representative to the Frankston Arts Board of Management
 - *Item 3.6 – Delegates to External/Internal Organisations*
 - (B) *Council resolved that the following appointments to internal committees be made:*
 1. *The Mayor and Cr Bolam be appointed as delegates to the Audit and Risk Committee and Cr Hampton be appointed as the substitute delegate.*
- On 31 July 2019, Cr Bolam gave notice of his intention to resign from the Audit and Risk Committee.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

12.3 Delegate Resignation from the Audit and Risk Committee**Executive Summary****Consultation****1. External Stakeholders**

Nil.

2. Other Stakeholders

Nil.

Analysis (Environmental / Economic / Social Implications)

Nil.

Legal / Policy / Council Plan ImpactCharter 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 are no impact to 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

Nil.

Conclusion

Upon receiving the notice of intention of Cr Bolam's resignation from the Audit and Risk Committee, it is recommended that Council resolves to accept the resignation and nominate a replacement.

ATTACHMENTS

Nil

Executive Summary

12.4 Accountability and Transparency Reform Update

Enquiries: (Brianna Alcock: Corporate Development)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To provide an update to Council on the list of measures submitted by Cr Bolam in a document titled Accountability and Transparency Reform.

Recommendation (Corporate Development)

That Council notes:

1. The Accountability and Transparency Reform document;
2. That 12 items are completed and no further action is required;
3. That a Briefing will be scheduled to further discuss the Accountability and Transparency Reform document and the additional items that have been introduced since the last update; and
4. That a further update will be provided at its Ordinary Meeting in November 2019.

Key Points / Issues

- At its meeting on 13 May 2019, Council resolved:
That Council notes:
 1. *The Accountability and Transparency Reform document;*
 2. *That the items shaded in orange have been actioned and no further response is required;*
 3. *That a briefing will be scheduled to further discuss the items shaded in red;*
 4. *That an update on the items to be actioned will be presented to Council at its meeting in August 2019.*
- A briefing was held with Councillors on Monday 8 July 2019 to provide an update on the outstanding list of measures within the Accountability and Transparency Reform document. Mayor Councillor O'Reilly, Councillor Hampton, Councillor Aitken, Councillor McCormack, Councillor Toms, Councillor Mayer and Councillor Bolam were in attendance.
- A meeting was also held with Councillor Bolam on Monday 22 July to discuss items that required further clarification.
- The Accountability and Transparency Reform document has been updated and contains the items to be actioned, officer comments, responsible Directorate and responsible officer. It has also been coded as follows:
 1. Blue: Completed or already in place, no further action required
 2. Green: On track and still needs to be actioned
 3. Yellow: Currently off track, but is recoverable

12.4 Accountability and Transparency Reform Update**Executive Summary****4. Red: Off track and further time is required for completion**

- The Accountability and Transparency Reform document originally contained 160 items in May 2018, of which 87 items were identified as already being in place. A further 45 items were then actioned and completed with the result being reported at the Council Meeting in February 2019.
- Since May 2019, 12 items have been actioned and are now marked as completed.
- There are still 22 items remaining and officers will continue to report on the items until they have been implemented.
- Five (5) of the remaining 22 items are new items that have been added since Council last considered this matter in May 2019. These relate to external bodies, travel, goods and services, Council's funds and reserves and professional development. These items have been provided to Council under separate cover.
- A briefing will be scheduled with Councillors to further discuss the Accountability and Transparency Reform document and the additional items that have been introduced since the last update.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

Advice was sought from Maddocks on three matters listed in the Accountability and Transparency Reform document and the costs associated with this advice was accommodated within existing budgets.

Consultation**1. External Stakeholders**

Maddocks were asked to provide advice on three matters listed in the Accountability and Transparency Reform document.

2. Other Stakeholders

Councillors were briefed on the Accountability and Transparency Reform on Monday 8 July 2019. The Executive Management Team (EMT) and Management Team were asked to provide comments on their respective items.

Analysis (Environmental / Economic / Social Implications)

There are no environmental, economic or social implications that impact the decision of this report.

12.4 Accountability and Transparency Reform Update**Executive Summary****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

Some of the items have legal implications and the advice provided from Maddocks Lawyers has previously been provided to Councillors under separate cover.

Policy Impacts

There are no policies or protocols that affect the decision of 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

Any risks identified in any of the actions have been addressed by Council officers in the comments provided.

Conclusion

The Accountability and Transparency Reform document will be monitored and reported on a regular basis until all actions have been completed.

A briefing will be scheduled with Councillors to further discuss the Accountability and Transparency Reform document including the additional items that have been introduced since Council last considered this matter in May 2018.

It is recommended that Council notes the report.

ATTACHMENTS

Attachment A: [↓](#) Accountability and Transparency Reform - Cr Bolam List - as at 25 July 2019

Attachment B: [⇒](#) Accountability and Transparency Reform document - new items and items requiring further discussion (*Under Separate Cover*)



ACCOUNTABILITY AND TRANSPARENCY REFORM

As at 25 July 2019

Overview:

The Accountability and Transparency Reform document is comprised of items to which Councillors have provided input. It originally started with 160 items in May 2018, of which 87 items were identified as already being in place. A further 45 items were then actioned and completed with the result being reported at the Council Meeting in February 2019. These items related to matters that are delivered by service units within Council. Each of the items are to be considered and implemented as determined by Managers. Once all remaining items have been actioned, this document will be completed.

Overall Summary:

- 17 items are currently in progress – four (4) require further discussion with Councillors;
- 12 items are completed; and
- Five (5) new items have been added since Council last considered this matter in May 2019, which need to be discussed with Councillors

Legend for Status:

- Off Track
- Recoverable
- On Track
- ✓ Completed

ITEM		PROGRESS COMMENTS	STATUS
CHIEF EXECUTIVE OFFICE			
	Responsible Manager	Item	
1	Chief Executive Officer	That any report to Council is to include an 'Ethics and Probity' section to consider any governance issues within the context of a given report.	■
2	Chief Executive Officer	That the CEO's Report is to be expected of all future CEO's of Frankston City Council	✓
3	Chief Executive Officer	The CEO is to review existing consultancy usage and report back to Council on any identified 'knowledge deficits' within the organisation (areas requiring staff training, additional staff) based on consultancy expenditure	■
4	Executive Assistant to Mayor	That where a Councillor briefing has occurred on an issue being debated before Councillors in the Council Chamber, the report of the issue at hand is to include the date of the briefings/s and the Councillors in attendance.	✓
5	Chief Executive Officer	Where Councillors fail to attend less than 50% of briefings in a quarterly period, a report is to be provided to Council on an explanation as to why such Councillors are not attending said briefings.	✓
6	Chief Executive Officer	Where ambiguity may exist, the CEO and Mayor are to attempt to resolve complaints against Councillors and Staff before such complaints are elevated to the Local Government Inspectorate	✓
CORPORATE DEVELOPMENT			
	Responsible Manager	Action	
7	Manager Governance and Information	Where the CEO and/or EMT serve on any external committees outside of Frankston City Council (but in relation to Frankston City Council duties), he/she is to provide a report to Council. This can be done in the form of the quarterly report to Council.	✓
8	Manager Governance and Information	That the Caretaker Policy be amended to reflect the need for the completion of Notice of Motions / Outstanding reports prior to the initiation of the caretaker period of a given Council Election year. Where a Notice of Motion / Outstanding report is not going to be completed by the beginning of caretaker mode in a Council Election year, Councillors are to be advised in the form of a report outlining outstanding motions and reports that cannot be completed prior to the enactment	■

		of caretaker mode with a roadmap for completion in the new Council term.		
		ACTIONS	PROGRESS COMMENTS	STATUS
CORPORATE DEVELOPMENT (continued)				
	Responsible Manager	Action		
9	Manager Governance and Information	That online databases (that can be accessed by the public) be created for the following: a) Council submissions to State and Federal governments; b) Funding council has applied for to State and Federal governments;	A database containing details of submissions and funding that Council has applied for to State and Federal Governments is being prepared by officers. This will be finalised and placed on the Council website by the end of October 2019.	■
10	Manager Governance and Information	That a lobbyist/developers register be created for officers and Councillors to declare when they have met with (external) lobbyists and/or developers. Furthermore the terms 'lobbyist' and 'developer' be properly defined so Councillors and staff are not vague on the terms	"Thumbs up" Policy as a result of the NOM resolution. Implemented a register listing discussions held with developers. The Register will be updated to include lobbyists.	■
11	Manager Governance and Information	That a database, similar to the one in operation at the City of Rochester, New York (United States), to allow the wider public to peruse Freedom of Information outcomes (or the alternative proposition proposed in .58) online ('Reading Room') be adopted at Frankston City Council.	Legal advice received by Maddocks stated that if the information is limited to a basic summary of what was asked for and what was provided, then this may be okay. If the database extends to republication of the documents to which access has been given to an FOI applicant, there is a legal risk to Council. There may also be implications for the privacy of individuals whose names appear or whose identity is disclosed online. It is recommended that a basic summary of what was asked for and what was provided be made available in the CEO's Report.	■
12	Manager Commercial Services	That in relation to the award of 'preferred tenderers' – successful tenders are not to be announced until all necessary negotiations have concluded (i.e. Frankston Basketball Stadium redevelopment)	Agreed - successful tenders are not to be announced until all necessary negotiations have concluded.	✓
13	Manager Commercial Services	That a contractors Code of Conduct / Guiding Principles be created	The draft Contractors Code of Conduct has been completed. Awaiting review by Maddocks. Due to be finalised by end of October 2019.	■
14	Manager Commercial Services	That a quarterly briefing be provided to Councillors on the greatest organisational risks that require attention (strategic and organisationally)	This will be reported to Council every 6 months. Months will be April and September each year on the risk reporting.	✓
15	Manager Commercial Services	In light of the Frankston Football Club insolvency, the CEO is to demand of community sporting groups to produce annual documentation to determine the fiscal health of a said club. This information is to then be presented to Councillors, at a briefing, in the form of a 'solvency scale' per sporting club. This information may be helpful insofar determining whether to renew leases and the Council playing a role in rallying the community to assist clubs that may be severely struggling.	Community Sporting Clubs can occupy Council land in several ways. These are: • a Seasonal Tenancy arrangement (majority of football/cricket clubs) • a Lease (mainly Tennis/Netball/Bowls/St Kilda) • a Licence (Dog Training/Equestrian) Seasonal Tenancy agreements are managed by officers in the Recreation team in Community Strengthening. The Seasonal Tenancy Application requires Clubs to submit Financial Statements including, Profit and loss, balance sheet and a current bank statement and latest annual Report. All Lease and Licence agreements entered into in the last 18 months now require the provision of annual financial statements. The Guiding Principles are now in place and require the financial position of any proposed occupier of Council land to be considered. A Draft Property Strategy is currently being finalised and will be presented to Council at its meeting in September 2019.	✓
16	Manager Commercial Services	Availability of a Frankston City Council Lease Register (including terms) to the public upon request	Council's Lease Register will be made available to the public on the Council website by September 2019.	■
17	Manager Commercial Services	Availability of a Frankston City Council Service Contracts Register (for contracts over \$999,000) to the public upon request	Council's Service Contracts Register will be made available to the public on the Council website by December 2019.	■
18	Manager Commercial Services	As is practiced by the City of Gardner in Massachusetts (United States), upon a certain period, tender outcomes (including tender bids) on goods and services are made available online to the public	Tender outcomes are considered commercial in confidence and the provision of making this available online is not recommended, as it would have an adverse effect.	■

ACTIONS		PROGRESS COMMENTS	STATUS	
CORPORATE DEVELOPMENT (continued)				
Responsible Manager	Action			
19	Manager Commercial Services	That all future lease agreements between Council and lease-holders, including sporting clubs, neighbourhood house tenants and community groups, is to include a good governance clause.	Lease agreements differ based on land status and the nature of the tenancy. Adherence to the essential terms are required in lease agreements and ensures good governance. Any breach to the essential terms, requires Council to terminate a lease agreement.	✓
20	Manager Community Relations	That stakeholder surveys are to occur biennially in-house. Stakeholders are to include (but limited to) community groups, sporting clubs and other tiers of government	Customer service surveys are undertaken annually and mystery calls are undertaken quarterly. The Local Government Community Satisfaction Survey is conducted annually through Local Government Victoria and provides results on legislated requirements. The cost to conduct this survey in-house is greater and would mean that benchmarking and comparing with other Councils is not possible.	✓
21	Manager Community Relations	That a report be provided to Councillors annually on the number of public complaints received and which departments they are emanating from. The report should also be comparative and juxtapose results from previous years.	A Complaints Handling Policy will be presented to Councillors at a briefing in September 2019 outlining the approach to monitoring complaints.	■
22	Manager Financial and Corporate Planning	That a report is to be provided to Councillors annually, outside of the Annual Budget, on Council 'fees and charges'. This report is to include how much revenue these 'fees and charges' accrue relative expenditure.	A briefing with Councillors was held on 21 January 2019 to discuss fees and charges. A final report to endorse the Fees and Charges was considered by Council at its meeting on 1 April 2019. This will be reported annually to Council.	✓
23	Manager Financial and Corporate Planning	That all non-statutory fees and service charges under income generation of \$5000 be specifically reviewed within the context of the 2019/2020 Annual Budget.	This will be completed as part of the Mid Year and Annual Budget review.	✓
24	Manager Business and Information Technology	That every term a 'transparency review' is to occur of the Frankston City Council website, the review is to cover, and assess, the types of information openly available via the Council's website to help gauge how open the organisation is, learn about how it can be more transparent and compare its performance in this area with its peer Councils	<p>The Digital Team has undertaken an initial page audit of the Frankston Council website. As a result of this audit, it is proposed that a number of pages be condensed and a new information architecture be implemented. This approach will see the current 821 pages reduced to 508 (313 pages suggested for archive). EMT have endorsed this approach and the changes have been implemented in the Corporate Test website to allow for consultation to be undertaken with relevant internal stakeholders across the organisation before implementing into production. The Digital Team are only looking at content that pertains to digital channels.</p> <p>A separate audit will need to be undertaken for all the content on the website with the relevant internal stakeholders. This will likely occur when the Web Content Strategy has been implemented.</p> <p>The Customer Experience Strategy 2018 – 2022 includes an action to develop and implement a Web Content Strategy. This will ensure simplified and relevant content that aligns with accessibility standards and provides a better customer experience.</p>	■
COMMUNITY ASSETS				
Responsible Manager	Action			
25	Director Community Assets	That all reports to Council which relate to funding for major projects must include 'probability' costs which anticipate additional costs beyond the line-item amount being considered (i.e. Frankston Yacht Club).	A template for Major Projects is currently being established that will cover probability costs. This will be presented to the Major Projects Advisory Committee for further discussion.	■

Executive Summary

12.5 Draft Letter under Seal Policy

Enquiries: (Brianna Alcock: Corporate Development)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To seek Council's support for publicly exhibiting the draft Letter under Seal Policy for consultation with the community.

Recommendation (Director Corporate Development)

That Council:

1. Notes the draft Letter under Seal Policy (Policy) and agrees for it to be publicly exhibited for a period of four (4) weeks; and
2. Seeks a report back to Council no later than the November 2019 Ordinary Meeting to endorse the Policy, taking into account any feedback received by the community.

Key Points / Issues

- A Councillor Briefing (Briefing) was held on Monday 27 May 2019 to review the draft Council Meeting Agenda for the 3 June 2019 Council meeting. The Mayor, Cr Michael O'Reilly, Deputy Mayor, Cr Colin Hampton and Councillors Sandra Mayer, Glenn Aitken, Kris Bolam, Steve Toms and Quinn McCormack were in attendance at this Briefing.
- A Notice of Motion (NOM) was proposed for a Letter under Seal to be presented to an individual within the community. Concerns were expressed by some Councillors that this type of acknowledgement could set a precedent and that a Policy should be developed to provide a clear set of guidelines for determining and recognising individuals or community organisations.
- The draft Letter under Seal Policy (Policy), attached as **Appendix A**, establishes procedures for recognising:
 - individuals and/or community organisations;
 - the service provided by Mayors and Deputy Mayors; and
 - Councillors who have completed significant years of service to Local Government.

This will take the form of a Letter under Seal and be presented formally at an Ordinary Council Meeting or at a function determined by the Mayor.

- It is recommended that the Policy be placed on public exhibition for a period of four (4) weeks. A report, including feedback that may be received by members of the community, will be presented to Council for consideration at its meeting in October 2019 to formally endorse the Policy.

12.5 Draft Letter under Seal Policy
Executive Summary**Financial Impact**

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

Consultation**1. External Stakeholders**

Members of the public will be provided with the opportunity to make a written submission after Council has considered the Policy at its meeting in August 2019. The Policy will be placed on public exhibition for a period for 4 weeks.

2. Other Stakeholders

Internal consultation has occurred with the Councillors Office who will be preparing Letters under Seal and a maintaining a Register.

Analysis (Environmental / Economic / Social Implications)

A clear Policy minimises the potential for confusion and disputes to arise in relation to matters that relate to Letters under Seal.

Legal / Policy / Council Plan ImpactCharter 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

There are no legal or statutory obligations associated with this report.

Policy Impacts

There are no Policies or Protocols that affect the decision of 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

A clear and detailed Policy reduces the potential for disputes to arise on matters relating to Letters under Seal.

12.5 Draft Letter under Seal Policy**Executive Summary****Conclusion**

The attached Policy has been drafted to provide direction for determining and recognising individuals and/or community organisations, the service provided by Mayors and Deputy Mayors and for Councillors who have completed significant years of service to Local Government.

It is recommended that the Policy be publicly exhibited for a period of four (4) weeks prior to returning to Council for formal endorsement.

ATTACHMENTS

Attachment A: [↓](#) Draft Letter under Seal Policy

Letter under Seal Policy D R A F T



Council Policy

A4001507

opportunity » growth » lifestyle

1. Policy statement

This Policy establishes procedures for recognising:

- Mayors and Deputy Mayors at the end of their tenure during their term of **Council**;
- Councillors upon completing significant years of service to Local Government; and
- Individuals and/or community groups for an **outstanding achievement** or **outstanding service** to the community.

2. Reason for Policy

This Policy aims to provide a set of guidelines for determining and recognising individuals and/or community organisations for an **outstanding achievement** or **outstanding service** which has achieved benefits for the Frankston Community, the service provided by Mayors and Deputy Mayors to the Frankston community during their tenure at **Council** and the years of service provided by a Councillor.

3. Scope

Recognition will take the form of a Letter under Seal which will be presented formally at an Ordinary Council Meeting or at a function determined by the Mayor or Chief Executive Officer.

This Policy applies to:

Mayors and Deputy Mayors	for the contribution they have made to the City during their tenure at Council .
Councillors	for the completion of any significant terms of extended service to Local Government i.e. 10, 15, 20, 25 or 30 years, after their anniversary dates.
Individuals and/or community groups (i.e. all residents and persons closely associated with Council)	for an outstanding service that has achieved benefits for the Frankston community or for an outstanding achievement in a particular area i.e. sporting, environmental etc.

This Policy does not consider Citizen of the Year, Young Citizen of the Year, Senior Citizen of the Year and Community Event of the Year Awards as they are separate awards run in auspice with the National Australia Day Council and are given each year on Australia Day. Nor does this Policy address employee service awards, which are administered internally through the Human Resource Department.



4. Authorisation

This Policy is managed by the Governance and Information Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

Mayor, Frankston City

CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Ordinary Council meeting of xxxx.

5. Revision date

This Policy will be reviewed and presented to **Council** within the first 12 months of a General Council Election or earlier as deemed necessary by **Council**, and therefore once within each subsequent **Council** term.

6. Principles

Mayors and Deputy Mayors

1. A Letter under Seal will be awarded to an outgoing Mayor and Deputy Mayor in recognition of their service to the community during their tenure.
2. A report will be prepared and considered by **Council** at its Special Statutory Meeting in November to award a Letter under Seal to an outgoing Mayor and Deputy Mayor in recognition of their service to the community. Where a Councillor has been Mayor or Deputy Mayor in their final term of **Council**, a report will be prepared and considered by **Council** at its Ordinary Council Meeting in September to award a Letter under Seal.
3. After **Council** resolves to award a Letter under Seal to an outgoing Mayor and Deputy Mayor, the Mayor and Councillors office will be prepare the letter and the **Council's** common seal will be affixed. This will be presented by the incoming Mayor at a function determined by the Mayor or Chief Executive Officer.
4. The Register will be updated by the Councillors Office.

Councillors

1. A Letter under Seal will be awarded to a Councillor in recognition of their years of service to Local Government.
2. A report will be prepared and considered by **Council** at its Ordinary Council Meeting in September to award a Letter under Seal to a Councillor who has served as a Councillor for 10, 15, 20, 25 or 30 years.
3. After **Council** resolves to award a Letter under Seal to a Councillor, the Mayor and Councillors Office will prepare the letter and the **Council's** common seal will be affixed.

Policy:	Date approved:
Approved by:	Last revision:



4. This will be presented by the Mayor either at an Ordinary Council Meeting or a function determined by the Mayor or Chief Executive Officer.
5. The Register will be updated by the Councillors Office.

Individual / Community Groups

1. A Letter under Seal may be awarded to an individual or community group in recognition of an **outstanding achievement** or **outstanding service** that has achieved great benefits to the Frankston municipality.
2. Nominations are to be informally discussed by Councillors at a briefing and must be agreed by the majority, prior to any Notice of Motion being put to **Council**.
3. The Councillor who is wanting to submit a nomination for an individual or community group, will need to provide material to support their nomination, to enable Councillors to make a well informed decision on whether to award a Letter under Seal to an individual or community group.
4. Up to four (4) nominations for a Letter under Seal to an individual or community group can be issued during each Mayoral term year. It will be at the Mayor’s discretion if further nominations will be considered.
5. After **Council** resolves to award a Letter under Seal to an individual or community group, the Mayor and Councillors office will prepare the letter and the **Council’s** common seal will be affixed. This will be presented by the Mayor at the next scheduled Ordinary Council Meeting or a function determined by the Mayor or Chief Executive Officer.
6. The Register will be updated by the Councillors Office.

7. Roles and responsibilities

Chief Executive Officer	will be responsible in determining the nominations of an individual or community group submitted by a Councillor through a Notice of Motion to ensure it complies with this Policy.
Manager Governance and Information	will be responsible for ensuring the Policy is implemented and maintained.
Mayor and Councillor Support	will be responsible for: <ul style="list-style-type: none"> • preparing Letters under Seal and making arrangements for the individual(s) and/or community group(s) to attend a Council Meeting to receive their Letter under Seal; and • maintaining a Register of all Letters under Seal.

8. Policy non-compliance

Council reserves the right to withdraw a Letter under Seal to an individual and/or community group if it is considered that they have not complied with the spirit of the Policy.

Policy:	Date approved:
Approved by:	Last revision:

9. Related documents

There are no other related documents that will need to be read in conjunction with this Policy.

10. Administrative updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this Policy.

Where an update does not materially alter this Policy, such a change may be made administratively. Examples of this may include a change to the name of a **Council** department as a result of a restructure or change in management, a change to the name of a Federal or State Government department or minor updates to legislation which does not have a material impact.

Any substantial changes will require a resolution of **Council**.

11. Implementation of the Policy

This Policy will be published on **Councils** website and intranet so it can be used by **Council** officers when responding to queries in relation to the award of a Letter under Seal.

12. Definitions

Council: means Frankston City Council

Outstanding achievement: means recognising outstanding performance by an individual or community group who are known for their continued commitment to excellence in endeavours of sport, environmental, economic or leadership. Leadership will have been demonstrated by the individual or community group as an achievement and/or commitment to enhancing the City of Frankston in the best interests for the community.

Outstanding service: means recognising an individual or community group who has made a significant contribution to the community for a period of 20 years or more, through their time, actions, talents and dedication. The individual or community group will have a passion for helping others in their community outside any volunteer work done for their employer.

Policy:	Date approved:
Approved by:	Last revision:

Executive Summary**12.6 Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form**

Enquiries: (Brianna Alcock: Corporate Development)

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.1 Services
Priority Action	4.1.4 Optimise the community's ability to access services and information

Purpose

To seek Council's support to publicly exhibit the draft Public Commemorative Tribute and Memorial Policy and Application Form for community consultation.

Recommendation (Director Corporate Development)

That Council:

1. Notes the Public Commemorative Tribute and Memorial Policy (Policy) and Application Form and agrees for them to be publicly exhibited for a period of four (4) weeks; and
2. Seeks a report back to Council no later than the November 2019 Ordinary Meeting to endorse the Policy and Application Form, taking into account any feedback received by the community.

Key Points / Issues

- Council endorsed the Donated Memorials on Council Land Policy at its meeting on 4 May 2009. This provided a process for officers to use in assessing occasional requests to donate memorial seats etc. on Council owned and managed land.
- Previously, officers had not experienced processing donated memorial requests. Since then, officers have assessed around 35 applications and a number of gaps have been identified during this time.
- The current Donated Memorials on Council Land Policy does not specifically address what is considered a "significant contribution" by a person, group or organisation. There are no guidelines on the plaque wording, placement of plaques, verifying of claims made in an application, consultation with relevant community groups, requests for monetary contribution or any clear steps in the process in general.
- The proposed Public Commemorative Tribute and Memorial Policy (Policy), attached as **Appendix A**, provides a basis for the management of commemorative tribute and memorial requests, including road side memorials and will ensure an appropriate process is followed from receipt of an application, assessment, approval, appeal and placement through to ongoing maintenance of all requests.
- All applications will be managed by Council's Governance Unit, including any requests that are referred by the public to Members of Parliament, internal departments of Council and Councillors.

12.6 Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form**Executive Summary**

- It is proposed that:
 - (a) approval shall only be granted for persons, groups or organisations who have made a significant contribution or have been recognised for a significant achievement or event for a minimum of 10 years, which must be demonstrated.
 - (b) Requests for the foreshore, high profile reserves or parks on Crown Land are not considered appropriate and will generally not be accepted.
 - (c) The location proposed must have relevance to the person, group or organisation and cannot impact or diminish the intended purpose and functionality of the location.
 - (d) Any costs associated with a commemorative plaque or memorial will be fully funded by the applicant, including any ongoing maintenance costs for the life of the plaque or memorial i.e. maximum of 10 years.
 - (e) All temporary road side memorials on roads that are managed by Council will remain for a period not greater than 15 months, unless it becomes obstructive to traffic or unsafe and therefore will be removed.
 - (f) Existing commemorative tributes and memorials will not be taken as a precedent for future proposals and as such, any requests will be considered on its merits.
- A Public Commemorative Tribute and Memorial Application Form has also been prepared, which is attached as **Appendix B** and includes a fact sheet on the process.
- The proposed Policy will provide better guidance to community members and organisations seeking to commemorate a person, group or organisation and a clearer direction for Council officers assessing applications and providing a course of action.
- It is recommended that the Policy and Application Form be placed on public exhibition for a period of four (4) weeks. A report, including feedback that may be received by members of the community, will be presented to Council for consideration at its meeting in October 2019 to formally endorse the Policy and Application Form.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

12.6 Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form**Executive Summary**

There are financial costs associated with the maintenance of sites where a memorial is located, however, these costs can be accommodated within existing budgets. Any costs associated with a commemorative plaque or memorial will be fully funded by the applicant, including any ongoing maintenance costs for the life of the memorial i.e. maximum of 10 years.

Consultation**1. External Stakeholders**

The Policy and Application Form will be placed on public exhibition for a period of 4 weeks following in principle support by Council.

2. Other Stakeholders

The Executive Management Team, Commercial Services Manager, Property Coordinator, Operations Manager, Specialist Vegetation Coordinator, Parks and Gardens Coordinator, Engineering Services Manager, Capital Works Delivery Manager, Open Space Coordinator were consulted on the proposed Policy and Application Form.

Analysis (Environmental / Economic / Social Implications)

The proposed Policy provides a clearer process and course of action for Council and a better understanding for members of the public or organisations who wish to submit an application for a commemorative tribute or memorial request.

A commemorative tribute or memorial generally have a social, historical and aesthetic significance to the local and broader communities. They are valued by the community as tangible markers commemorating significant people or events associated with the municipality. Consideration of proposals for new memorials must be undertaken in the context of the expectations of the community and Council.

Legal / Policy / Council Plan ImpactCharter 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

There are no legal or statutory obligations associated with this report.

Policy Impacts

The current Donated Memorials on Council Land Policy, endorsed by Council at its meeting in May 2009, provides a general overview of the process, criteria and costs and do not provide a clear process or course of action for Council officers.

The proposed Policy will provide better guidance to community members and organisations wanting to commemorate a person, group or organisation and a clearer direction for Council officers assessing applications and providing a course of action.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

12.6 Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form**Executive Summary****Risk Mitigation**

The current Donated Memorials on Council Land Policy is too general in nature and does not provide a clear process for officers. There are also no guidelines for the verification of claims made in an application. Therefore, there could be a potential reputational risk to Council if a person, group or organisation was honoured through a commemorative tribute or memorial and may have a history i.e. criminal record.

The proposed Policy provides a more detailed process for Council officers and ensures that all necessary steps are undertaken in the best interests of the community and Council.

Conclusion

The current Donated Memorials on Council Land Policy does not specifically address what is considered a “significant contribution” by a person, group or organisation. There are no guidelines or clear steps in the process generally.

The proposed Policy provides a basis for the management of commemorative tribute and memorial requests, including road side memorials and will ensure an appropriate process is followed.

It is recommended that the proposed Policy be endorsed for public exhibition for a period of four weeks and takes into account feedback from the community.

ATTACHMENTS

Attachment A:[↓](#) Public Commemorative Tribute and Memorial Policy

Attachment B:[↓](#) Public Commemorative Tribute and Memorial Application Form

Public Commemorative Tributes and Memorials Policy



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opportunity » growth » lifestyle

1. Policy Statement

Council acknowledges that from time to time, that people may wish to commemorate a person, group or organisation who have made a **significant contribution** to the social, cultural or civil aspects of the Frankston municipality.

2. Reason for policy

This policy is intended to establish a consistent approach in the management of applications and assessments for commemorative **tributes** and **memorials** that are requested for road and public reserves, parks, gardens, and /or public owned spaces situated on land owned or managed by Frankston City Council.

3. Scope

This policy applies to all proposed commemorative **tributes** and **memorials** to be situated within the Frankston municipality, whether in parks, road and public reserves, gardens, streetscapes or in any **public open space** on land owned or managed by Frankston City Council.

Public Art Works and Sponsorship do not fall within the scope of this Policy.

4. Authorisation

This Policy is managed by the Governance and Information Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

Mayor, Frankston City

CEO, Frankston City Council


in accordance with Frankston City Council resolution at its Ordinary Council meeting of xxxx

5. Revision Date

This Policy will be reviewed and presented to Council no later than May 2025 or earlier as deemed necessary by Council.

6. Principles

- 6.1 Council recognises that people may wish to acknowledge a person, group or organisation for their **significant contribution** to the Frankston municipality through a commemorate **plaque** or **memorials** within areas that are managed by Frankston City Council.

- 
- 6.2 Any person can submit an application for a commemorative **plaque** or **memorials** which will be assessed by Council officers in accordance with the Public Commemorative Tribute and Memorials Protocol.
- 6.3 Approval shall only be granted for persons, groups or organisations who have made a **significant contribution** for a minimum of 10 years or have been recognised for a significant achievement or event, which will need to be demonstrated.
- 6.4 Requests for the foreshore, high profile reserves or parks on Crown Land are not considered appropriate and will generally not be accepted. Exceptions may apply for persons, groups or organisations who have made a **significant contribution** for a minimum of 10 years or have been recognised for a significant achievement or event, which will need to be demonstrated. These requests may be referred to Council for consideration.
- 6.5 The location proposed by the **applicant** must have relevance to the person, group or organisation and cannot impact or diminish the intended purpose and functionality of the location.
- 6.6 The location should not be hazardous to passing traffic or prevent appropriate maintenance of a road reserve, for requests relating to road side **memorials**.
- 6.7 The **applicant** will be required to seek permission in writing for the commemorative **plaque** or **memorials** from the family or a member of the family.
- 6.8 Consideration of requests for commemorative **tributes** and **memorials** must be in the best interests of the community and Council.
- 6.9 Council does not allow donated **memorials**, commemorative or acknowledgements for the promotion or advertising of commercial businesses, political or religious groups.
- 6.10 Council does not allow corporate branding i.e. logos for groups or organisations to be placed on a commemorative **tribute** or **memorial**.
- 6.11 Existing commemorative **tributes** and **memorials** will not be taken as a precedent for future proposals and as such, any requests will be considered on its merits.
- 6.12 Any costs associated with a commemorative **plaque** or **memorials** will be fully funded by the **applicant**, including any ongoing maintenance costs for the life of the **memorials** i.e. maximum of 10 years.
- 6.13 Every effort will be made to maintain the commemorative **plaque** or **memorials** on Council Land. Council cannot guarantee that it will remain at the designated site indefinitely. It is envisaged that the commemorative **plaque** or **memorials** will remain for a maximum of 10 years from the date of installation, with the following exemptions:
- The area of which the commemorative **plaque** or **memorials** is to be redeveloped;
 - Use of the site changes significantly in character and the commemorative **plaque** or **memorials** is deemed not suitable for that area; or
 - If the commemorative **plaque** or **memorials** becomes unsightly or unsafe, it will be removed.

Prior to any removal or change of location, every attempt will be made to contact the **applicant** to discuss relocation or removal of the commemorative **plaque** or **memorials**.



6.14 All temporary road side **memorials** on roads that are managed by Council will remain for a period not greater than 15 months, unless it becomes obstructive to traffic or unsafe and therefore will be removed. Every attempt will be made to contact the **applicant** to discuss the removal.

7. Roles and responsibilities

- 7.1 All applications are to be managed by the Governance Unit, including any requests that may be referred by the public to internal departments of Council or Councillors.
- 7.2 Any requests that may be referred by Members of Parliament will be managed by the Governance Unit.
- 7.3 The Governance Unit is responsible for maintaining a register of all requests received for commemorative **tributes** and **memorials** applications.
- 7.4 All applications will be assessed by Council officers across various internal departments at Frankston City Council and the final decision will be made by the Governance Unit.
- 7.5 Approval for larger or high profile public commemorative **tributes** and **memorials** features may include consultation and or endorsement of the Executive Management Team (EMT) or Council, however, these types of requests are generally not supported.

8. Appeals and Complaints Handling

Applicants and members of the public who disagree with a decision on a commemorative **tribute** or **memorial** can request that a review be undertaken and investigated.

A request for an appeal or complaint handling must be made in writing and within 7 days of the decision being made. All relevant and supporting information should accompany the appeal.

The documentation must be addressed to:

Manager Governance and Information
Frankston City Council
PO Box 490
Frankston VIC 3199

This can be hand delivered to the Civic Centre or emailed to governance@frankston.vic.gov.au.

All decisions are final and will be provided in writing.

9. Related Documents

- Naming Rules for Places in Victoria 2016
- Road Management Act 2004
- Vic Roads Roadside Memorials Policy
- Crown Land Reserves Act 1978
- Public Commemorative Tribute and Memorials Protocol
- Public Commemorative Tribute and Memorials Application Form

10. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be implemented following endorsement by Council and will be maintained by the Governance and Information Department. Information about the application process will be provided on the Council website and key internal stakeholders will be notified.

11. Definitions

Applicant – the person, group or organisation submitting the proposal.

Council owned or managed land – Land which is owned freehold by Council or for which Council is on the appointed Committee of Management.

Memorials – is defined, for the purpose of this Policy, as a monument, bench seat, statue, water fountain, rock, small wall, garden or path type structure, in memory of a deceased person or recognition of a person, group or organisation.

Plaque – a flat tablet made of metal which includes text and or engraved images which is fixed to a bench seat, wall, statue or other surfaces.

Public Open Space – is defined, for the purpose of this Policy, as land that is available, and zoned to the public for recreation or sport or has a conservation or aesthetic purpose. Open space can include reserves, parks, trails, walking tracks and pathways, sportsgrounds, the foreshore, civic areas, play spaces and streetscapes.

Recipient – the beneficiary of a *tribute* or *memorials*.

Significant Contribution – is defined, for the purpose of this Policy as someone or a group of persons that have gone above and beyond what would reasonably be expected through their dedication, exemplary service or voluntary contribution to the Frankston municipality or has left a tangible legacy to the Frankston municipality as part of their life's achievements for a minimum of 10 years. Nominated anniversaries or events must be unique and highly significant to the history of the Frankston municipality. Nominated events of historical or cultural significant purposes must be highly significant to a particular site within the municipality.

Temporary Roadside Memorials – is defined, for the purpose of this Policy, as any object constructed, erected or placed on the road or within the road reserve to commemorate a person due to a road fatality. This includes wooden crosses, flowers, ribbons and pictures.

Tribute – is defined, for the purpose of this Policy, a memorialisation of a person, group or organisation, as a sign of respect or admiration, acknowledging their accomplishments and/or achievements for the Frankston municipality.

Public Commemorative Tribute and Memorial Application Form



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opportunity » growth » lifestyle

FACT SHEET

This form should be used by a person, group or organisation who is wanting to submit an application for a proposed public commemorative tribute or memorial.

1. Any person can submit an application for a commemorative plaque or memorial which will be assessed by Council officers in accordance with the Public Commemorative Tribute and Memorial Policy.
2. Approval shall only be granted for persons, groups or organisations who have made a significant contribution or have been recognised for a significant achievement for a minimum of 10 years, which will need to be demonstrated.
3. Requests for the foreshore, high profile reserves or parks on Crown Land are not considered appropriate and will generally not be accepted. Exceptions may apply for persons, groups or organisations who have made a significant contribution for a minimum of 10 years or have been recognised for a significant achievement or event, which will need to be demonstrated. These requests may be referred to Council for consideration.
4. The location proposed by the applicant must have relevance to the person, group or organisation and cannot impact or diminish the intended purpose and functionality of the location.
5. For temporary road side memorials, the location should not be hazardous to passing traffic or prevent appropriate maintenance of a road reserve managed by Council and can only remain for a maximum period of 15 months.
6. Permission is required from the family or member of the family in writing.
7. Consideration of requests for commemorative tributes and memorials must be in the best interests of the community and Council.
8. Council does not allow donated memorials, commemorative or acknowledgements for the promotion or advertising of commercial businesses, political or religious groups.
9. Existing commemorative tributes and memorials will not be taken as a precedent for future proposals and as such, any requests will be considered on its merits.
10. Any costs associated with a commemorative plaque or memorial will be fully funded by the applicant, which includes ongoing maintenance costs for the life of the commemorative plaque or memorial i.e. 10 years.

11. Every effort will be made to maintain the commemorative plaque or memorial on Council Land. Council cannot guarantee that it will remain at the designated site indefinitely. It is envisaged that the commemorative plaque or memorial will remain for a period of not less than 10 years from the date of installation, except for temporary road side memorials which will have a period of 15 months, with the following exemptions:

- The area of which the commemorative plaque or memorial is to be redeveloped;
- Use of the site changes significantly in character and the commemorative plaque or memorial is deemed not suitable for that area; or
- If the commemorative plaque or memorial becomes unsightly or unsafe, it will be removed.

12. Prior to any removal or change of location, every attempt will be made to contact the applicant to discuss relocation or removal of the commemorative plaque or memorial.

HOW TO SUBMIT THE APPLICATION

The application form, along with any supporting documentation, must be addressed and forwarded to the Governance Unit via any of the methods below:

- † **In Person** Frankston City Council - Civic Centre
30 Davey Street
Frankston
- ✉ **By Mail** Frankston City Council
PO BOX 490
Frankston VIC 3199
- ✉ **By Email** Please email the completed application form with any required supporting documentation to: governance@frankston.vic.gov.au

APPEALS AND COMPLAINTS HANDLING

Applicants and members of the public who disagree with a decision on a commemorative tribute or memorial can request that a review be undertaken and investigated.

A request for an appeal or complaint handling must be made in writing and within 7 days of the decision being made. All relevant and supporting information should accompany the appeal.

The documentation must be addressed to:

Manager Governance and Information
Frankston City Council
PO Box 490
Frankston VIC 3199

This can be hand delivered to the Civic Centre or emailed to governance@frankston.vic.gov.au.

All decisions are final and will be provided in writing.



Type of Application

Tick one of the following boxes to indicate type of feature you are applying for:

Public memorial Public commemorative tribute Roadside Memorial

Details of Applicant

Full name of person making the application

Name of group or organisation (if applicable)

Address

Contact Number (Mobile, Work or Home)

Email Address

Details of Individual or Group to be commemorated

Full Name of person, group or organisation to be the recipient of the proposed tribute or memorial:

Is the person you are commemorating deceased? Approximate date of death? (if known)

What is your relationship to the recipient? (eg. family member, friend, belong to the same club or group)



If you are not a member of the recipient's family, has the recipient's family been made aware of your intentions? Have they given permission to have a commemorative plaque or memorial erected? Please attach written confirmation by family.

Summary of any significant contribution, service, achievements or reasons for commemorating a person, group or organisation. This must be validated with documented proof.

(Attach any extra information or documented proof to this form)

Location details

Provide a site location for the proposed commemorative tribute or memorial and what relevance this has to the person, group or organisation:

Type of feature

Please specify type of feature proposed (e.g. memorial bench seat, plaque, rock or other):



Plaque requirements

Is a plaque to be placed on the feature? Yes / No

If yes, provide the proposed text to be included on the plaque below:

Line 1	_____
Line 2	_____
Line 3	_____
Line 4	_____
Line 5	_____
Line 6	_____
Line 7	_____
Line 8	_____

Declaration

I have read and understood Council’s Public Commemorative Tribute and Memorial Policy. I accept that I will be responsible for any costs that may be associated with my application.

Signature of applicant

Date

Privacy Statement

Frankston City Council is committed to protecting your privacy. The personal information you provide will be used to liaise with you about your application and assess your request. Council may need to notify other parties of your application as part of assessing your request and facilitating development of the feature if successful. Your personal information will only be used and disclosed as authorised by law. For further information about how Council handles personal information, or to request access to your personal information, see www.frankston.vic.gov.au or contact Council’s privacy officer on 1300 322 322.

Executive Summary**12.7 Submission to Local Government Bill 2019 Proposed Reforms**

Enquiries: (Brianna Alcock: Corporate Development)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To present to Council its submission on the Local Government Bill 2019 Proposed Reforms.

Recommendation (Director Corporate Development)

That Council notes its submission on the Local Government Bill 2019 Proposed Reforms sent to Local Government Victoria on 12 July 2019.

Key Points / Issues

- A Councillor Briefing was held on 26 June 2019 seeking comments from Councillors on the Local Government Bill 2019 Proposed Reforms, which were announced by the Minister for Local Government on 17 June 2019. At this briefing the Proposed Reforms were discussed with some comments provided and confirmation that a submission should be prepared with further comments provided by 3 July 2019. Councillors present at this Briefing were Mayor Cr O'Reilly, Cr Hampton, Cr Aitken, Cr Bolam and Cr Toms.
- A further discussion was held at the Councillor Briefing on 8 July 2019 noting feedback already provided for a draft submission. It was requested that the submission be made to Local Government Victoria requesting an extension to the due date for comments, along with deferral of the Reforms for at least 12 months. Further to this, that the submission be provided to the Municipal Association of Victoria advising of its support for these requests. Councillors present at this Briefing were Mayor Cr O'Reilly, Cr Hampton, Cr McCormack, Cr Aitken, Cr Toms, Cr Mayer and Cr Bolam.
- Upon announcement of the Local Government Bill 2019 Proposed Reforms, the Minister for Local Government issued a paper outlining six new proposed reforms. The paper requested feedback on the proposed Reforms before 17 July 2019.
- The announcement of the proposed Bill 2019 follows on from a review of the Local Government Act 1989 and an extensive engagement process already undertaken resulting in the Local Government Bill 2018.
- Following the announcement a memo was sent to all Councillors seeking input and feedback on the Proposed Reforms. Councillor feedback was collated and an email sent to Councillors requesting further input. A draft submission was prepared and then discussed with Councillors providing final input.

12.7 Submission to Local Government Bill 2019 Proposed Reforms**Executive Summary**

- A letter of submission was finalised by the Mayor, on behalf of Councillors, outlining a response to the six Proposed Reforms. It requested that the Reforms be deferred for at least 12 months and a three month extension to the feedback period sought be provided. The submission was sent to Local Government Victoria, the Municipal Association of Victoria and forwarded to the Shadow Minister for Local Government and the Leader of the Victorian Greens on 12 July 2019.
- As a result of feedback from the sector, on 15 July 2019 the Minister for Local Government granted an extension of two weeks on the feedback period to 31 July 2019.
- No further information was provided on the Proposed Reforms after the extension date was announced, thus no further submission was provided.
- The submission was also provided to Local Government Professionals (LGPro) for input in response to their draft submission.
- A Local Government Bill 2019 Forum was held on 31 July 2019. The Minister for Local Government presented the Proposed Reforms.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

Consultation**1. External Stakeholders**

There were no external stakeholders consulted on this submission. Local Government Victoria have conducted extensive consultation on the Local Government Bill 2018 and have sought feedback on the 2019 Proposed Reforms.

2. Other Stakeholders

Feedback and input was sought from Councillors in preparing this submission.

Analysis (Environmental / Economic / Social Implications)

There are no known environmental impacts to the submission.

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.

12.7 Submission to Local Government Bill 2019 Proposed Reforms**Executive Summary**Legal

The review of the *Local Government Act 1989* considered all legislation for which the Minister for Local Government has administrative responsibility; that is, the *Local Government Act 1989* and the regulations to that Act, related Acts for the City of Melbourne and the City of Greater Geelong, and the *Municipal Association Act 1907*.

The culmination of this was the Local Government Bill 2018. The proposed 2019 Bill is substantially the same with the addition of six new proposed reforms.

The Minister for Local Government must introduce the Local Government Bill into Parliament for it to be passed and become legislated.

Policy Impacts

The revised legislation that will come out of the review has the potential to significantly impact upon all 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

Failure to respond via a submission to Local Government Victoria on the Proposed Reforms may result in the views of Councillors not being heard and considered. This submission ensures that proper consideration has taken place.

Conclusion

The Local Government Bill 2019 Proposed Reforms were announced by the Minister for Local Government on 17 June 2019 along with a reforms paper, seeking feedback by 17 July 2019.

The Mayor, on behalf of Councillors, provided a submission on 12 July 2019 to Local Government Victoria. It was also forwarded to the Municipal Association of Victoria, the Shadow Minister for Local Government and the Leader of the Victorian Greens.

On 15 July 2019, Local Government Victoria advised the closing date for feedback was extended to 31 July 2019. No further information about the Proposed Reforms was provided. A Local Government Bill 2019 Forum was held on 31 July 2019. The Minister for Local Government presented the Proposed Reforms.

ATTACHMENTS

Attachment A: [↓](#) Letter to LGV - submission on the Local Government Bill 2019

Attachment B: [↓](#) Letter to MAV - Local Government Bill 2019

Attachment C: [↓](#) LG Bill 2019 Consultation Paper



Office of the Mayor

Frankston City Council
30 Davey Street, Frankston, Victoria, Australia
Telephone: +613 8773 9529 Mobile: 0418 721 679
PO Box 490, Frankston VIC 3199
Website: frankston.vic.gov.au

Reference: A4004312
Enquiries: Brianna Alcock
Telephone: (03) 9784 1751

11 July 2019

The Hon. Adem Somyurek MLC
Minister for Local Government
Level 16, 121 Exhibition Street
Melbourne VIC 3000

By email: local.government@delwp.vic.gov.au

Dear Minister Adem Somyurek

Local Government Bill 2019 Reform Proposals

I am writing on behalf of my fellow councillors at Frankston City Council (Council) to express my deep concern about the proposed reforms in the Local Government Bill 2019 (Reforms) and the short timeframes allowed for feedback.

Council is woefully underprepared to contribute to the discussion in any meaningful way given there is little detail on the Reforms, no exposure draft and an apparent fast tracking of implementation. It is clear there is insufficient information available to adequately consider the potential significant impacts these changes may have for councils, councillors and the community.

As you have now heard from the Municipal Association Victoria (MAV), Council urges you to defer the Reforms for at least 12 months to allow adequate time for appropriate consultation and sector wide consideration. It is imperative that an *Exposure Draft* and draft regulations are provided with ample time allowed to ensure any potential issues, cost implications and options are considered.

A three month extension to the feedback period is sought to allow Council to adequately consider the Reforms and provide a sufficient and valuable formal response. Please advise your decision on this request as soon as possible.

Unlike the consultation with the current Reforms, there was extensive consultation with the Local Government Bill 2018. Council supports the MAV's position to re-introduce this Bill to Parliament during the 2019 year.

In the extremely limited time the Councillors have had thus far I can only offer the following initial comments on the proposed Reforms:

Reform 1 - Simplified Franchise

Issues identified

- **Democratic participation in council election process**
This would be a significant change for the democratic processes in local government. Non-resident ratepayers would have the option not to enrol to vote, which may result in rate payers not participating in the election process.
- **Lower percentage of participation in Council decision making**
Despite low percentages of voter participation by non-residents, it is clear that encouraging a lower percentage of non-resident ratepayer votes will result in less community representation and participation in Council decision making. This will evidently impact on council meeting the local needs in the best interests of the community, including both resident and non-resident ratepayers.
- **Problems with the current system are not an adequate rationale**
It appears the main reason for changing the franchise for councils is based on the difficult and imprecise task having to be undertaken by the Victorian Electoral Commission (VEC), with checking and duplication of voter lists. Removing the complication only pushes the strain onto council resources with extensive and more thorough checking ultimately required by the council. This would also result in inconsistencies across the state and require more regular checks with non-resident rate payers to ensure they have been given a fair and transparent opportunity to participate in the electoral process.

Initial position of Council

- **Retain the current voter franchise**
Non-resident ratepayers should participate in the election process.

Reform 2 – Electoral Structures

Issues identified

- **Process for deciding single member wards**
We are concerned about single member wards being recommended by a panel and decided by the Minister for Local Government without having a better understanding of the robust and fully consultative process involved to make such recommendations.
- **Concept of single member wards has perceived mixed benefits**
There are limitations to single member wards in relation to decision making by Councillors considering the needs on behalf of the entire municipality. Multiple member wards are preferred as these are more effective and easier to maintain. Providing the community with options for contact with Ward Councillors can enable better outcomes for the community.

- **Suitability for each council**
What may work for one council may not suit another council, thus consideration should be given to the individual needs of each municipality, a council's operating position, rates effort and percentage of non-resident ratepayers.
- **Time consuming and costly reviews**
The time taken to conduct reviews may be too comprehensive to minimise the impact across the state, involving councils and communities and make it too costly to be undertaken in the proposed timeframes.
- **More cost for the community with by-elections**
Any vacancy experienced in a single member ward structure would result in a by-election with the cost paid for by Council and ultimately rate payers. This cost should be offset by the government to the VEC.

Initial position of Council

- **Retain the current electoral structures**
The current electoral structures should be retained to enable councils to meet local needs.

Reform 3 - Training

Issues identified

- **Recognise prior completion of training**
There will always be a gap for new candidates understanding of the requirements necessary for undertaking the role of a councillor, thus candidate training is a requirement. With almost 50 per cent of candidates participating in training in 2016, there is room to improve, however, this may not be necessary as mandatory for previous candidates. Perhaps a timeframe for when the last training was completed may be an option rather than mandatory training for all candidates.
- **Utilise existing programs**
The MAV 'Stand for Council' program and campaign was delivered to over 1400 participants across 74 councils in 2016 and has run successfully over the last three general elections. This has included an auditable attendance record that can be provided to the VEC going forward.
- **Focus on requirements to properly undertake the role of a Councillor**
It is more important to assist Councillors, once elected, to properly undertake their role. Familiarisation and expectations of the role should be accommodated by the CEO after election, providing training requirements based on individual needs. Councillors must understand the requirements for strategic decision making and develop council and financial plans within their first nine months and this training is imperative. Further consultation is required across the sector should any standardisation or compulsory requirements for training be prescribed for newly elected representatives.
- **Increased cost implications for councils**
Any imposed mandatory training for councillors may lead to increased costs for councils and ultimately the rate payer to ensure the standards are met. This, combined with the penalty for a councillor's allowance to be withheld until the training is completed is too much of a burden on the council and the councillor. The requirements should be well understood by candidates before being appointed as a councillor. Overall, this may lead to candidate pools being diminished and retuning councillors being reluctant to undertake training. Competency based e-learning modules may be an option.



Initial position of Council

- **Provide candidate training for local government elections**
For candidates who have not previously been a candidate or an elected representative, there is a requirement to complete candidate training. Previous training should be recognised.
- **Undertake sector-wide consultation on training requirements for councillors**
Requirements for training will vary across the state. Thorough consultation should be undertaken before enforcing prescribed mandatory training.

Reform 4 – Donation Reform

Issues identified

- **Donations should not be allowed**
Receiving donations for electoral campaigns is not recommended to avoid any potential conflict of interest in relation to any future decision making by Councillors.
- **Suitable gift disclosure threshold**
The reduction in the gift disclosure threshold to \$250 would ensure increased transparency and accountability of Councillors to their community. The current gift disclosure threshold for councillors at Frankston City Council is \$50 so the impact would be minimal.
- **Gift register and gift policy will provide good integrity**
The requirement for all Councils to have a publicly available gift register and gift policy is good practice and part of a council's integrity framework. This would support the reduced gift disclosure threshold and ensure that any donations over \$250, should they be allowed, are declared and transparent to the community.

Initial position of Council

- **Reduced gift disclosure threshold**
The reduction of the gift disclosure threshold to \$250 is supported.
- **Donations cap will require consultation**
There should be thorough consultation across the sector on the proposed cap of \$1000 for donations. We are of the view that donations should not be made.

Reform 5 – Improved Conduct

Issues identified

- **Maintain a consistent standard of conduct**
With most councils already including Councillor Conduct Principles in their codes of conduct it is reassuring that internal integrity controls are in place to uphold the behaviours and conduct of councillors. There can however present some inconsistencies across the state. It can be challenging when councils are developing and adopting their codes when there is limited guidance to what is acceptable. Prescribing standards of conduct in the Regulations would provide a clearer understanding of expectations of behaviour consistently across the state and clarity at a state government level. In addition the arbiter would be better informed when investigating matters that may have breached the standards.
- **Arbitration process is better suited to be managed by the PCCR**
There have been ongoing issues with the internal arbitration process for resolving interpersonal disputes between councillors. It can be problematic for councillors to resolve disputes and puts unnecessary pressure on the proper functioning and role of councillors to make effective decisions on behalf of the community. The current arrangements for councils also does not take into account



the prior training and experience required of the Mayor to deal with complex disputes or the limited tenure of the position of the Mayor being 12 months. The proposal to align the arbitration process with the current Councillor Conduct Panel process makes the process clear, removes any ambiguity, provides impartiality and reinforces the intended role of the councillor. The Principal Councillor Conduct Registrar (PCCR) is well trained and experienced in the role and the legislative requirements to ensure a proper process will be upheld.

- **Arbitration process can be costly**

The extent taken to resolve some internal disputes can be very costly for councils and ultimately the community. It can be drawn out and result in minimal consequences. It would be pleasing to have an expedited process with appropriate penalties deemed by the arbiter. This will provide for better transparency and accountability overall.

Initial position of Council

- **Prescribed standards of conduct will be welcomed**

Prescribing the standards of conduct are supported and consultation across the sector would enable consistency with these expectations

- **Arbitration process should be legislated as proposed**

Further consultation should be sought across the sector to ensure there is a good understanding of the arbitration process in its prescribed form.

Reform 6 – Community Accountability

Issues identified

- **Disqualification by repeated serious misconduct is warranted**

The proposal where a finding of serious misconduct by a councillor on two occasions over an eight year period that can lead to disqualification may be warranted. When the conduct impedes the functioning and role of the council from acting in the best interests of the community it is better to remove that person from office. It is noted, whether that person should be eligible to contest another council election after the next four years.

- **Imbalance of fairness on Commission of Inquiry by petition**

The second proposal where a community initiated Commission of inquiry is appointed as a result of a petition seems unfair and disconnected from the proposals for prescribed conduct and the process of stronger penalties for serious misconduct.

- **Concern for use of social media with petitions**

With the impending introduction of online petitions this opens up the use of social media for generating community interest via a “mob mentality” approach to encourage signing of petitions. This is particularly risky with such a high percentage (25%) of eligible voters being required to sign the petition to enable the Commission of Inquiry to proceed.

- **Politically motivated petitions**

It would be very difficult to prevent a petition from being politically motivated. It is also not clear whether the grounds for the petition could reference specific councillors or not. This could result in reputational detriment to a councillor and potentially expose council to reputational damage. This would ultimately impact on the wellbeing of a councillor and the community and could possibly result in irreparable damage.

- **More costs for council with petitions and inquiries**

There is potential for less controls to be in place with this approach and more administration required by council resources for petitions. The proposed approach is at odds with achieving a democratic outcome.



- **Managing multiple petitions could be messy**
If there were multiple petitions, claims, or other governance conduct related processes underway at the same time, it is not entirely clear how this would be managed concurrently.

Initial position of Council

- **Disqualification proposal warranted**
The proposed reform for disqualification after two findings of serious misconduct are warranted and this is supported.
- **Commission of inquiry by petition is unfair**
There are potentially huge implications for councillors, councils and the community with the proposed commission of inquiry by petition, particularly the cost involved and the damage to reputation. These are significant changes that will require extensive consultation with the sector.

I trust you will give proper consideration to Frankston City Council's request for a deferral on the Reforms and an extension of three months to provide thorough feedback and recognise the initial feedback from my fellow councillors.

Please advise your decision on these requests as soon as possible.

Yours faithfully



Cr Michael O'Reilly
MAYOR – FRANKSTON CITY

CC:
Mr Tim Smith
Shadow Minister for Local Government

Ms Samantha Ratnam
Leader of the Victorian Greens



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Cr Coral Ross
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C/O Ms. Rachel Rodger
By email: rrodger@mav.asn.au

11 July 2019

Dear Cr Coral Ross

Local Government Bill 2019 Reform Proposals

I am writing on behalf of my fellow councillors at Frankston City Council (Council) to advise you of our support for the letter sent by you to the Minister for Local Government on Friday 5 July 2019 on the proposed Local Government Bill 2019 Reform Proposals.

My fellow councillors and I have provided a letter to the Minister with the same intonations. Please find a copy of the letter attached, which also includes initial comments on the proposed Reforms.

I invite you to consider this letter as part of Frankston City Council's input to the MAV's consideration of the Reforms and any submission that may be made.

Please don't hesitate to contact me should you wish to discuss this further.

Yours faithfully

Cr Michael O'Reilly
MAYOR – FRANKSTON CITY

Local Government Bill – A reform proposal



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Local Government Bill – A reform proposal



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Ministerial foreword

Councils are part of our communities, providing infrastructure and services we rely on every day.

To be able to meet the expectations of Victorians, our Councils need to be supported by legislation that empowers them to provide first class services and ensures they are accountable to the communities they serve.

The Andrews Labor Government is committed to deliver a new Local Government Bill this year.

The new Bill has been developed through rigorous consultation with the community, councils and peak bodies and builds on the reforms presented in 2018.

The Labor Government is looking at further reforming electoral laws, making councils more accountable to their communities between elections, improving councillor behaviour and lifting standards by introducing mandatory training for candidates and councillors.

This is an important step in creating strong, effective local councils.

I would like to thank everyone who contributed their time and feedback to develop the new Bill, and I look forward to working together to deliver a modern, effective Act that will help communities better understand and have confidence in their council.



Hon Adem Somyurek MP
Minister for Local Government

Local Government Bill 2019

A Bill intended to become the new Local Government Act for Victorian councils was introduced into Parliament in May 2018. The Local Government Bill 2018 (the 2018 Bill) was passed by the Legislative Assembly but lapsed in the Legislative Council when Parliament expired before the November 2018 Victorian election.

It is proposed that a new Bill be presented to Parliament in 2019. The new Bill will retain the substance of accountability and provision of services and include some additional reforms designed to further improve and strengthen the 2018 Bill.

As the independent review into the local government rating system will provide its recommendations to government by 31 March 2020, previously proposed changes to the rates and charges provisions in the *Local Government Act 1989* (LG Act) will not be introduced in the new Bill. The provisions relating to rates and charges will continue to operate under the LG Act until the rating system review has been completed. The only exception to this will be that the new Bill will amend the LG Act to provide for Environmental Upgrade Agreements to be available to residential properties.

This Paper considers the background to the 2018 Bill. It also describes the proposed additional reforms.



Part 1 – Background

Victoria's councils need to be equipped to deliver a range of services and infrastructure for the diverse communities they represent.

This is why the Victorian Government has spent the past four years reforming the LG Act, the legislative framework that support councils' key functions. The Victorian Government embarked on a local government reform agenda in 2015 with the aim of developing a new principal Act for local government.

Since the current LG Act was made law in 1989, local government in Victoria has undergone significant changes. The 210 relatively small councils in 1989 have been incorporated into 79 larger, more capable organisations. Democratic processes have changed and the functions performed by councils have increased and diversified. Councils now manage over \$90 billion of public infrastructure and deliver services valued at more than \$7 billion each year.

The Victorian Government is working to produce an open, transparent and balanced piece of legislation to ensure councils are more engaged with and accountable to their community, improving the standards and behaviours of councillors and strengthening community confidence with the election process. Communities will also know that action can be taken to hold councillors and councils to account.

The new Local Government Bill 2019 will provide a framework that will revitalise local democracy and improve council governance.

The Bill underpins how Victoria's 79 councils function, and through the LG Act review process the Victorian Government has consulted widely with councils, peak bodies and the wider community to shape an Act that will empower councils to support their communities now and in the future.

The Reform Process

It is the first comprehensive review of the LGA in a quarter of a century, and it responds to calls from the local government sector for legislative reform after over 100 amending acts have resulted in hundreds of individual amendments to the Act in the past 25 years.

The LG Act was reviewed in four stages to ensure the local government sector and wider community were engaged in creating and shaping the new Bill.

- **Stage 1** started with identifying issues, commissioning research papers and forming an advisory committee.
- **Stage 2** involved exploring reform ideas. Six technical working groups made up of local government specialists, explored a range of options at 10 community forums held around the State. These ideas informed the discussion paper, which was published in September 2015 and received 348 submissions in response.
- **Stage 3** saw a detailed examination of specific policy directions. A Directions Paper was released in June 2016 which outlined 157 potential reform directions. Responses to these included 333 written submissions and direct feedback in 18 community forums involving Mayors, council Chief Executive Officers (CEOs) and community members. Further work was then undertaken in technical working groups and meetings with key stakeholder groups from the sector and the community.
- **At stage 4**, the government released an Exposure Draft of the proposed Bill in December 2017. Extensive briefings and public meetings were held to socialise the Exposure Draft. One hundred and ninety submissions were received and analysed in the process of preparing a final Bill for Parliament.

Following extensive consultation, the 2018 Bill was introduced into the Victorian Parliament, proposing significant changes to how councils are governed and the legislative framework. The Bill lapsed when Parliament expired before the November 2018 Victorian election.

However, the work done over the past four years will not be wasted, with the Local Government Bill 2019 expected to be presented to Parliament in 2019. Once passed through Parliament, the Act will be implemented in various stages, over a two year period.

Part 2 Reform Themes

The new Local Government Act will improve the democracy, accountability and service delivery of Victoria's Councils.

A NEW RELATIONSHIP

Example
Minister will no longer set Mayor and Councillor allowances.

To support a **new relationship** between State and local government and the community by removing unnecessary Ministerial approvals and arbitrary powers. Autonomy is provided to councils to develop and adopt their own policies and procedures in accordance with principles of transparency, accountability and sound financial management.

COMMUNITY CONFIDENCE

Improve **community confidence** through reforms to election processes, electoral structures and candidate requirements. A balanced legislative framework will be provided that gives power back to the local community and makes councils and councillors directly accountable.

Example
Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped and foreign donations banned.

05

04



03

IMPROVE CONDUCT

Example
A Councillor no longer being qualified to be a Councillor if they are the subject of two or more findings of serious misconduct.



Improved service delivery through deliberative engagement and principles to support councils in delivering effective essential services.

IMPROVED SERVICE DELIVERY

Example
The development of long term plans and increased scope for Council co-operation.

STRONG LOCAL DEMOCRACY

Strengthen local democracy by making councillors directly accountable to their community.

Example
To provide for more direct accountability it is proposed to move to single member wards for all Councils with the exception of smaller rural shires.

Improved conduct by providing clear standards of behaviour in regulations and stronger mechanisms for conduct breaches, including requiring Councillors to complete training and providing arbiters powers to address misconduct. New mandatory standards of conduct will be prescribed to assist councillors to clearly understand what acceptable conduct is.



Part 3

Proposed Reforms

REFORM

1

Simplified Franchise

It is proposed to make council electoral rolls more closely aligned with the State electoral roll. Voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.

Voter Franchise

Council voters' rolls are a complex mix of state enrolled residents and property based voters. Currently, voters may have elected to be on a roll or may have been enrolled without application.

Why is this proposed?

The proposed arrangement is for people on the State electoral roll to be directly enrolled to vote in their council election and for other people who pay council rates to have a right to apply for enrolment. This type of system is commonly used in other Australian states.

The proposed arrangement will more closely align council electoral rolls with the State electoral roll. This will simplify the council elections process.

Separate arrangements will apply for Melbourne City Council reflecting its unique status.

Under current legislation, the council prepares a list of ratepayer voters and the Victorian Electoral Commission (VEC) combines that list with the State roll to form the Municipal voters' roll. The list of ratepayer voters automatically includes one or two owners for a rateable property.

There are problems with this system. In many cases property owners are already on the State electoral roll, so the VEC must go through every council's list of ratepayers to remove the duplicated voters. This is a difficult and imprecise task.

A further issue is that voting is compulsory for residents on the State electoral roll but not for property-based voters. In practice, voter participation by non-residents is historically low. Well over three quarters of residents on the State roll vote in their council elections whereas less than half the non-resident ratepayers vote.



How will it work?

Changing the voter franchise is proposed to be done in two stages over two election cycles. There are two reasons for this:

- firstly, it will allow time to ensure every person with a voting entitlement has a reasonable opportunity to exercise their rights; and
- secondly, it will allow time to review electoral structures to address changes in the distribution of voters between the wards of some councils.

Stage 1

The voter franchise for the Victorian local government 2020 elections, and any subsequent by-elections, would be as follows:

- State electoral roll voters would continue to be directly enrolled.
- Non-resident property owners who were enrolled would retain their enrolment status as an interim arrangement.
- Non-resident new property owners not previously enrolled will be entitled to apply for enrolment and will not be directly enrolled without application.
- Commercial lessees and company representatives will continue to be entitled to apply for enrolment.

Stage 2

For the 2024 Victorian Local Government elections, the final stage of the reform will come into effect. Non-resident property owners will no longer be directly enrolled to vote in council elections. Owners will be entitled to apply for enrolment if they wish to vote. Each affected person will be notified of the change and provided an opportunity to enrol.

Compulsory voting will continue to apply only to residents on the State roll in 2020. From 2024 however, it will become compulsory for all enrolled voters to vote.

Melbourne City Council Reforms

Melbourne City Council has separate voter franchise arrangements. At that Council, direct enrolment of non-resident owners will continue with one exception. It is proposed to remove the requirement for the Melbourne City Council to directly enroll property owners and corporation representatives whose primary residence is outside Australia. Overseas owners/representatives will retain the right to apply for enrolment. The changes through amendments to the *City of Melbourne Act 2001* will be fully implemented for the 2020 election.



REFORM

2

Electoral Structures

Representative structures and election processes are to be simplified and made consistent.

Electoral Structure

Representative structures and election processes are to be simplified and made consistent. It is proposed to move to a single consistent model of single member wards, unless it is impractical to subdivide a council into wards.

Currently Victorian councils may be constituted in one of five structural models.

Why is this proposed?

Single member wards for each council enable residents to more effectively receive direct representation. Councillors will be more accountable to local communities, fostering true 'local' government.

Consistent application of this model also ensures that all councillors are elected under the same system with equal vote shares within their council. This more closely reflects the way members of Parliament are elected.

How will it work?

It is proposed that an unsubdivided municipality model option will be available to those councils whose demographic profile make division into wards inappropriate, e.g. councils with large geographical areas and small populations (such as some rural councils). It is intended that the Electoral Representation Advisory Panel will investigate and advise the Minister in relation to structures for those councils that are of the type specified by the Minister as being potentially permitted for unsubdivided arrangements.

The option for councils to be constituted as multi-member wards will be removed.



REFORM

3

Training

Communities deserve the highest calibre councillors representing local community issues. It is proposed to introduce new requirements on candidates and councillors to improve competency, skills and transparency.

Election Candidates – Mandatory Training

All candidates for council elections will be required to undertake mandatory training as a condition of their candidature. The level of training required will be carefully balanced against the need to not create an unnecessary barrier to participation.

Since 2016 all candidates for local government elections have been able to choose to outline what training they have completed relevant to the councillor role in the Candidate Questionnaire published on the VEC website. Many councils provide access to free training sessions for potential candidates prior to council elections.

Almost 50 per cent of all candidates for the 2016 general election said they undertook training.

Within the first nine months in office councillors are required to make major strategic decisions and develop council and financial plans, a budget, and other matters. Councillors who come into office with a strong understanding of the strategic decision-making role a councillor must perform, will be better equipped to contribute to this important work.

Why is this proposed?

People nominating as candidates in local council elections sometimes have limited understanding of the role they are putting themselves forward for. Concerns also exist about candidates' understanding of the level of commitment required to undertake the role of councillor. In addition, many people don't understand what a councillor can legally do in their role.

How will it work?

All candidates in council elections will be required to demonstrate that they have undertaken relevant training. The VEC will reject any nominations that fail this test.

The nature of the mandatory training will be the subject of further consultation with the local government sector and then prescribed in Regulations.

Councillor Induction Training

Why is this proposed?

Requiring all councillors to complete mandatory training will improve their standards and capability to meet the requirements of office. A lack of understanding of the requirement of the role of councillor has been identified as a cause of diminished operational effectiveness in many councils.

How will it work?

Councillor induction training will be arranged by the Chief Executive Officer for councillors within six months of being elected. It will contain information relating to the role of a councillor, the Councillor Code of Conduct, conflicts of interest and any other prescribed matters, and will be subsequently prescribed in Regulations.

If a councillor fails to take the councillor induction training within the specified time, their allowance will be withheld until such time the councillor has taken the training, at which point the allowance will be refunded.

REFORM

4

Donation Reform

A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections.

Why is this proposed?

Controlling electoral donations and gifts will improve the integrity and transparency of the donations process. This will increase community confidence in council decision making by making sure that decisions are made purely on merits.

How will it work?

- Foreign donations will be banned. Donors will need to be an Australian citizen or resident, or a business with an Australian Business Number.
- Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$1000 for Victorian local government elections, in respect of each 'donation period' – that is, commencing 30 days after the last general election or 30 days after the last election for which a candidate was required to give a return (whichever is later), and 30 days after the election day of the current election.
- The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors, subject to requirements of the Bill, will change from the \$500 proposed in the 2018 Bill, to \$250 for all councils.
- All councils will be required to have a gift register and a publicly transparent gift policy covering the acceptance and disposal of gifts by councillors and staff.

Melbourne City Council Reform

- Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$4,000 for Melbourne City Council elections.
- The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors will remain at \$500 for the Melbourne City Council.



REFORM

5

Improved Conduct

Councillor conduct is an ongoing challenge for the local government sector. It is proposed to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions.

Prescribed standards of conduct

Why is this proposed?

Consultation with the local government sector and community groups has revealed that councils need more assistance in developing and enforcing their codes of conduct. To date, councils have had to develop and adopt their codes of conduct with limited guidance. As a result, codes vary widely in size, scope and content. An examination of existing councillor codes of conduct shows that they vary in size from three pages to 145 pages and that most only deal with conduct standards in broad terms. Many include internal council procedures with limited connection to conduct standards.

Most councils include the Councillor Conduct Principles in their codes. These Principles are specified in the LG Act and, while they may have been contemporary when first legislated in 2008, they have proven to be too general in nature to be a practical benchmark for good conduct. Councils not including the Principles generally include other material of a similar nature in their Codes.

Councils have internal resolution procedures whereby an independent arbiter can assess whether a councillor has followed the code of conduct. More specific standards of conduct need to be applied for this process to work effectively.

How will it work?

Under this proposal, the 2019 Bill will no longer include the Councillor Conduct Principles. Instead it will require each council to adopt a councillor code of conduct that includes the standards of conduct prescribed in Regulations.

The standards will define specific acts and omissions of behaviour that apply to all councillors in all councils. Councils will retain discretion to include additional material in their codes (but not to the standards of conduct). The standards of conduct will be developed in consultation with the local government sector and the community.

This will provide a clearer understanding of what is required of councillors and support arbiters when investigating alleged breaches of the standards.

Internal arbitration process

The arbitration process will become a legislated process managed by the Principal Councillor Conduct Registrar (PCCR) rather than requiring each council to develop and adopt its own process.

Why is this proposed?

Internal resolution procedures were introduced in 2016 for councils to deal with low-level misconduct locally and to resolve matters more quickly than through Councillor Conduct Panels. In practice, councils have struggled to deal with this obligation, with many adopting a multi-step approach that draws out the dispute and is costly to implement.

The LG Act currently requires internal resolution procedures to deal with interpersonal disputes as well as allegations of misbehaviour. This is unnecessarily complicated. Arguably, interpersonal disputes between councillors do not require a legislative resolution as there are various forms of mediation and counselling available when needed. Legislation should focus on allegations of misconduct where consequences may need to be imposed.

Some practical aspects of the current internal resolution procedures have proven problematic:

- It can sometimes be difficult for councils to find and appoint an independent arbiter. This can result in delays for matters being heard. Appointing arbiters from a central list managed by the PCCR will remove this problem. It will also help lead to more standardised responses to types of misconduct.
- Councils do not always deal well with adverse findings of arbitration. This can include keeping the findings confidential or not imposing sanctions where they appear warranted. It is therefore desirable that arbiters have some capacity to directly impose forms of discipline.

How will it work?

It is proposed the 2019 Bill will replace internal resolution procedures developed by councils with internal arbitration processes. The 2019 Bill will specify that the internal arbitration processes will include:

- the appointment of an arbiter by the PCCR from a pre-approved list of qualified arbiters;
- an application fee that will be refunded at the end of the arbitration process unless the application is deemed frivolous, vexatious, misconceived or lacking in substance; and
- arbiters being empowered to directly impose minor disciplinary penalties, such as requiring an apology or imposing a one-month suspension.

The terminology of the Act will change to accommodate these reforms:

- A finding by an arbiter that a councillor has breached the standards of conduct will be a finding of 'misconduct'.
- Any adverse finding by a Councillor Conduct Panel against a councillor will be a finding of 'serious misconduct'.

The term 'gross misconduct' will continue to relate only to a finding of the Victorian Civil and Administrative Tribunal that results in the disqualification of a councillor.



REFORM

6

Community Accountability

It is proposed to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community initiated Commission of Inquiry.

There will be two clear new pathways that can lead to disqualification, these are:

1. where a councillor has been subject to a finding of Serious Misconduct on two occasions over an eight year period; or
2. where a community initiated Commission of Inquiry, appointed as a result of a petition, makes a finding that a councillor has caused or contributed to:
 - a. a failure by the council to provide good governance; or
 - b. a failure by the council to comply with a governance direction.

Disqualification - conduct

Why is this proposed?

Occasionally, a councillor acts in ways that seriously inhibits the ability of a council to function effectively or repeatedly acts in ways that are unacceptable in public office. It is in the interests of the community that a person who acts this way be removed from office.

The 2018 Bill proposed that the Minister have powers to suspend a councillor who was preventing the council from providing good government. While this could only be done on the recommendation of an integrity body, it placed a Minister elected at one level of government in a position of having to decide whether to remove an elected member at another level of government.

A better approach is to limit the removal from office of a councillor to independent processes and/or give the community who elected the councillor the power to seek review or dismissal of the councillor.

How will it work?

Two new processes will be able to result in a councillor being removed from office and prohibited from being a councillor of any council for a period of four years.

Disqualification – Repeated Serious Misconduct

Councillor Conduct Panels hear allegations of serious misconduct against councillors. Serious misconduct can relate to bullying, conflicts of interest, improper direction of council staff, disclosing confidential information, sexual harassment or failing to comply with an arbitration process. If a panel makes a finding of serious misconduct against a councillor twice within eight years, that councillor will be automatically disqualified.

A disqualified councillor will be ineligible to contest another council election for the next four years.

Community initiated Commission of inquiry

Under the *LG Act* the Minister may appoint a Commissioner to conduct an inquiry into the affairs of a Council or councils. This power was included in the 2018 Bill along with some minor changes to ensure the powers of the commission align to the *Inquiries Act 2014*.

It is intended to create a second pathway for a Commission of Inquiry above the powers proposed in the 2018 Bill. Under this pathway, the Minister must appoint a Commission of Inquiry into a Council on receiving a petition signed by eligible voters in the municipal district, whose total numbers are greater than 25 per cent of the total enrolment number on the voters' roll prepared at the council's most recent general election (see **petition process** below).

In setting the terms of reference for the Commission of Inquiry the Minister must have regard to the reasons included in the application for the petition.

The Commission of Inquiry may make a finding that a councillor has significantly caused or contributed to:

- a failure by the council to provide good governance; or
- a failure by the council to comply with a governance direction.

Before a Commission proposes to make an adverse finding, that councillor must have an opportunity to respond to those matters. The Commission must consider the response before making the finding. If a Commission of Inquiry appointed as a result of a petition, makes a finding that a councillor should be disqualified, the subject councillor will be disqualified from being a councillor for four years (subject to the report being tabled in Parliament).

The Minister must provide notice of the outcome of a petition for a Commission of Inquiry to the applicant, the VEC and the council. The VEC must publish notice of the outcome in a manner prescribed in regulation.

The Minister maintains the discretion to appoint a Commission of Inquiry into the affairs of Council. Where a Commission of Inquiry (appointed at the Minister's discretion) makes a finding against a councillor, the Minister has the discretion to take appropriate action, including issue a governance direction, suspend or dismiss a Councillor. However, the Minister will not have the power to disqualify a Councillor under these circumstances.

Petition process

The process for petition will be set through regulations. The process is outlined below.

The requirements for a petition will be treated as seriously as an election. An application for a petition will be made to the VEC accompanied by the prescribed fee. This application will require specific information including a statement of up to 200 words providing grounds for why a petition is sought.

Applications will be limited to people who are enrolled or entitled to be enrolled on the voters' roll for the municipal district. Councillors, members of staff of the council and people who have previously been an applicant or nominated representative during the current council term will not be permitted to receive approval for a petition.

The VEC will provide a copy to the council named in the petition for a response of up to 200 words.

The VEC will provide public notice of the petition and include the relevant response, if any. The applicant and nominated representatives will be allowed to collect signatures to the petition for 60 days from the date of the public notice.

The applicant and nominated representatives must collect signatures in the prescribed manner and must reasonably believe that the persons signing the petition are enrolled, or entitled to be enrolled, in the municipal district and are providing informed consent to be included in the petition.

The applicant may lodge a petition with the Minister within five days of the end of the 60-day period. Upon receipt of a petition, the Minister must provide it to the VEC to provide advice on validity and percentage of signatures represented by the petition.

Part 4

Implementation and Comments



Implementation

The 2018 Bill proposed that the provisions of the Bill commence in stages to enable councils to implement the changes effectively and orderly. The government also indicated that support and guidelines would be provided to assist councils during the transition. It is proposed that this approach will also apply to the 2019 Bill.

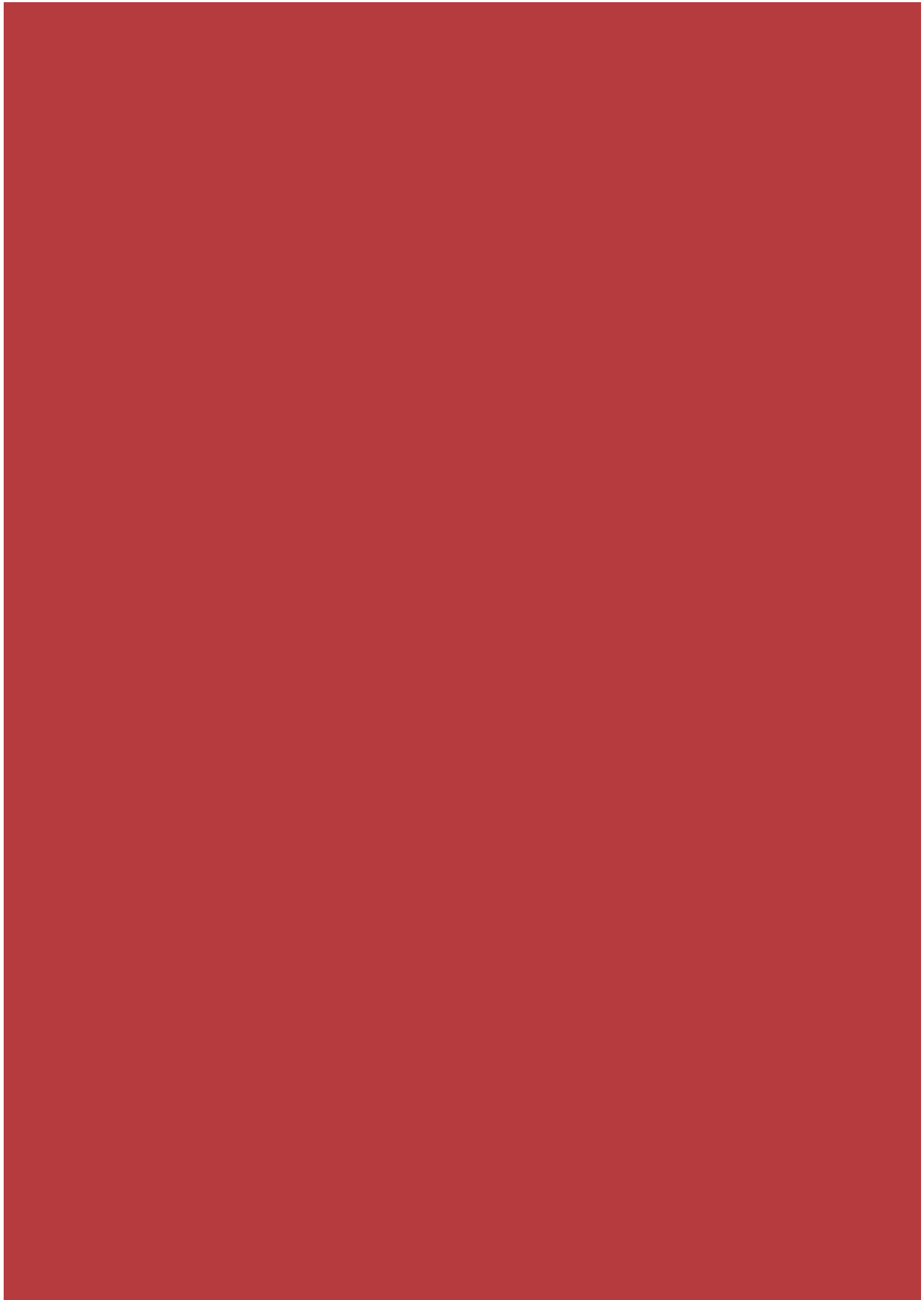
The implementation support will be tailored to the timeframe and nature of the change and continue beyond implementation as a continuous improvement approach.

If enacted, the provisions of the Bill would be implemented in stages up until late 2021.

Comments

We welcome your feedback on these reforms before **17 July 2019**.

Please send any feedback you have on the proposed reforms to local.government@delwp.vic.gov.au using the subject line Local Government Bill 2019.



Executive Summary**12.8 Frankston Visitor Information Centre progress report**

Enquiries: (Sam Jackson: 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 brief Council on the performance of the Frankston Visitor Information Centre (FVIC) July 2018 - June 2019 since major modifications were made to services.

Recommendation (Director Corporate Development)

That Council:

- Notes the 2018-2019 key performance indicator results:

2018-2019 Key Performance Indicators	Target	Actual
Visitation (walk-in customers)	52,000	30,737
Merchandise net profit	\$35,000	\$24,041
Event commission/other	\$1,458	\$5,000
Visit Frankston Tourism Partners	100	64
Satellite visitor information displays	3	3

- Notes that the cost per walk-in customer has increased from \$6.77 (2016-2017) to \$12.52 (2018-2019)
- Endorses the 2019-2020 key performance and non-direct indicators recommended by the FVIC Sub-committee:

2019-2020 Key Performance Indicators	Target
Visitation (walk-in customers)	32,000
Merchandise net profit	\$30,000
Mystery shopping	95%

2019-2020 Non-Direct Indicators	Target
Tours and event commission	\$5,000
Visit Frankston Tourism Partnership	
- Base level	85
- Let's Get Social Upgrade	10
- Coverage King Upgrade	5

- Refers for consideration:
 - \$20,000 to the 2020-2021 capital works program for the upgrade of lighting within the FVIC
 - \$20,000 to the 2020-2021 capital works program for the upgrade of the Visitor Information Centre at the intersection of Nepean Highway and Pier Promenade to incorporate variable LED messaging
 - \$2,500 to the 2019-2020 capital works mid-year budget review for variable LED messaging signage to go inside the Visitor Information Centre windows.
- Endorses a further update report being provided to Council at the February 2020 Ordinary Council Meeting.

12.8 Frankston Visitor Information Centre progress report**Executive Summary****Key Points / Issues**

- At its Ordinary Council Meeting on 14 May 2018, Council resolved the following in relation to the FVIC (*please note the full resolution is contained in the Officer's Assessment*):

That Council:

12. *Notes that in accordance with Council's resolution of 3 April, 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.*

This report responds to Item 12 of this resolution.

- The FVIC was unable to achieve its performance targets in 2018-2019 largely in context of visitation, which has a flow on effect to merchandise sales.
- While the cost per walk-in customer has increased considerably (\$6.77 in 2016-2017, to \$12.52 in 2018-2019) it was agreed to by the FVIC sub-committee that 2018-2019 has been a year of considerable change, so they believe these figures may be an aberration.
- Increases in other communication platforms have clearly identified a change in consumer preferences as to when and how they source information.
- Both of these trends are consistent to what is facing the Tourism Industry more broadly.
- Council needs to continue to resource tourism investment in the city to assist with economic prosperity and community pride.
- The FVIC sub-committee have recommended new KPIs against which to measure the performance of the centre, as well as reinforcing the desire to utilise the windows of the building more with improved lighting and signage to draw people in to the FVIC.
- With the aim of providing more diverse and relevant visitor opportunities at the waterfront, Council will seek to find a suitable co-tenant for the FVIC in 2019-2020.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are three items that are recommended to be addressed from the previous Council resolution, that are not currently funded within the budget:

1. \$20,000 for the upgrade of lighting within the FVIC. It is recommended that this be referred to the 2020-2021 capital works program for consideration

12.8 Frankston Visitor Information Centre progress report**Executive Summary**

2. \$20,000 for the upgrade of the Visitor Information Centre at the intersection of Nepean Highway and Pier Promenade to incorporate variable LED messaging. It is recommended that this be referred to the 2020-2021 capital works program for consideration
3. \$2,500 for variable LED messaging signage to go inside the Visitor Information Centre windows. It is recommended this be referred to the 2019-2020 capital works mid-year budget review for consideration

Consultation**1. External Stakeholders**

While there has been no specific consultation; anecdotal information and statistics used in the preparation of this report have been recorded as part of the FVIC's current accreditation reporting requirements, as well as tracking achievement against KPI's and the impact of any changes implemented.

Members of the FVIC sub-committee (including Councillors, volunteers and Council officers) were involved in the original creation of the KPI's and privy to quarterly results. The sub-committee established KPI targets against which to measure the performance of the FVIC in 2019-2020, as well as reinforcing the desire (and previously endorsed in the 14 May 2018 Council resolution) to engage more with passing customers by having ribbon signage and enhanced window displays.

2. Other Stakeholders

Nil

Analysis (Environmental / Economic / Social Implications)

Council has tweaked the operations of the FVIC in response to changing consumer preferences within the Tourism Industry. There has been a range of product and service offerings that have been introduced, discontinued or reinvented to maintain the FVIC's relevance. These services include (but not limited to) resident morning teas, quarterly corporate induction site visits, new merchandise, street art walking tours, volunteering opportunities and Visit Frankston Tourism Partnerships.

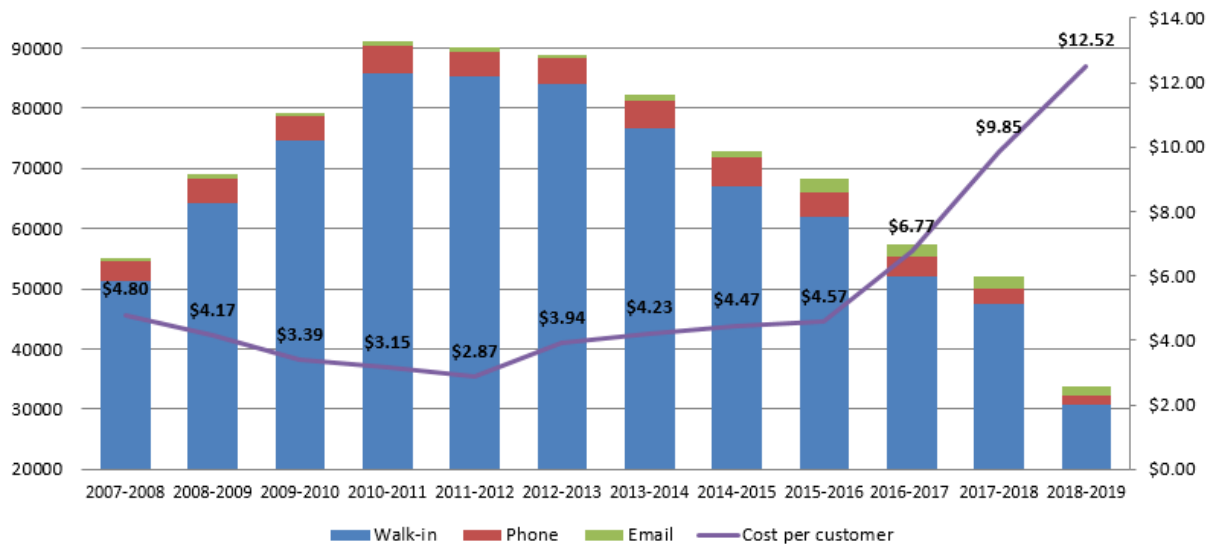
In accordance with the requirements of best value service review practices, it is necessary to continue to monitor the effectiveness of Council's services. The continual review and evolution of the FVIC will maximise value for money and return on investment for both Council and the community in a changing sector.

It would appear from the visitation trends chart that the changes that have been made have not halted the decline in the preference of visitors to source information in a face-to-face manner, with an average annual decline in visitation of 10% per annum since 2010 (adjusted to reflect the reduced opening hours in 2018-2019).

12.8 Frankston Visitor Information Centre progress report

Executive Summary

FVIC Visitation Vs Cost per customer



Council has previously identified the social importance of the FVIC within the community. The social return on investment for this service is as the face of Frankston City for visitors and residents, providing an opportunity for volunteers and students to add value to their local community. Providing efficient and effective services will keep Frankston City’s local and visiting community well informed about local outings and experience building the city’s economy and reputation as a great place to live and visit.

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

There are no legal implications stemming directly from this report.

Policy Impacts

There are no policy implications directly associated to this report. All recommendations are in line with the FVICs accreditation with the Victorian Tourism Industry Council.

Officer’s Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

After 12 months operating under the recommendations made on the 14 May 2018 it has been identified that despite not performing as expected there is opportunity for the centre to remain relevant if Council choose to see benefit in current and future services.

Without continual improvement and development the FVIC will become ineffective and run at a greater financial burden to the community, without meeting the greater objectives of the service.

12.8 Frankston Visitor Information Centre progress report**Executive Summary****Conclusion**

The FVIC has continued to experience a decline in visitation, down an average of 10% per annum since 2010. There are varying factors contributing to this, however there is a clear trend evolving, demonstrating less reliance on current face-to-face services.

This poses a need for Council to continue to reinvent the FVIC and its purpose within the community. Continual upgrades to the FVIC, the product and service offering will ensure its viability in the short term.

ATTACHMENTS

- Attachment A: [↓](#) Frankston Visitor Information Centre Quarterly Report - September 2018
- Attachment B: [↓](#) Frankston Visitor Information Centre Quarterly Report - December 2018
- Attachment C: [↓](#) Frankston Visitor Information Centre Quarterly Report - March 2019
- Attachment D: [↓](#) Frankston Visitor Information Centre Quarterly Report - June 2019

12.8 Frankston Visitor Information Centre progress report
Officers' Assessment**Background**

The Frankston Visitor Information Centre (FVIC) has a reputation as a national award winning, level one accredited visitor information centre located in Frankston City, one of only two accredited centres within the Mornington Peninsula Tourism Region. Due to its accessibility and proximity to one of Frankston City's greatest tourism assets; Frankston Beach, Frankston Pier and Oliver's Hill Council has previously resolved to keep the FVIC in its current location, 7N Pier Promenade, Frankston Waterfront.

In response to, and in preparation for a continually changing landscape of visitor behaviours and travel patterns (particularly in an environment of significant digital disruption) it has been identified that there is less reliance on the FVIC and its services. There is also increasing demand on providing visitor information in more convenient and accessible ways; online, visitor hubs around the city. This resulted in modifications being required for both the FVIC configuration and service offerings.

At its Ordinary Council meeting on 3 April 2018 Council resolved the following:

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*
 - c. *Manager Community Relations and Coordinator Tourism & Visitor Services*

12.8 Frankston Visitor Information Centre progress report
Officers' Assessment

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.

At its Ordinary Council Meeting on 14 May 2018 Council resolved:

That Council:

1. Notes this report.
2. Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.
3. Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC):
 - a. The FVIC ceases providing the following services that provide a low or negative return on investment:
 - i. Accommodation Bookings
 - ii. Fishing Licences
 - iii. Tennis Court hire
 - iv. Coffee for purchase
 - b. The following services be investigated to commence being provided from the FVIC:
 - i. Walking Frankston City/arts/bike tours
 - ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays
 - iii. 3D experiences
 - iv. Member businesses providing pop up displays and/or demonstrations
 - v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)
 - vi. A passenger collection point for Skybus
 - c. The FVIC continue providing the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:
 - i. Hire of the Beach Wheelchair
 - ii. Provision of Liberty Swing Key
 - iii. iPads for customer use

12.8 Frankston Visitor Information Centre progress report**Officers' Assessment**

- iv. *Multiple languages on website*
 - v. *Familiarisation tours for Volunteers and Staff*
 - vi. *Greater promotion of FVIC in Council's What's On (online and print)*
 - vii. *Online and social media promotions*
 - viii. *Keep a Frankston City Centric focus as a major priority, whilst linking with the broader Mornington Peninsula Region*
 - d. *The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:*
 - i. *Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality*
 - ii. *Increase city event ticketing sold through the FVIC*
 - iii. *Have the current Guided Ranger Tours depart from / return to the FVIC*
 - iv. *The Residents morning tea continue but be reduced in frequency to quarterly*
4. *Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to Merchandise:*
 - a. *Acknowledgement that merchandise is more than a profit generator, in that there is greater value derived from:*
 - i. *supporting local businesses*
 - ii. *increasing repeat visitation to the FVIC*
 - iii. *providing gifts for visitor/locals*
 - b. *Review and reduce the footprint, quantity and range of merchandise*
 - c. *Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC*
5. *Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the floor plan of the FVIC:*
 - a. *The floor plan of the FVIC be reviewed to achieve the objectives of:*
 - i. *Improving access into and through the building*
 - ii. *Maximising the return on investment of the building by:*
 1. *facilitating co-tenancy arrangements*
 2. *reducing the space dedicated to merchandise*
 3. *enclosing the rear deck*
 - iii. *Allow customers to sit and enjoy the Centre through the provision of a seating section*
 - b. *Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications*
6. *Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the operating hours of the FVIC:*
 - a. *The Centre remains open seven days per week*
 - b. *The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm)*
 - c. *During opening hours the following staffing levels be provided for face-to-face visitor servicing activities:*
 - i. *Winter (May - September) - one Council Officer and four volunteers per day (two per shift)*
 - ii. *Summer (October-April) – two Council Officers and four volunteers per day (two per shift)*
7. *Notes that the Frankston Visitor Information Centre sub-committee recommended the following actions which don't directly relate to the operations of the FVIC, but which support the strengthening of Frankston City's tourism sector:*
 - i. *Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City*
 - ii. *Review events that the Roving Ambassadors attend and expand to include events like Monash 'O-week' to appeal to a different audience*
8. *Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to industry memberships:*

12.8 Frankston Visitor Information Centre progress report**Officers' Assessment**

- a. *All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council's Economic Development Policy)*
 - b. *Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC.*
9. *Endorse the following 2018-2019 key performance indicators as identified by the Frankston Visitor Information Centre sub-committee:*
- a. *FVIC Income targets*
 - i. *Merchandise - \$35,000 net profit*
 - ii. *Event commission/other - \$5,000*
 - iii. *Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process)*
 - b. *FVIC visitation - 52,000 walk in visitors*
 - c. *FVIC Customer Service - Mystery shoppers 95% customer satisfaction*
 - d. *FVIC Industry Appeal - 100 FVIC members*
 - e. *Other KPI's for noting, but not a measure of success of the performance of the FVIC:*
 - i. *satellite visitor information displays - 3*
 - ii. *co-operative tenant located in the FVIC - 1*
10. *Endorses the commencement of implementation of these recommendations as of 1 July 2018.*
11. *Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors' experiences of Frankston City.*
12. *Notes that in accordance with Council's resolution of 3 April, 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.*
13. *Notes that Officers will provide a quarterly report to the Frankston Visitor Information Centre sub-committee on how the Frankston Visitor Information Centre is performing against the endorsed Key Performance Indicators.*

This report responds to Item 12 of this resolution.

Issues and Discussion

Officers have been working to review, research and implement changes in order to seek a greater return on investment for Council and the community during 2018-2019, based on the list of modifications agreed to by the FVIC sub-committee to keep the FVIC service and facility relevant to industry patterns.

In reviewing the FVIC's performance against the key performance indicators (KPI's) the following has been noted:

FVIC Income Targets*Merchandise*

\$24,041 net profit (Target = \$35,000. Missed target by 31%)

The team at the FVIC have been working on the merchandise inventory to introduce new products that provide a unique selling proposition for the City, while still meeting accreditation requirements to stock 80% Australian Made items, with a high local and regional representation. Items introduced as a result have included:

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Officers' Assessment

- Frankston Enjoy Every Moment keep cups
- Tote bags
- Aprons
- Pens
- Frankston History books
- vouchers for McClelland Sculpture Park + Gallery
- Heart and Co homewares (Carrum Downs)

Despite the new items, new visual merchandising the FVIC was unable to reach the target, however the FVIC maintains a 37% profit margin on goods.

The 2018-2019 stocktake will be available in July 2019 and will give a greater guide on products that are no longer selling.

The FVIC refurbishment to be completed in July will position the merchandise predominately in front of customers when they walk in, which we predict will assist with sales.

The 2019-2020 target recommended by the FVIC subcommittee is \$30,000

Event commission/other

\$1,458 (target = \$5,000. Missed target by 71%)

While no major event ticketing opportunities presented itself to the FVIC this year, a few events have been identified for 2019-2020.

Officers have established the Street Art Tours (initially linked to the Big Picture Fest) – which are guided tours through the city centre, concluding in a local cafe. Since inception these have attracted 274 participants at a cost to Council of \$8.03 per patron. While they are not currently cost neutral, Officers are investigating ways to improve this next financial year – however the benefit in increasing awareness of the city centre's expanding arts and culture portfolio is generating significant intrastate, interstate and international media attention.

Leveraging more from the FVIC's booking system in the future also poses opportunity to increase the revenue in the space.

The 2019-2020 target recommended by the FVIC subcommittee is \$5,000.

As this relies on a lot of benefits that are provided outside the FVIC this is deemed to not be a direct measure of the success of the FVIC's performance.

Rent from co-tenancy

(No target set, to be determined by an expression of interest process which is awaiting the FVIC upgrade)

The FVIC subcommittee agreed not to set a target for 2019-2020.

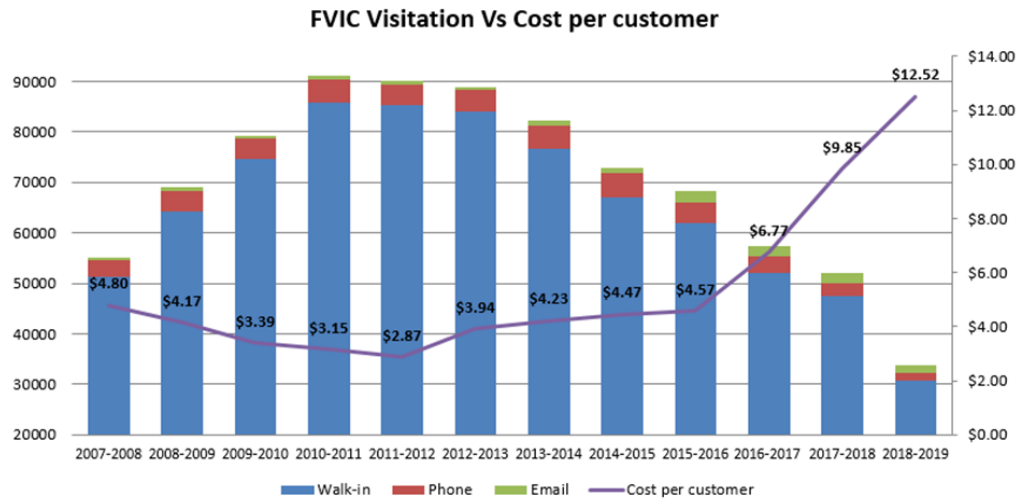
FVIC Visitation

30,737 visitation (Target = 52,000. Missed target by 41%)

This KPI was based on 2017-2018 figures when the FVIC was open 9am-5pm and had Sand Sculpting Australia as its signature event in close proximity to the FVIC.

Taking into account an anticipated 15% decrease in visitation due to reduced opening hours, visitation has actually declined by 20% (35% decline overall). This means that the annual average decline in walking visitation since 2010 is 10%.

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Other forms of enquiries to the FVIC are also experiencing declines:

- Email enquiries have declined approximately 28% in the last 12 months, but have increased by an annual average of 15% - reaching a peak level four years ago
- Phone enquiries have decreased by an annual average of 11% (39% in the last 12 months)

In comparison other visitor information delivered independent of the FVIC have experienced the following growth:

- Use of the Visit Frankston website has remained stable with approximately 130,000 hits annually
- The Enjoy Every Moment eNewsletter has grown from 0-1,900 in nine months
- Facebook has seen growth of 17% - with 9,630 now following this page
- Instagram has grown by 35% with over 30,000 #visitfrankston hash tags
- Roving tourism ambassador program has connected with over 8,000 people across 19 events.

Changes in the preferences of customers as to when and how they receive information is evident in these figures, as we are seeing major change in how people get their information or interact with Council's services. Essentially - as the FVIC visitation declines; online platforms are becoming increasingly more popular.

However, the FVIC still provides significant social return on investment to the local community through:

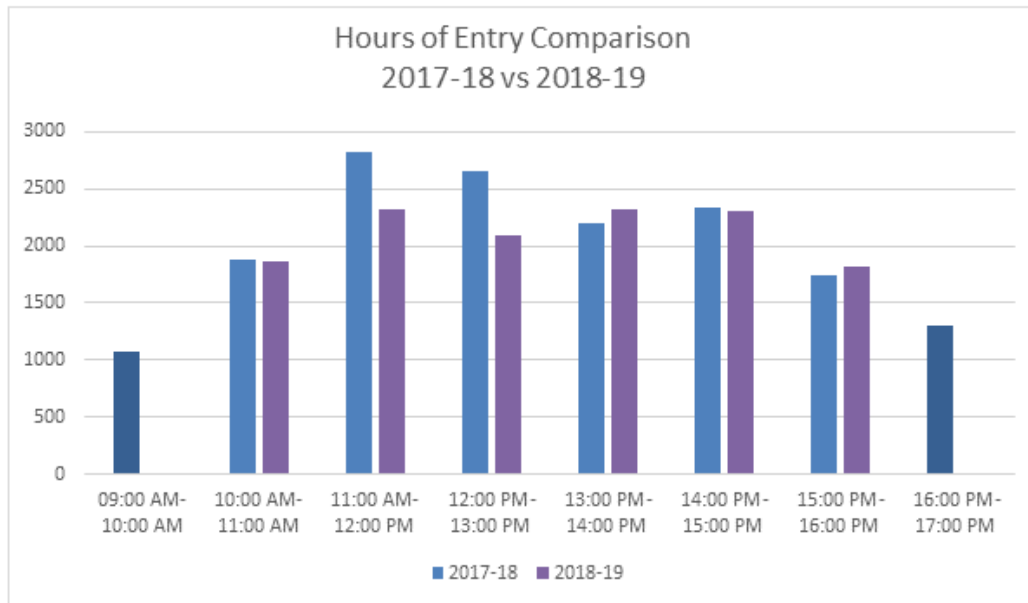
- Connecting local and visitors alike on a daily basis,
- Distribution of advice and printed collateral
- Provision of volunteering opportunities to the local community.

There is opportunity for Council to make better use of the facility by attracting a cotenant to the FVIC.

Following is the year on year entry of hours comparison, which demonstrates that it is between 11am – 1pm each day where the FVIC has had significant decline in patronage – which could link to the loss of Sand Sculpting ticketing, and the fact that people would be visiting closer to the start of the day when they are planning their day's activities.

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Officers' Assessment



The 2019-2020 target recommended by the FVIC subcommittee is 32,000

On the basis of income and visitation it is also recommended that a cost per visitor target be reported on. Currently the cost per visitor is \$12.52 (up from \$6.14 in 2016-2017).

FVIC Customer Service

Unknown (Target = 95%)

A program of mystery shopping using face-to-face visits and phone calls has been booked to take place in June. Results will be available in August.

Please note/ while previous mystery shopping programs several years ago have yielded extremely high results, the current program of assessments is being undertaken in a different and more structured approach – which means this target may be very challenging to achieve. 85% may be more appropriate.

FVIC Industry Appeal

64 Visit Frankston Tourism Partners (Target = 100. Missed target by 36%, however the income target has been exceeded by 20% due to a different membership benefit model)

Tourism and Visitor Services completely redefined the industry partnership – now known as *Visit Frankston Tourism Partnership*. The partnership predominately targets local business, offering marketing initiatives and online networking.

With the recent folding of the Frankston Business Network and Frankston Tourism Inc it is now also serving as an important industry connector.

Further developments of this program could include advocacy and/or face-face networking. Despite not receiving 100 members, the program has exceeded the income target by 20% as a result of a new pricing structure and opt in membership offering.

Given this, it is recommended that the 2019-2020 Visit Frankston Tourism Partnership target be as follows

1. Base level - 85

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Officers' Assessment

2. Let's Get Social Upgrade - 10

3. Coverage King Upgrade - 5

As this relies on a lot of benefits that are provided outside the FVIC this is deemed to not be a direct measure of the success of the FVIC's performance.

Other KPI's for noting (*but not deemed a measure of the success of the performance of the FVIC*)*Satellite visitor information displays*

Three (Target = Three, target achieved)

Two satellite visitor information displays have been implemented (Civic Centre foyer and Langwarrin Customer Service Centre). A third is being installed at PARC in August 2019, with Seaford Service Centre currently being investigated.

The FVIC and Langwarrin Customer Service Centres now have LED lit signage in their shop windows that are visible at any time of the day. The Civic Centre also has a display in the foyer. The LED lit signage provides information to people about major events and local attractions.

These outlets also stock the City's main visitor information booklet; Arts and Culture Guide, which officers are also pursuing multiple online versions of this information for those that enjoy self-guided tours.

PARC will host the City's first digital visitor information hub as of August. The prototype will trial digital information delivery in the City in set locations. Upon completion of the trial it will be evaluated as to whether these units could be moved to outdoor locations. Technology and investment like this in the city provides more convenient services to locals and visitors alike while providing the City with broad dispersal tools. In addition Council could be eligible for Smart City; State Government funding if these initiative was to be rolled out more broadly.

Co-operative tenant located in the FVIC

None currently, one during the year (Target = One)

Officers had an ATM installed on the basis of requests from customers. This would have generated income for Council through a commission on the basis of the number of transactions. Unfortunately, despite promotion this was not successful and the operator of the ATM removed it.

The first step identified in securing a co-tenant was that the FVIC need to be renovated and reconfigured, something that has not been done since the FVIC was first constructed and the movable walls locked in place.

While also supporting a co-tenant, the reconfiguration was set to:

- Avoid congestion near the front door
- Make the service counter more accessible
- Increase flow of movement around the FVIC
- Increase accessibility of the beach wheel chair
- Improve the workspace for officers and volunteers
- Increase storage
- Increase sales

12.8 Frankston Visitor Information Centre progress report
Officers' Assessment

The reconfiguration will be complete in July 2019, ready for an expression of interest to take place by the end of the year.

Options Available including Financial Implications

There are three items that should be addressed from the previous Council resolution, that are not currently funded within the budget:

1. \$20,000 for the upgrade of lighting within the FVIC. It is recommended that this be referred to the 2020-2021 capital works program for consideration
2. \$20,000 for the upgrade of the Visitor Information Centre at the intersection of Nepean Highway and Pier Promenade to incorporate variable LED messaging. It is recommended that this be referred to the 2020-2021 capital works program for consideration
3. \$2,500 for variable LED messaging signage to go inside the Visitor Information Centre windows. It is recommended this be referred to the 2019-2020 capital works mid-year budget review for consideration.

Frankston Visitor Information Centre – July – September 2018 Update

In accordance with the resolution of Council on 14 May 2018, Officers are providing the following report to the Visitor Services Sub-committee to update on progress of the implementation.

No	Resolution, "That Council:"	Comment	Reporting status
1	Notes this report.	No further action required	Complete
2	Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.	Noted and the operating costs have now been incorporated into the adopted 2018-2019 Frankston City Annual Budget.	Complete
3	Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC): a. The FVIC ceases providing the following services that provide a low or negative return on investment: i. Accommodation Bookings ii. Fishing Licences iii. Tennis Court hire iv. Coffee for purchase b. The following services be investigated to commence being provided from the FVIC: i. Walking Frankston City/arts/bike tours ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays iii. 3D experiences		
		i. Accommodation bookings no longer provided	i. Complete (ongoing)
		ii. Fishing Licences are no longer sold through centre. The Centre's iPads are used to help customers purchase themselves through VFA	ii. Complete (ongoing)
		iii. Tennis court hire no longer provided	iii. Complete (ongoing)
		iv. No longer done	iv. Complete (ongoing)
		i. Self-guided digital arts tour has been created. Investigation into guided tours now underway	i. Underway
		ii. Adjustable illuminated signage displays installed in front windows have been installed. Further signage awaiting centre reconfiguration	ii. underway
iii. Not started – some possibility with 3D art as part of Big Picture Fest	iii. Not started		

No	Resolution, "That Council:"	Comment	Reporting status
	iv. Member businesses providing pop up displays and/or demonstrations	iv. Not started	iv. Not started
	v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)	v. Not started – although preliminary conversation held with Monash Uni	v. Not started
	vi. A passenger collection point for Skybus	vi. Not started - although preliminary conversation held	vi. Not started
3 (cont)	c. The FVIC continue providing the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:		
	i. Hire of the Beach Wheelchair	i. Noted - Continuing	i. Completed (ongoing)
	ii. Provision of Liberty Swing Key	ii. Noted – Continuing (affected by playground works atm)	ii. Completed (ongoing)
	iii. iPads for customer use	iii. Noted - Continuing	iii. Completed (ongoing)
	iv. Multiple languages on website	iv. Noted – Continuing and factored into website upgrade	iv. Completed (ongoing)
	v. Familiarisation tours for Volunteers and Staff	v. Noted - Continuing	v. Completed (ongoing)
	vi. Greater promotion of FVIC in Council's What's On (online and print)	vi. Noted - Continuing	vi. Completed (ongoing)
	vii. Online and social media promotions	vii. Noted - Continuing	vii. Completed (ongoing)
	viii. Keep a Frankston City Centric focus as a major priority, whilst linking with the broader Mornington Peninsula Region	viii. Noted - Continuing	viii. Completed (ongoing)
	d. The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:		
	i. Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality	i. Not yet started	i. Not started

No	Resolution, "That Council:"	Comment	Reporting status
	ii. Increase city event ticketing sold through the FVIC iii. Have the current Guided Ranger Tours depart from / return to the FVIC iv. The Residents morning tea continue but be reduced in frequency to quarterly	ii. Has been a consideration of the Tourism Event Attraction Program and has been factored into recommendation for Signature Event (considered by Council 10 September) iii. Not yet started – possibly only occur on those walks that are based at waterfront or Sweetwater Creek – as could be an inconvenience for other locations iv. Ongoing – next morning tea scheduled for 5 October. Future dates – 7 December 2018, 29 March 2019 and 28 June 2019	ii. Underway iii. Underway iv. Underway
4	Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to Merchandise: a. Acknowledgement that merchandise is more than a profit generator, in that there is greater value derived from: i. supporting local businesses ii. increasing repeat visitation to the FVIC iii. providing gifts for visitor/locals b. Review and reduce the footprint, quantity and range of merchandise c. Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC	a. Noted b. Underway – Total stock is being reviewed and moving on 'dead stock'. Need to review method of obtaining stock – is consignment a less risky option for 'perishable' and other forms of stock that is not high volume c. Underway – but will need to be reviewed post any centre reconfiguration	a. Complete b. Underway c. Underway

No	Resolution, "That Council:"	Comment	Reporting status
5	<p>Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the floor plan of the FVIC:</p> <p>a. The floor plan of the FVIC be reviewed to achieve the objectives of:</p> <ul style="list-style-type: none"> i. Improving access into and through the building ii. Maximising the return on investment of the building by: <ul style="list-style-type: none"> 1. facilitating co-tenancy arrangements 2. reducing the space dedicated to merchandise 3. enclosing the rear deck iii. Allow customers to sit and enjoy the Centre through the provision of a seating section <p>b. Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications</p>	<p>a. In accordance with Councils Procurement rules, a quotation has been sought from a suitable architect to identify options and staging for any reconfiguration of the floor layout. The implementation meeting for this project has been held (including onsite inspection) and return brief provided. Initial concept now being developed</p> <p>b. Refer to 5a.</p>	<p>a. Underway</p> <p>b. Underway</p>

No	Resolution, "That Council:"	Comment	Reporting status
6	<p>Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to the operating hours of the FVIC:</p> <ul style="list-style-type: none"> a. The Centre remains open seven days per week b. The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm) c. During opening hours the following staffing levels be provided for face-to-face visitor servicing activities: <ul style="list-style-type: none"> i. Winter (May - August) - one Council Officer and four volunteers per day (two per shift) ii. Summer (September - April) – two Council Officers and four volunteers per day (two per shift) 	<ul style="list-style-type: none"> a. Noted – this continues to be factored into operations and promotions b. Noted – this continues to be factored into operations and promotions c. <ul style="list-style-type: none"> i. This staffing structure was implemented and supported July – August. Officers from civic centre covered lunch break of staff member ii. This staffing structure has now been implemented. Recruitment has occurred to support additional summer staff 	<ul style="list-style-type: none"> a. Complete (ongoing) b. Complete (ongoing) c. <ul style="list-style-type: none"> i. Complete (ongoing) ii. Complete (ongoing)
7	<p>Notes that the Frankston Visitor Information Centre sub-committee recommended the following actions which don't directly relate to the operations of the FVIC, but which support the strengthening of Frankston City's tourism sector:</p> <ul style="list-style-type: none"> i. Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City ii. Review events that the Roving Ambassadors attend and expand to include events like Monash 'O-week' to appeal to a different audience 	<ul style="list-style-type: none"> i. Led light signage display within the Civic Centre and Langwarrin Customer Services Centre implemented. Other sites to be identified as part of a coordinated plan ii. A calendar of events at which the Roving Ambassadors and roving equipment can be at is currently being created with key Frankston City events identified until March 2019 	<ul style="list-style-type: none"> i. Underway ii. Underway

No	Resolution, "That Council:"	Comment	Reporting status
8	Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to industry memberships: a. All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council's Economic Development Policy) b. Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC.	a. Upgraded website has been released and the promotion of local businesses has been considered as part of this b. Future membership structure is currently being developed and is expected to be released in the next couple of weeks	a. Underway b. Underway
9	Endorse the following 2018-2019 key performance indicators as identified by the Frankston Visitor Information Centre sub-committee: a. FVIC Income targets i. Merchandise - \$35,000 net profit ii. Event commission/other - \$5,000 iii. Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process) b. FVIC visitation - 52,000 walk in visitors c. FVIC Customer Service - Mystery shoppers 95% customer satisfaction d. FVIC Industry Appeal - 100 FVIC members e. Other KPI's for noting, but not a measure of success of the performance of the FVIC: i. satellite visitor information displays - 3 ii. co-operative tenant located in the FVIC - 1	a. i. \$6,272 - On track as of September 2018. ii. Currently \$285 as of September 2018. Looking into other opportunities. Event Season not yet upon us. iii. Awaiting centre reconfiguration b. 7,759 (total – phone, email & face to face) - as of September 2018 c. Not yet started d. Membership structure currently being developed (refer 8.b.) e. i. 2 established thus far (refer 7.i.) ii. Awaiting centre reconfiguration	a. i. Underway ii. Underway iii. Not started b. Underway c. Not started d. Underway e. i. Underway ii. Not started
10	Endorses the commencement of implementation of these recommendations as of 1 July 2018.	Noted	Complete

No	Resolution, "That Council:"	Comment	Reporting status
11	Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors' experiences of Frankston City.	Not yet started – awaiting concept design for upgrade to centre	Not started
12	Notes that in accordance with Council's resolution of 3 April, 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.	Not yet due to start	Not started
13	Notes that Officers will provide a quarterly report to the Frankston Visitor Information Centre sub-committee on how the Frankston Visitor Information Centre is performing against the endorsed Key Performance Indicators.	Noted – this is the first report being provided to the committee	Underway

Frankston Visitor Information Centre: October–December 2018 update

In accordance with the resolution of Council on 14 May 2018, officers are providing the following report to the Visitor Services Sub-committee to update on progress of the implementation.

No	Resolution, “That Council:”	Comment	Reporting status
1	Notes this report.	No further action required	Complete
2	Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.	Noted and the operating costs have now been incorporated into the adopted 2018-2019 Frankston City Council Annual Budget.	Complete
3	Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC): a. The FVIC ceases the following services that provide a low or negative return on investment: i. Accommodation bookings ii. Fishing licences iii. Tennis court hire iv. Coffee for purchase b. The following services be investigated to commence being provided from the FVIC: i. Walking Frankston City/arts/bike tours ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays		a
			i. Complete
			ii. Complete
			iii. Complete
			iv. Complete
			b
			i. In progress
			ii. In progress

	iii. 3D experiences	iii. Proposed as part of the Big Picture Fest. Won't be included in 2019. Further research needs to take place as to what this program looks likes.	iii. In progress
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No	Resolution, "That Council:"	Comment	Reporting status
	iv. Member businesses providing pop up displays and/or demonstrations	iv. This service is now offered as part of the new tourism partnership.	iv. Completed/ Ongoing
	v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)	v. Meeting with Monash on 14/1/19. Have reached out to Chisholm also.	v. In progress
	vi. A passenger collection point for Skybus	vi. Preliminary conversation held. Conversations continued for January.	vi. In progress
3 (cont)	c. The FVIC continues the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:		c
	i. Hire of the beach wheelchair	i. Noted - Continuing	i. Completed
	ii. Provision of Liberty Swing key	ii. Noted – Continuing (affected by playground works atm)	ii. Completed
	iii. iPads for customer use	iii. Noted - Continuing	iii. Completed
	iv. Multiple languages on website	iv. Noted – Continuing and factored into website upgrade	iv. Completed
	v. Familiarisation tours for volunteers and staff	v. Noted - Continuing	v. Completed
	vi. Greater promotion of FVIC in Council's What's On (online and print)	vi. Noted - Continuing	vi. Completed
	vii. Online and social media promotions	vii. Noted - Continuing	vii. Completed
	viii. Keep Frankston City the major focus, whilst linking with the broader Mornington Peninsula region	viii. Noted - Continuing	viii. Completed
	d. The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:		d
	i. Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality	i. Distribution review and now being circulate to an average of 30 outlets, around 1500 newsletter per drop, 2-3 drops per quarter. Outlets will grow in conjunction with the partnership and features of the newsletter.	i. Complete/ Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
	<ul style="list-style-type: none"> ii. Increase city event ticketing sold through the FVIC iii. Have the current Guided Ranger Tours depart from / return to the FVIC iv. The Residents Morning Tea events continue but be reduced in frequency to quarterly 	<ul style="list-style-type: none"> ii. Has been a consideration of the Tourism Event Attraction Program and has been factored into recommendation for Signature Event (considered by Council 10 September) iii. This can only occur for walks that are based at the Waterfront within 10-4pm, as other times and the centre location could be an inconvenience for other locations. As routes are develop it is recommended that the tour start and finish at the centre. iv. Ongoing – Future dates include 30 March 2019 and 29 June 2019 	<ul style="list-style-type: none"> ii. In progress iii. Complete/ Ongoing iv. In progress
4	<p>Endorses the following recommendations of the FVIC sub-committee in relation to merchandise:</p> <ul style="list-style-type: none"> a. Acknowledgement that merchandise is more than a profit generator, in that there is greater value derived from: <ul style="list-style-type: none"> i. supporting local businesses ii. increasing repeat visitation to the FVIC iii. providing gifts for visitor/locals b. Review and reduce the footprint, quantity and range of merchandise c. Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC 	<ul style="list-style-type: none"> a. Noted b. The merchandise review has now taken place. Pending turnover some items went on sale in order to discontinue several lines. New suppliers are now engaged, supplying new items to the centre with a focus on profit margin, turnover, tourism connection and suitability. c. Underway – but will need to be reviewed following centre reconfiguration 	<ul style="list-style-type: none"> a. Complete/ Ongoing b. In progress c. In progress

No	Resolution, "That Council:"	Comment	Reporting status
5	<p>Endorses the following recommendations of the FVIC sub-committee in relation to the Centre's floorplan:</p> <ul style="list-style-type: none"> a. The floorplan of the FVIC be reviewed to achieve the objectives of: <ul style="list-style-type: none"> i. Improving access into and through the building ii. Maximising the return on investment of the building by: <ul style="list-style-type: none"> 1. facilitating co-tenancy arrangements 2. reducing the space dedicated to merchandise 3. enclosing the rear deck iii. Allow customers to sit and enjoy the Centre through the provision of a seating section b. Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications 	<ul style="list-style-type: none"> a. RFQ has been released and confirmed and concept one has been received. Feedback has been provided in accordance with the allocated budget. Awaiting final concept. Works are still on track to take place in of June/July 2019. b. Refer to 5a. 	<ul style="list-style-type: none"> a. In progress b. In progress

No	Resolution, "That Council:"	Comment	Reporting status
6	Endorses the following recommendations of the FVIC sub-committee in relation to the operating hours of the FVIC:		
	a. The Centre remains open seven days per week	a. Noted – this continues to be factored into operations and promotions	a. Complete
	b. The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm)	b. Noted – this continues to be factored into operations and promotions	b. Complete
	c. During opening hours the following staffing levels be provided for face-to-face visitor servicing activities:	c.	c.
	i. Winter (May - August) - one Council Officer and four volunteers per day (two per shift)	i. This staffing structure was implemented and supported July – August.	i. Complete
ii. Summer (September - April) – two Council Officers and four volunteers per day (two per shift)	ii. This staffing structure has now been implemented.	ii. Complete	
7	Notes that the FVIC sub-committee recommended the following actions which don't directly relate to the operations of the FVIC, but which support the strengthening of Frankston City's tourism sector:		
	i. Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City	i. Led light signage display within the Civic Centre and Langwarrin Customer Services Centre implemented. Other sites to be identified as part of a coordinated plan. With the addition of the 'Caddy' we are now able to have 'pop up' visitor services at events. This quarter we attended 2 events.	i. In progress
ii. Review events that the Roving Ambassadors attend and expand to include events like Monash 'O-week' to appeal to a different audience	ii. A calendar of events at which the Roving Ambassadors and roving equipment is now established, with key events identified until April 2019	ii. Complete /Ongoing	

No	Resolution, "That Council:"	Comment	Reporting status
8	Endorses the following recommendations of the FVIC sub-committee in relation to industry memberships: a. All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council's Economic Development Policy) b. Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC.	a. Continual website updates are taking place with new content and local businesses, in addition to newsletters and blogs. b. 2019/2020 Tourism Partnership has now been realised featuring marketing benefits. Currently we have 25 members.	a. Complete/ Ongoing b. Complete/ Ongoing
9	Endorse the following 2018-2019 key performance indicators as identified by the FVIC sub-committee: a. FVIC income targets i. Merchandise - \$35,000 net profit ii. Event commission/other - \$5,000 iii. Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process) b. FVIC visitation - 52,000 walk in visitors c. FVIC Customer Service - Mystery shoppers 95% customer satisfaction d. FVIC Industry Appeal - 100 FVIC members e. Other KPIs for noting, but not a measure of success of the performance of the FVIC: i. Satellite visitor information displays - 3 ii. Co-operative tenant located in the FVIC - 1	a. i. \$13,817 - on track as of December 2018. ii. Currently \$345 as of December 2018. Looking into other opportunities. iii. Awaiting new Centre reconfiguration b. 17,063 (total – phone, email & face to face) - as of December 2018. Not likely to reach 52,000. c. Not yet started. Scheduled for next quarter. d. Currently 25 tourism partners as of December 2018. e. i. Two established thus far (refer 7.i.) plus the implementation of the roving van at public events. ii. Awaiting new Centre reconfiguration	a. i. In progress ii. In progress iii. Not started b. In progress c. Not started d. Complete/ Ongoing e. i. In progress ii. Not started
10	Endorses the commencement and implementation of these recommendations as of 1 July 2018.	Noted	Complete

No	Resolution, "That Council:"	Comment	Reporting status
11	Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors' experiences of Frankston City.	Not yet started – awaiting concept design for upgrade to Centre	Not started
12	Notes that in accordance with Council's resolution of 3 April, officers will provide a report to Council no later than June 2019 as to the performance of the FVIC against the KPIs and to determine if further modifications are needed.	Not yet due to start	Not started
13	Notes that officers will provide a quarterly report to the FVIC sub-committee on how the Centre is performing against the endorsed KPIs.	Noted – this is the second report being provided to the Committee	In progress

Frankston Visitor Information Centre: October–March 2019 update

In accordance with the resolution of Council on 14 May 2018, officers are providing the following report to the Visitor Services Sub-committee to update on progress of the implementation.

No	Resolution, “That Council:”	Comment	Reporting status
1	Notes this report.	No further action required	Complete
2	Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.	Noted and the operating costs have now been incorporated into the adopted 2018-2019 Frankston City Council Annual Budget.	Complete
3	<p>Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC):</p> <p>a. The FVIC ceases the following services that provide a low or negative return on investment:</p> <ul style="list-style-type: none"> i. Accommodation bookings ii. Fishing licences iii. Tennis court hire iv. Coffee for purchase <p>b. The following services be investigated to commence being provided from the FVIC:</p> <ul style="list-style-type: none"> i. Walking Frankston City/arts/bike tours ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays iii. 3D experiences 	<ul style="list-style-type: none"> i. Accommodation bookings no longer provided ii. Fishing Licences are no longer sold through the Centre. The Centre’s iPads are used to help customers purchase themselves through the Victorian Fisheries Association (VFA) iii. No longer provided iv. No longer provided i. Monthly Street Art Tours have now been developed and implemented. ii. RFQ for digital screens opened. 1-2 screens will be located within the city for a trial. Likely that more will roll out pending their success. Replacing the static road board at the FVIC is including within these options. iii. 3D street art has been raised as a concept for Frankston City. Officers are pursuing ways this can be implemented to complement existing programs 	<p>a</p> <ul style="list-style-type: none"> i. Complete ii. Complete iii. Complete iv. Complete <p>b</p> <ul style="list-style-type: none"> i. Complete ii. In progress iii. In progress

No	Resolution, "That Council:"	Comment	Reporting status
3 (cont)	iv. Member businesses providing pop up displays and/or demonstrations	iv. We now have in excess of 40 Visit Frankston Tourism Partners. Next quarter we will be looking into the ability host workshops and experience based program at the FVIC via the Visit Frankston Tourism Partnership.	iv. In Progress
	v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)	v. Relationship with Monash is strengthening. Tourism and Monash have collaborated to apply for a Study Victoria Grant in order to enhance International Student Experience. VAN TOURISM has also attended O-week to provide an onsite visitor information service	v. Complete/ In progress
	vi. A passenger collection point for Skybus	vi. No current interest from SkyBus in changing location.	vi. Complete
	c. The FVIC continues the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:		c
	i. Hire of the beach wheelchair	i. Noted – Continuing – and officers are implementing more suitable and accessible storage for the wheel chair	i. Completed
	ii. Provision of Liberty Swing key	ii. Noted – Continuing (affected by playground works)	ii. Completed
	iii. iPads for customer use	iii. Noted - Continuing	iii. Completed
	iv. Multiple languages on website	iv. Noted – Continuing and factored into website upgrade	iv. Completed
	v. Familiarisation tours for volunteers and staff	v. Noted - Continuing	v. Completed
	vi. Greater promotion of FVIC in Council's What's On (online and print)	vi. Noted - Continuing	vi. Completed
	vii. Online and social media promotions	vii. Noted - Continuing	vii. Completed
	viii. Keep Frankston City the major focus, whilst linking with the broader Mornington Peninsula region	viii. Noted - Continuing	viii. Completed
	d. The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:		d
i. Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality	i. Distribution review and now being circulate to an average of 30 outlets, around 1,500 newsletter per drop, 2-3 drops per quarter. Outlets will grow in conjunction with the partnership and features of the newsletter.	i. Complete/ Ongoing	

No	Resolution, "That Council:"	Comment	Reporting status
3 (cont)	<ul style="list-style-type: none"> ii. Increase city event ticketing sold through the FVIC iii. Have the current Guided Ranger Tours depart from / return to the FVIC iv. The Residents Morning Tea events continue but be reduced in frequency to quarterly 	<ul style="list-style-type: none"> ii. We have recently engaged with conversations with our booking provider (BookEasy) to enhance our booking service. Street Art Walking Tours are currently being booked through the centre, we had 100 bookings for this tours in March (216 people). iii. This can only occur for walks that are based at the Waterfront within 10-4pm, as other times and the centre location could be an inconvenience for other locations. As routes are develop it is recommended that the tour start and finish at the centre. iv. Residents Morning Teas have been moved to Saturday. The March session had 17 people. The last one for 2018-2019 will take place in June. 	<ul style="list-style-type: none"> ii. Complete/ Ongoing iii. Complete/ Ongoing iv. Complete/ Ongoing
4	<p>Endorses the following recommendations of the FVIC sub-committee in relation to merchandise:</p> <ul style="list-style-type: none"> a. Acknowledgement that merchandise is more than a profit generator, in that there is greater value derived from: <ul style="list-style-type: none"> i. supporting local businesses ii. increasing repeat visitation to the FVIC iii. providing gifts for visitor/locals b. Review and reduce the footprint, quantity and range of merchandise c. Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC 	<ul style="list-style-type: none"> a. Noted b. This quarter marked the last large purchase of merchandise for the financial year. Old stock has been discounted. Point of sale displays are continually being changed to increase turnover of products. c. Introduce a 'history wall' at the centre, Frankston City branded merchandise surrounds this display. 	<ul style="list-style-type: none"> a. Complete/ Ongoing b. Complete/ Ongoing c. Complete/ Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
5	<p>Endorses the following recommendations of the FVIC sub-committee in relation to the Centre's floorplan:</p> <ul style="list-style-type: none"> a. The floorplan of the FVIC be reviewed to achieve the objectives of: <ul style="list-style-type: none"> i. Improving access into and through the building ii. Maximising the return on investment of the building by: <ul style="list-style-type: none"> 1. facilitating co-tenancy arrangements 2. reducing the space dedicated to merchandise 3. enclosing the rear deck iii. Allow customers to sit and enjoy the Centre through the provision of a seating section b. Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications 	<ul style="list-style-type: none"> a. Officers are currently working with the appointed architect to finalise layout and ensure is brought within current budget. Works are planned for non-peak season. b. Refer to 5a. 	<ul style="list-style-type: none"> a. In progress b. In progress

No	Resolution, "That Council:"	Comment	Reporting status
6	<p>Endorses the following recommendations of the FVIC sub-committee in relation to the operating hours of the FVIC:</p> <ul style="list-style-type: none"> a. The Centre remains open seven days per week b. The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm) c. During opening hours the following staffing levels be provided for face-to-face visitor servicing activities: <ul style="list-style-type: none"> i. Winter (May - August) - one Council Officer and four volunteers per day (two per shift) ii. Summer (September - April) – two Council Officers and four volunteers per day (two per shift) 	<ul style="list-style-type: none"> a. Noted – this continues to be factored into operations and promotions b. Noted – this continues to be factored into operations and promotions c. <ul style="list-style-type: none"> i. The off-peak staffing structure has been implemented. ii. The peak staffing structure has been implemented. 	<ul style="list-style-type: none"> a. Complete b. Complete c. <ul style="list-style-type: none"> i. Complete ii. Complete
7	<p>Notes that the FVIC sub-committee recommended the following actions which don't directly relate to the operations of the FVIC, but which support the strengthening of Frankston City's tourism sector:</p> <ul style="list-style-type: none"> i. Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City ii. Review events that the Roving Ambassadors attend and expand to include events like Monash 'O-week' to appeal to a different audience 	<ul style="list-style-type: none"> i. In addition to the LED light signage displays at the Civic Centre and Langwarrin Customer Service Centre and the roving visitor information program (VAN TOURISMO) Officers commenced the procurement process provision digital information hubs to be located around the City. Minimum of one will be on trial as of July. ii. A calendar of events at which the Roving Ambassadors and roving equipment is now established, with key events identified until May 2019. 	<ul style="list-style-type: none"> i. Ongoing ii. Complete/ Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
8	<p>Endorses the following recommendations of the FVIC sub-committee in relation to industry memberships:</p> <p>a. All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council's Economic Development Policy)</p> <p>b. Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC.</p>	<p>a. Continual website updates are taking place with new content and local businesses, in addition to newsletters and blogs.</p> <p>b. 2019-2020 Tourism Partnership has now been realised featuring marketing benefits. Currently we have over 40 members.</p>	<p>a. In Progress / Ongoing</p> <p>b. Complete/ Ongoing</p>
9	<p>Endorse the following 2018-2019 key performance indicators as identified by the FVIC sub-committee:</p> <p>a. FVIC income targets</p> <p>i. Merchandise - \$35,000 net profit</p> <p>ii. Event commission/other - \$5,000</p> <p>iii. Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process)</p> <p>b. FVIC visitation - 52,000 walk in visitors</p> <p>c. FVIC Customer Service - Mystery shoppers 95% customer satisfaction</p> <p>d. FVIC Industry Appeal - 100 FVIC members</p>	<p>a.</p> <p>i. \$19,987 – forecast to be \$25,000 as of March 2019</p> <p>ii. Currently \$495 as of March 2019. Just opened charged street art tours.</p> <p>iii. An ATM was installed as an additional service/incentive for customers. Awaiting layout confirmation before we engage a co-tenant, although preliminary conversations are still talking place. Aim to trail workshops, experiences and sessions within Centre.</p> <p>b. 27,346 (total – phone, email & face to face) - as of March 2019. Unlikely to reach 52,000. While figures are approximately 25-30% down on target, this may be partially due to reduction in hours – however, previous statistics showed that the start of the day and end of the day are generally the quietest so there is not a direct correlation.</p> <p>c. Not yet started. Scheduled for next quarter.</p> <p>d. Currently 40 tourism partners as of March 2019.</p>	<p>a.</p> <p>i. In progress</p> <p>ii. In progress</p> <p>iii. In progress</p> <p>b. In progress</p> <p>c. Not started</p> <p>d. In progress</p>

No	Resolution, "That Council:"	Comment	Reporting status
9 (cont)	e. Other KPIs for noting, but not a measure of success of the performance of the FVIC: i. Satellite visitor information displays - 3 ii. Co-operative tenant located in the FVIC - 1	e. i. Two established thus far (refer 7.i.) plus the implementation of the roving van at public events. Now looking at digital visitor information hubs. ii. Awaiting new Centre reconfiguration. Conversations continuing.	e. i. In progress ii. Not started
10	Endorses the commencement and implementation of these recommendations as of 1 July 2018.	Noted	Complete

No	Resolution, "That Council:"	Comment	Reporting status
11	Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors' experiences of Frankston City.	Not yet started – awaiting concept design for upgrade to Centre	Not started
12	Notes that in accordance with Council's resolution of 3 April, officers will provide a report to Council no later than June 2019 as to the performance of the FVIC against the KPIs and to determine if further modifications are needed.	Not yet due to start	Not started
13	Notes that officers will provide a quarterly report to the FVIC sub-committee on how the Centre is performing against the endorsed KPIs.	Noted – this is the third report being provided to the Committee	In progress

Frankston Visitor Information Centre: April – June 2019 update

In accordance with the resolution of Council on 14 May 2018, officers are providing the following report to the Visitor Services Sub-committee to update on progress of the implementation.

No	Resolution, "That Council:"	Comment	Reporting status
1	Notes this report.	No further action required	Complete
2	Notes that the operational changes can be accommodated within the existing 2017/2018 Budget and the proposed 2018/2019 Budget.	Noted and the operating costs have now been incorporated into the adopted 2018-2019 Frankston City Council Annual Budget.	Complete
3	Endorses the following recommendations of the Frankston Visitor Information Centre sub-committee in relation to services offered from the Frankston Visitor Information Centre (FVIC):		
	a. The FVIC ceases the following services that provide a low or negative return on investment:		a
	i. Accommodation bookings	i. Accommodation bookings no longer provided	i. Complete
	ii. Fishing licences	ii. Fishing Licences are no longer sold through the Centre. The Centre's iPads are used to help customers purchase themselves through the Victorian Fisheries Association (VFA)	ii. Complete
	iii. Tennis court hire	iii. No longer provided	iii. Complete
	iv. Coffee for purchase	iv. No longer provided	iv. Complete
	b. The following services be investigated to commence being provided from the FVIC:		b
	i. Walking Frankston City/arts/bike tours	i. Monthly Street Art Tours have been developed and implemented. To date nearly 300 people have booked in for the tours. Additionally Council (in partnership with Monash University) has secured \$74,000 funding to in part go towards the street art tours (refer 3b.(v))	i. Complete
	ii. Feature digital screens/ribbon signage in FVIC windows and have night-time displays	ii. Illuminated image based signage has been featured in FVIC window. The prototype digital screen is now being developed with delivery expected in August. The first screen will be sited in PARC and will provide a range of information for visitors and residents. This proof of concept will be trialled before expansion is considered.	ii. In progress

No	Resolution, "That Council:"	Comment	Reporting status
3 (cont)	iii. 3D experiences	iii. 3D street art has been raised as a concept for Frankston City. Officers are pursuing ways this can be implemented to complement existing programs	iii. In progress
	iv. Member businesses providing pop up displays and/or demonstrations	iv. We now have 64 Visit Frankston Tourism Partners. While not at our desired target yet, due to the fee vs benefit structure members have opted for higher levels meaning that we have exceeded income expectations	iv. Ongoing
	v. Initiatives that target the youth market (especially from Chisholm TAFE and Monash University)	v. We have partnered with Monash Uni has been strengthened through successfully collaborating to apply for a Study Victoria Grant in order to enhance International Student Experience. The program has been successful in securing \$74,000. VAN TOURISMO has been at Open days.	v. Ongoing
	vi. A passenger collection point for Skybus	vi. No current interest from SkyBus in changing location.	vi. Complete
	c. The FVIC continues the following services that provide a good return on investment or positively contribute to the reputation of the Centre and Frankston City:		c
	i. Hire of the beach wheelchair	i. Noted – Continuing. Officers have implemented a more suitable and accessible storage for the wheel chair	i. Ongoing
	ii. Provision of Liberty Swing key	ii. Noted – Continuing	ii. Ongoing
	iii. iPads for customer use	iii. Noted - Continuing	iii. Ongoing
	iv. Multiple languages on website	iv. Noted – Continuing and factored into website upgrade	iv. Ongoing
	v. Familiarisation tours for volunteers and staff	v. Noted - Continuing	v. Ongoing
	vi. Greater promotion of FVIC in Council's What's On (online and print)	vi. Noted - Continuing	vi. Ongoing
	vii. Online and social media promotions	vii. Noted - Continuing	vii. Ongoing
	viii. Keep Frankston City the major focus, whilst linking with the broader Mornington Peninsula region	viii. Noted - Continuing	viii. Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
3 (cont)	<p>d. The following FVIC services be modified to better meet the needs of customers and achieve operational efficiencies:</p> <ul style="list-style-type: none"> i. Investigate broader distribution of quarterly newsletter including major attractions and business within the municipality ii. Increase city event ticketing sold through the FVIC iii. Have the current Guided Ranger Tours depart from / return to the FVIC iv. The Residents Morning Tea events continue but be reduced in frequency to quarterly 	<ul style="list-style-type: none"> i. Distribution has been reviewed and now newsletters are being circulated to an average of 30 outlets, around 1,500 newsletter per drop, 2-3 drops per quarter. Outlets will grow in conjunction with Partnership and features of the newsletter. ii. Other than the Street Art Walking Tours the FVIC has had limited options for ticketed events that it can sell. iii. This can only occur for walks that are based at the Waterfront within 10-4pm, as other times and the centre location could be an inconvenience for other locations. As routes are developed it is recommended that the tour start and finish at the centre (when appropriate). iv. Residents Morning Teas have been moved to Saturdays to enable greater attendance. The March session had 17 people. The June session was postponed due to the refurbishment. 	<p>d</p> <ul style="list-style-type: none"> i. Complete/ Ongoing ii. Complete/ Ongoing iii. Complete/ Ongoing iv. Complete/ Ongoing
4	<p>Endorses the following recommendations of the FVIC sub-committee in relation to merchandise:</p> <ul style="list-style-type: none"> a. Acknowledgement that merchandise is more than a profit generator, in that there is greater value derived from: <ul style="list-style-type: none"> i. supporting local businesses ii. increasing repeat visitation to the FVIC iii. providing gifts for visitor/locals b. Review and reduce the footprint, quantity and range of merchandise c. Upgraded visual merchandising that provides displays of stock to appeal to customers both inside and outside the FVIC 	<ul style="list-style-type: none"> a. Noted. Items introduced as a result have included: <ul style="list-style-type: none"> • Frankston Enjoy Every Moment keep cups, • Tote bags • Aprons • Pens • Frankston History books • vouchers for McClelland Sculpture Park + Gallery • Heart and Co homewares (Carrum Downs) b. Noted. (Refer to 4a).This has also been factored into the centre refurbishment and the purchase of new merchandise displays. c. This has also been factored into the centre refurbishment and the purchase of new merchandise displays. 	<ul style="list-style-type: none"> a. Complete/ Ongoing b. Complete/ Ongoing c. Complete/ Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
5	Endorses the following recommendations of the FVIC sub-committee in relation to the Centre's floorplan: a. The floorplan of the FVIC be reviewed to achieve the objectives of: i. Improving access into and through the building ii. Maximising the return on investment of the building by: 1. facilitating co-tenancy arrangements 2. reducing the space dedicated to merchandise 3. enclosing the rear deck iii. Allow customers to sit and enjoy the Centre through the provision of a seating section b. Any changes to the layout of the FVIC will be scoped over the coming weeks to better understand any further capital budget implications	a. Noted. The refurbishment is currently underway, expected to be completed early July. b. Refer to 5a.	a. In progress b. Complete
		6	Endorses the following recommendations of the FVIC sub-committee in relation to the operating hours of the FVIC: a. The Centre remains open seven days per week b. The Centre opening hours be reduced to 10am – 4pm (from 9am-5pm) c. During opening hours the following staffing levels be provided for face-to-face visitor servicing activities: i. Winter (May - August) - one Council Officer and four volunteers per day (two per shift) ii. Summer (September - April) – two Council Officers and four volunteers per day (two per shift)

No	Resolution, "That Council:"	Comment	Reporting status
7	<p>Notes that the FVIC sub-committee recommended the following actions which don't directly relate to the operations of the FVIC, but which support the strengthening of Frankston City's tourism sector:</p> <ul style="list-style-type: none"> i. Commence development of satellite visitor information displays at various attractions and thoroughfares throughout Frankston City ii. Review events that the Roving Ambassadors attend and expand to include events like Monash 'O-week' to appeal to a different audience 	<ul style="list-style-type: none"> i. In addition to the LED light signage displays at the Civic Centre and Langwarrin Customer Service Centre and the roving visitor information program (VAN TOURISMO) Officers commenced the procurement process provision digital information hubs to be located around the City. The proof of concept screen is being developed currently and is expected to be installed at PARC in August. ii. A calendar of events at which the Roving Ambassadors and roving equipment is now established, although we are in the off-peak lull. A notable highlight was our presence at the Dog Lovers Show – which linked in responsible pet ownership and Frankston's growing reputation for street art. This one weekend generated over 600 eNewsletter subscriptions. 	<ul style="list-style-type: none"> i. Ongoing ii. Complete/ Ongoing
8	<p>Endorses the following recommendations of the FVIC sub-committee in relation to industry memberships:</p> <ul style="list-style-type: none"> a. All Frankston City based businesses that service visitors will feature on the Visit Frankston website (consistent with Council's Economic Development Policy) b. Future FVIC based memberships will provide predominantly marketing benefits, with levels of membership benefit differentiated by inclusion in such things as newsletters, brochures in FVIC, FVIC window displays, advertising on digital screens in FVIC. 	<ul style="list-style-type: none"> a. Continual website updates are taking place with new content and local businesses, in addition to newsletters and blogs. However, focus has been on promoting this as a partnership benefit at this stage. <i>(NB Economic Development Policy has been discontinued)</i> b. The Visit Frankston Tourism Partnerships are being sold and is attracting good interest from key tourism attractions and businesses throughout the region. (Currently at 64) 	<ul style="list-style-type: none"> a. In Progress / Ongoing b. Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
9 (cont)	Endorse the following 2018-2019 key performance indicators as identified by the FVIC sub-committee: <ul style="list-style-type: none"> a. FVIC income targets <ul style="list-style-type: none"> i. Merchandise - \$35,000 net profit ii. Event commission/other - \$5,000 iii. Rent from co-tenancy – figure unknown (to be determined by market from Expression of Interest process) b. FVIC visitation - 52,000 walk in visitors c. FVIC Customer Service - Mystery shoppers 95% customer satisfaction d. FVIC Industry Appeal - 100 FVIC members e. Other KPIs for noting, but not a measure of success of the performance of the FVIC: <ul style="list-style-type: none"> i. Satellite visitor information displays - 3 ii. Co-operative tenant located in the FVIC - 1 	<ul style="list-style-type: none"> a. <ul style="list-style-type: none"> i. \$24,041 (missed target by 31%) ii. \$1,458 (missed target by 71%) iii. An ATM was installed as an additional service/incentive for customers on the basis of feedback from customers. However, during the trial period the volume of withdrawals was insufficient and the supplier withdrew the machine. Awaiting refurbishment before pursuing co-tenant. b. 30,737 (missed target by 41%) (33,699 - total – phone, email & face to face) Walk-in visitation demonstrates an average annual decline of 10% (adjusted to reflect reduced opening hours) since 2010. c. Currently underway. d. Currently 64 tourism partners, however due to the membership structure the income received for these members exceeds expectation e. <ul style="list-style-type: none"> i. Two established thus far (refer 7.i.) plus the implementation of the roving van at public events. Developing proof of concept digital visitor information hub at PARC, and further display at Seaford Community Centre. ii. Awaiting new Centre reconfiguration. 	<ul style="list-style-type: none"> a. <ul style="list-style-type: none"> i. ii. iii. Delayed b. c. In progress d. ongoing e. <ul style="list-style-type: none"> i. In progress ii. Not started
10	Endorses the commencement and implementation of these recommendations as of 1 July 2018.	Noted	Ongoing

No	Resolution, "That Council:"	Comment	Reporting status
11	Endorses the commencement of an Express of Interest process for co-tenants within the FVIC which complement and positively contribute to visitors' experiences of Frankston City.	Not yet started – awaiting refurbishment of Centre	Not started
12	Notes that in accordance with Council's resolution of 3 April, officers will provide a report to Council no later than June 2019 as to the performance of the FVIC against the KPIs and to determine if further modifications are needed.	Delayed to enable a full year results. Scheduled for 22 July 2019	In progress
13	Notes that officers will provide a quarterly report to the FVIC sub-committee on how the Centre is performing against the endorsed KPIs.	Noted – this is the fourth report being provided to the Committee	Complete

Executive Summary

12.9 Playground Strategy Review

Enquiries: (Doug Dickins: Community Assets)

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.3 Health and Well-being
Priority Action	2.3.3 Enhance equitable access to sport and leisure opportunities

Purpose

To brief Council on the proposed Frankston Playspace Strategy and the approach to be taken and seek referral to Council budget to enable the strategy to be developed.

Recommendation (Director Community Assets)

That Council:

1. Notes that a review of the Frankston Playspace Strategy is required to guide future provision of playspaces across Frankston.
2. Notes that as part of the review of the Playspace Strategy that play for all ages, including senior adults, will be considered, prioritised and a trial site such as Whistlestop Reserve determined.

Key Points / Issues

- At Council Ordinary meeting 3 June 2019, Council endorsed the following recommendation in relation to Whistlestop Reserve:

“5. A report is to be provided to Council on its ‘seniors’ playground’ strategy, and the rollout of senior playgrounds throughout the municipality, at the August Ordinary Meeting. This Reserve should be considered as a trial site for a ‘seniors’ playground.”
- At Council Ordinary meeting 22 July 2019, Council endorsed the following recommendation in relation to the Playground Strategy Review:

“That Council:

 1. *Notes the update of the current Playground Strategy is currently underway. Further notes investigations as part of the review and revision of the Playground Strategy will incorporate the concept of Seniors Playgrounds including consideration of Whistlestop Reserve as a trial site for a senior’s playground.*
 2. *Notes a further report in August will detail timelines for community consultation and completion of the Strategy.*
 3. *Notes the cost of installation of a combined water fountain and dog tap is \$17K and park furniture is estimated at \$4K per set and the BBQ is \$10K with minor planting (supply and installation) at \$9K.*
 - a) *Notes the Playground Strategy is being reviewed and revised to consider and guide future open space environments with play and furniture requirements including the option of seniors playground.”*
- In 2001 Council adopted Frankston’s Playground Strategy (FPS) that was later updated in 2006. The Strategy provided a strategic direction for the role of playgrounds in our community and for playground upgrades.

12.9 Playground Strategy Review**Executive Summary**

- The need for a FPS review was identified in the Frankston Open Space Strategy 2015 with a focus on establishing a ‘whole of life’ approach to play that improves access for all ages and abilities. Also identified was the opportunity to further investigate funding and partnerships to deliver a network of playgrounds.
- A review is required to ensure the FPS remains relevant and aligns with a range of Strategies, Plans, Frameworks, Standards and Guidelines that have been developed since 2001. Consideration of emerging design trends, such as nature play, play for adults and integrated playspaces, will be incorporated. The Frankston municipality population and demographic data will also be considered to inform prioritisation of a new implementation plan for future upgrades and development.
- The review will refer to playspaces instead of playgrounds in order to ensure a focus on the provision of play experiences within spaces rather than specific play equipment or structures.
- A collaborative community engagement process will be undertaken to ensure the broader community can provide input and feedback on the FPS.
- Operational and Capital Expenditure costs will be considered in the development of cost parameters and for various playground categories.
- The FPS review will:
 - Improve the design and standard of playspace upgrades with a focus on improved play value, accessibility and integrated site design;
 - Identify opportunities to provide a network of playspaces that offer diverse play opportunities for all ages.
 - Identify opportunities for multi-generational play such as inclusion of playspaces that encourage play by all ages and accommodate children, their parents and grandparents.
 - Identify opportunities for nature based play to facilitate contact with nature.
- It is proposed that a Project Steering Group will work with an appointed consultant to guide the FPS review.
- Subject to funding, the review will be undertaken by June 2020 with an initial community consultation process planned to commence in October 2019. This could also be incorporated into local area community engagement being conducted later this year. Following consultation a draft strategy will be provided to Council for endorsement and further public comment process in April 2020 prior to a Final Strategy being adopted by Council in mid-2020.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

12.9 Playground Strategy Review**Executive Summary**

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

The financial cost estimated to prepare the FPS is \$45,000, which can be accommodated within the existing budget.

Consultation**1. External Stakeholders**

In order to gain a representative number of individuals, groups and opinions an extensive community consultation will be undertaken including online and in-person surveys, workshops and postcards.

2. Other Stakeholders

Consultation with key stakeholders, Council staff and Councillors will be undertaken.

Analysis (Environmental / Economic / Social Implications)

No environmental impacts have been identified for this report.

Playspaces are fundamental to the health and wellbeing of people of all ages and have many physical, social, cognitive and creative benefits.

Regional and district playgrounds such as the Waterfront and George Pentland Playgrounds, attract both local and regional visitors and in turn create a range of economic and tourism benefits for Frankston.

Legal / Policy / Council Plan ImpactCharter 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

There are no legal issues to consider.

Policy Impacts

This report directly supports the achievement of the Council Plan 2017 – 2021 strategy for Health and Well Being:

- Enhance equitable access to sport and leisure opportunities.

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 FPS review is required in order to ensure the adequate installation and distribution of play assets in accordance with relevant standards to avoid any potential rectification and additional costs.

12.9 Playground Strategy Review**Executive Summary****Conclusion**

Council's existing FPS requires review to ensure it is relevant and provides clear strategic direction for the creation of a playground network that responds to changing local needs and provides diverse experiences for all ages and all abilities.

This report provides an overview of the review including the required budget, timelines and types of community engagement to be undertaken.

An implementation plan will be developed as part of the review in order to improve the quality, diversity and distribution of playgrounds to benefit all residents and visitors to Frankston.

An updated FPS will enable Council to appropriately plan for its future play needs over the next 10 years and positively contribute to the health and wellbeing of our community.

ATTACHMENTS

Nil

Executive Summary**12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**

Enquiries: (Martin Poole: Corporate Development)

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

Purpose

To seek approval to commence statutory procedures for the leasing of Crown land, being part of Lloyd Park Langwarrin for a Telecommunications Equipment Shelter

Recommendation (Director Corporate Development)

That:

1. Axicom, on behalf of Optus Mobile Pty Ltd, be advised that Council, acting in its capacity as the Public Land Manager, agrees in principle to the leasing of part of the Crown Land at 185N Cranbourne-Frankston Road Langwarrin, being part of the land comprising Crown Allotment 1A section B in the Parish of Langwarrin, County of Mornington and being permanently reserved for Public Recreation, for a maximum term of twelve (12) years, for the sum of \$17,500 plus GST per annum, for the purposes of the construction and use of a Telecommunications facility (equipment shelter only), subject to:
 - (i) Public notice of any proposed lease will provide an opportunity for public comment for 28 days, pursuant to s.223 of the LGA 1989.
 - (ii) The satisfactory completion of statutory procedures for the leasing of Council land pursuant to s. 190 *Local Government Act 1989*, and,
2. The Chief Executive Officer be authorised to commence the statutory procedures for the leasing of land including public notice.

Key Points / Issues

- Optus Mobile Pty Ltd has an existing Telecommunications facility (equipment shelter only) located on Crown Land at 185N Cranbourne-Frankston Road, Langwarrin, known as the Lloyd Park Crown Reserve.
- Council is the appointed Committee of Management of the land.
- There are three (3) existing co-located Telecommunications facilities under lease at Lloyd Park, comprising one (1) monopole with associated equipment shelter (Axicom Australia), and two (2) separate equipment shelters (Optus Mobile and Telstra Corporation). Antenna equipment for both Optus and Telstra is physically located on the monopole managed and leased by Axicom.
- Axicom, acting on behalf of Optus Mobile Pty Ltd, has made a request for further tenure (lease term). Agreement in respect of the commercial terms has been reached with officers subject to minor negotiations regarding special conditions and Council approval.

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**Executive Summary**

- Council has the power pursuant to s.190 of the *Local Government Act 1989 (LGA)*, to enter into a lease agreement with any person for a term not exceeding 50 years.
- Any proposed lease agreement on Crown Land, must be approved by the Department of Environment, Land, Water and Planning (DELWP). DELWP has issued Grant and Purpose (first stage approval), in respect of the new lease.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are financial costs, however, these costs can be accommodated within existing budgets.

Subject to Council approval, the rental under the proposed lease is \$17,500 plus GST per annum, exclusive of outgoings, and subject to a 3% fixed annual increase.

Legal fees to seek advice on the proposed lease terms if required, are anticipated to be in the range of \$2,000 to \$2,500 exclusive of GST.

Consultation**1. External Stakeholders**

Officers have been in ongoing discussions with Axicom on behalf of Optus Mobile in respect of the lease agreement. The area proposed to be leased is shown on the plan in Attachment A.

Council’s solicitors have been consulted in respect of advice on Low Impact Telecommunications Facilities.

Public notice of any proposed lease will provide an opportunity for public comment, pursuant to s.223 of the LGA 1989.

DELWP has provided first stage approval (Grant and Purpose) in respect of a new lease agreement.

2. Other Stakeholders

Nil.

Analysis (Environmental / Economic / Social Implications)

It is considered there are no adverse implications of commencing statutory procedures for the leasing of land.

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**Executive Summary**

The Telecommunications Facility (equipment shelter only) is existing and has been located on the Crown Reserve since 1998. The equipment shelter is fully fenced, with the Optus component having a minimal on ground footprint of approximately 25m². The fenced compound also houses the Telstra equipment shelter. The compound is regularly inspected to ensure it is secure, with any issues directly notified to the carrier under the terms of the existing lease agreement.

As the footprint of the equipment shelter is marginal when compared to the entire area of the Lloyd Park Reserve (which is over 162,000m² or 16.2 hectares), it does not preclude use of the balance of Lloyd Park, which is well utilised by numerous recreational and community groups.

If Council approves the commencing of statutory procedures for the leasing of land, and if such procedures are successfully completed, Optus Mobile will receive the benefit of ongoing security of tenure in respect of the facility, which is desirous to enable the carrier to better plan required upgrades, and will arguably provide enhanced continuity in respect of telecommunications coverage within the locality.

It is noted that the physical equipment shelter itself is deemed to be a Low Impact Facility not technically requiring specific tenure. However, its inclusion in a fenced compound does require tenure and is preferred by the carrier and Council officers. Refer officer's assessment for further details.

Legal / Policy / Council Plan ImpactCharter 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

Telecommunications Facilities are primarily managed under Commonwealth legislation, being the *Telecommunications Act 1997*.

The *Telecommunications (Low Impact Facilities) Determination 2018* provides specific requirements for determining what can be classed as a Low Impact Facility (refer officers assessment).

Pursuant to s. 190 of the *LGA 1989*, Council may enter into a lease for a term not exceeding 50 years. Pursuant to s. 190(3)(b) and (c) of the *LGA 1989*, if Council intends to enter into a lease exceeding ten (10) years, or a building or improving lease, public notice of the proposed lease must be published at least 4 weeks before the lease is made.

As the land on which the equipment shelter is located is Crown land managed by Council, the DELWP standard lease template pursuant to s. 17D of the *Crown Land (Reserves) Act 1978* will be utilised, with additional special conditions as relevant.

Policy Impacts

The proposed lease is supported by the Council Plan 2017-2021

4. A Well Managed City 4.3 Resources 4.3.1 Continue to build a financially sustainable Council: seek alternative revenue sources.

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**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

As the equipment shelter is existing and is under a lease agreement, it is considered there are minimal risks associated with the commencement of statutory procedures for the leasing of land, to allow for further tenure and updated lease terms and conditions.

The final lease agreement will be subject to further negotiation and agreement between Council and Axicom on behalf of Optus Mobile Pty Ltd.

In the event the commencement of statutory procedures is not supported, there is the potential for Axicom to withdraw its request for further tenure (noting that this will also require the carrier to remove the fenced compound). This would leave the existing equipment shelter which is deemed to be a Low Impact Telecommunications Facility, and would result in Council receiving no rental income despite the infrastructure still being in place.

Conclusion

Axicom on behalf of Optus Mobile Pty Ltd, has requested future tenure be granted in respect of an existing Telecommunications Facility (equipment shelter only) at Lloyd Park Langwarrin, which requires the successful completion of statutory procedures for the leasing of land pursuant to the *Local Government Act 1989*, including public notification.

The commencement of statutory procedures for the leasing of land is recommended, to allow the lease proposal to progress to the next stage.

ATTACHMENTS

Attachment A: [↓](#) Proposed Lease Plan - Telecommunications Facility (equipment shelter only) - Lloyd Park Langwarrin

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)

Officers' Assessment

Background

Lloyd Park is located off Cranbourne-Frankston Road Langwarrin, and comprises both Crown land managed by Council on behalf of the State Government (the Department of Environment Land Water and Planning), and Council freehold land.

Lloyd Park is primarily a recreation reserve and is well utilised by numerous recreational and community groups. These include, but are not limited to, tennis and netball groups, football, soccer and cricket groups, a Scouts group, Men's Shed and community hall.

Telecommunications Facilities within Lloyd Park are co-located and share infrastructure as follows:

Entity and/or Telecommunications Carrier	Infrastructure within Lease	Other Infrastructure	Passing (current) Annual Rent
Axicom Australia	Telecommunications monopole and associated transmission antennas Equipment shelter		\$28,140 plus GST
Optus Mobile Pty Ltd	Equipment shelter in shared fenced compound	Transmission antennas located on Axicom monopole	\$21,490 plus GST (Legacy Rent)
Telstra Corporation Ltd	Equipment shelter in shared fenced compound	Transmission antennas located on Axicom monopole	\$18,600 plus GST (Legacy Rent)

Axicom, acting on behalf of Optus Mobile Pty Ltd, has made a request for further tenure (lease term). Agreement in respect of the commercial terms has been reached with officers subject to minor negotiations regarding special conditions, and Council approval.

Council has the power pursuant to s.190 of the *Local Government Act 1989 (LGA)*, to enter into a lease agreement with any person for a term not exceeding 50 years.

Any proposed lease agreement on Crown Land, must be approved by the Department of Environment, Land, Water and Planning (DELWP). DELWP has issued Grant and Purpose (first stage approval), in respect of the proposed new lease.

Issues and Discussion

The new Lease proposal raises few concerns from an infrastructure and use perspective. The equipment shelter has been located on the land since 1998, some 21 years, and does not preclude recreational or community use of the Lloyd Park reserve.

Ongoing management of Telecommunication leases is managed by the Commercial Services (Property) department on behalf of Council, and is relatively straight forward. Issues are generally limited to the reporting of graffiti or vandalism of equipment and/or shelters. Consultation is held with the respective Lessee's in respect of any proposed Council works in the vicinity which may impact their operations, such as a temporary disconnection of power supply etc. and there are obligations under the respective lease agreements and legislation to advise Council of any proposed works to the facilities.

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**Officers' Assessment**

Historically, the establishment of Telecommunication facilities in the early 1990's across Victoria was quite different to today's operations. Generally speaking significant infrastructure (known as High Impact Telecommunication Facilities) were accompanied by higher rentals to compensate for the occupation of land, infrastructure was generally housed in larger compounds and co-location was less common with lower competition primarily due to fewer carriers in the market.

Thirty years on, the rapid advance in technology combined with the prolific use of mobile and smart telephones,¹ the collaboration between telecommunication companies under joint venture schemes,² and a strong desire to minimise costs and maximise profits for shareholders, has resulted in carriers and their representatives entering into negotiations with firm positions and expectations.

Axicom on behalf of Optus has advised officers:

"As discussed the Telco industry has been going through a rough patch with mass redundancies in Telstra and Optus, as well as the disruption from TPG offering free mobile plans in its initial rollout. We are seeing higher levels of competition, increased costs and expanding networks evolving as a direct result of increases in data and the take up of smart-phones and data cards. Operating costs have also continued to escalate and Optus is undertaking a program nationally of renegotiating its leases to rectify a legacy of high rent and escalations at 5% under many of its existing agreements, that have become unsustainable." and,

"It is important to Optus' business and its ability to provide services to customers that this mobile base station be upgraded and the lease renewed without further delay. The legislative framework is in place to provide carriers including Optus with fast access to land to install and upgrade telecommunications infrastructure. Optus has certain rights pursuant to Schedule 3 of the Telecommunications Act 1997 (Cth) and can use its powers under the Act to install maintain and operate "low-impact" facilities such as this. Optus prefer to negotiate a commercial outcome with landlords and only relies on these powers when negotiations undertaken in good faith fail."

The *Telecommunications Act 1997* provides wide ranging powers for carriers, including what is essentially an "As of Right" occupation of land, if a facility is considered to be Low Impact. The *Telecommunications (Low Impact Facilities) Determination 2018* provides specific requirements for determining what can be classed as a Low Impact Facility.

The criteria, which are wide ranging and vary depending on the underlying land use, the nature height and size of infrastructure including equipment shelters, radio equipment and antennas, and whether a facility is co-located etc, can be difficult to interpret.

More and more, carriers are relying on Low Impact determinations to totally remove the need for specific tenure for their infrastructure, thereby removing the obligation to pay an annual rent under a lease agreement. Initial higher rentals paid by carriers under the first lease or option which established the Telecommunication facility, are referred to as "legacy rents", and most carriers including Optus Mobile have established positions on the removal of legacy rents when entering into negotiations for renewed tenure.

It is no longer uncommon for some carriers to decline to negotiate with municipal authorities in respect of Low Impact facilities; to present very low rental offers for new lease agreements; or, to withdraw offers completely where agreement cannot be reached, citing reliance on the legislation that specific tenure is not required.

12.10 Proposed Lease of Council Managed Land - Existing Telecommunications Facility (Equipment Shelter only) - 185N Cranbourne-Frankston Road Langwarrin (Lloyd Park)**Officers' Assessment**

As a result, legal advice was sought to ensure that the current Optus equipment shelter, and associated equipment located on the adjacent Axicom monopole, was considered a Low Impact Facility. The physical equipment shelter itself is deemed to be a Low Impact Facility however, its inclusion in a fenced compound means that the determination cannot be relied upon, requiring tenure which is preferred by both parties.

Officers have however balanced the risk of Optus removing the fence thereby allowing the Low Impact determination to be relied on and the infrastructure to remain without tenure (and therefore rental income), and negotiated appropriate commercial terms.

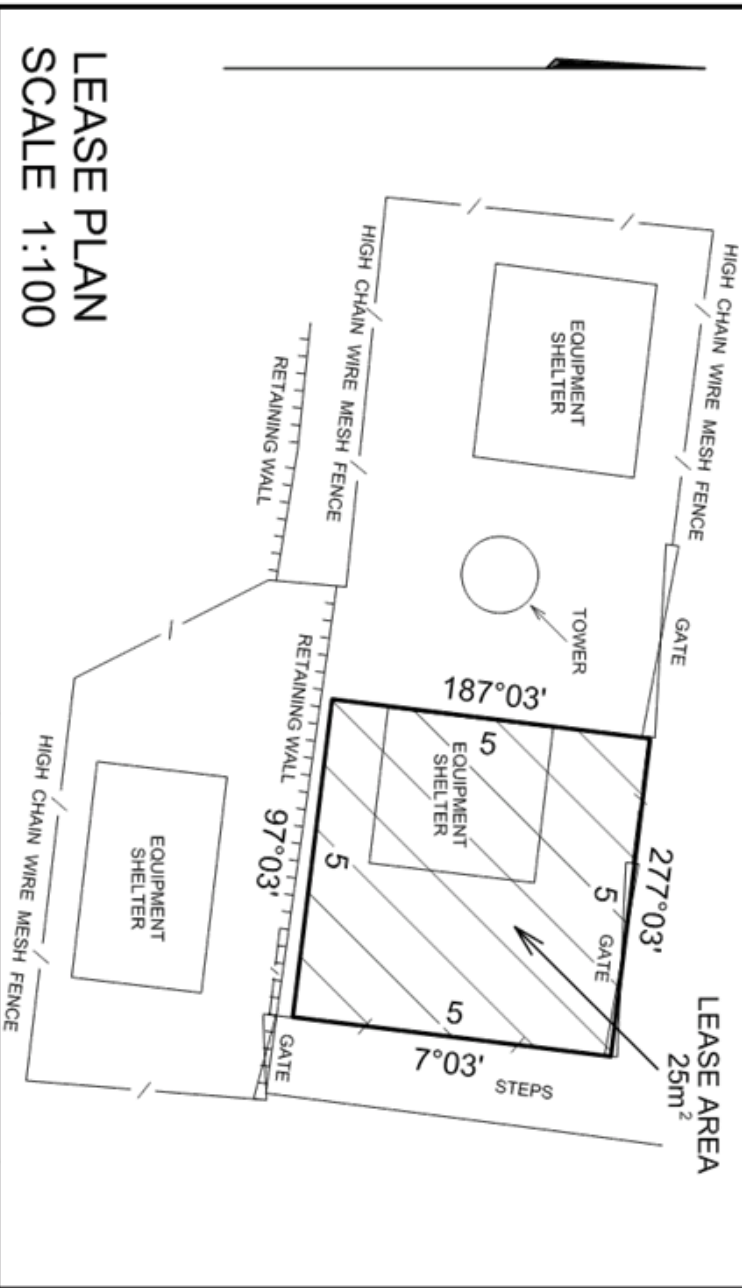
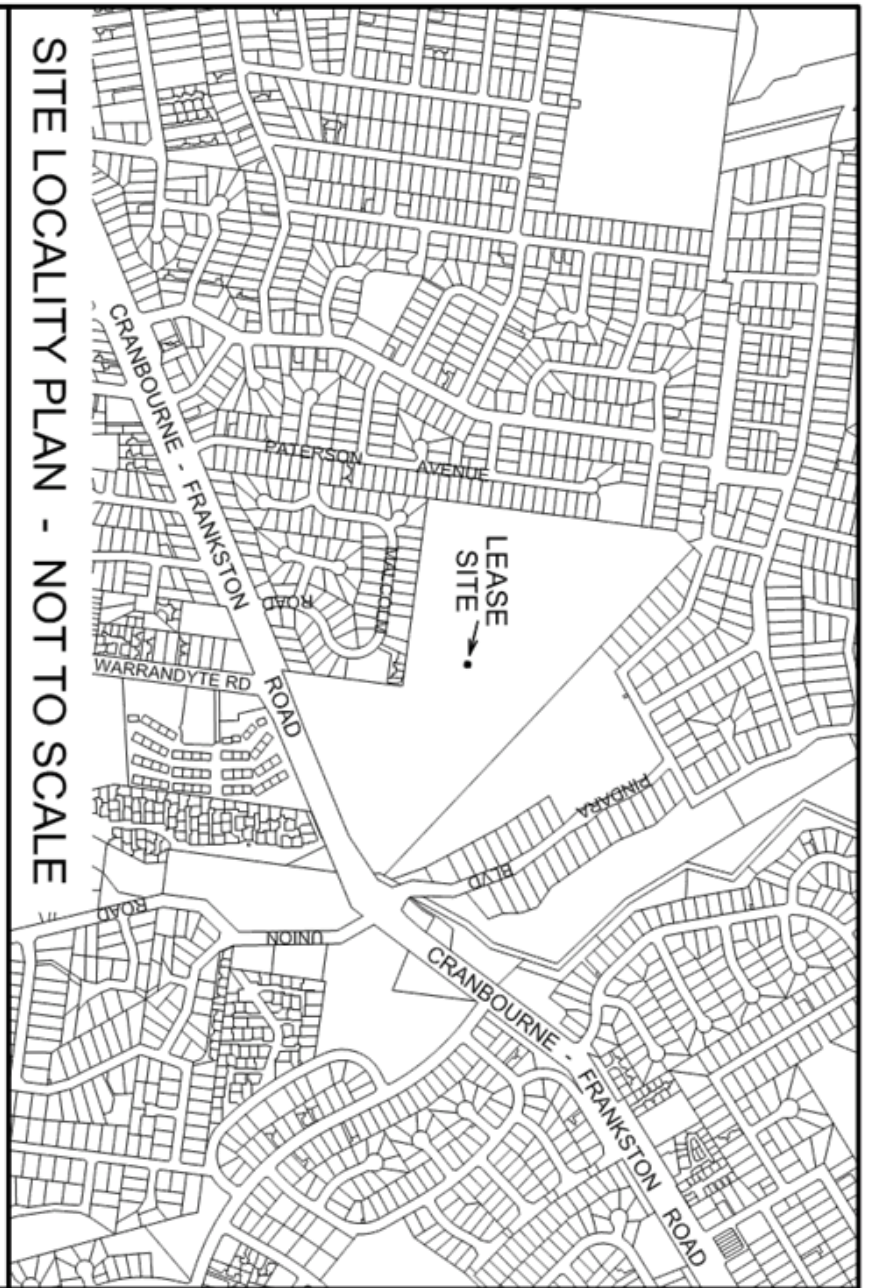
The proposed annual rental has been negotiated up from the original offer of \$15,000 plus GST, from Axicom on behalf of Optus, to \$17,500 plus GST and outgoings with a 3% fixed annual increase.

References

¹ “According to Deloitte’s 2018 Technology, Media and Telecommunications Predictions report, Australia will exceed global trends with smartphone penetration in Australia expected to surpass 90% by the end of 2018 while the rest of the world will take until 2023”. (Business Insider Australia February 2018).

² such as the Vodaphone and Hutchinson Australia in 2009 (now Vodaphone Hutchinson Australia)

A proposed merger between TPG Telecom and Vodaphone Hutchinson Australia was opposed by the Australian Competition and Consumer watchdog in May 2019. Both telecommunications companies are now seeking a Federal Court Declaration to allow the proposed merger to proceed.



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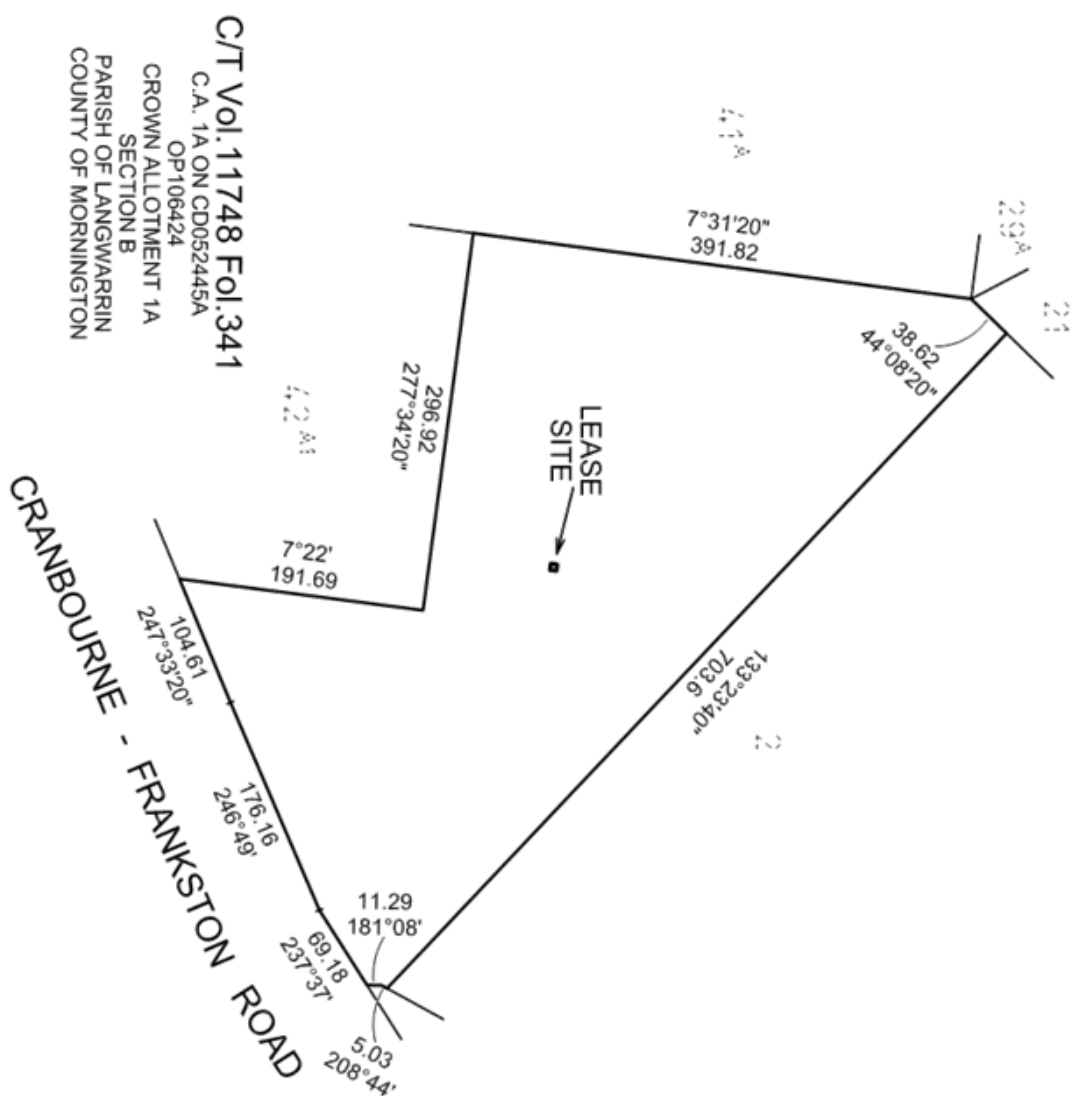


PROJECT
SITE No.: -M0086
LANGWARRIN

LEASE PLAN
185N CRANBOURNE-FRANKSTON ROAD,
LANGWARRIN VIC 3910

MELWAYS REF: 103 J3
DATE: 04/06/2019
REF: 5314 - LEASE
VERSION: ONE

SITE PLAN - SCALE 1:5,000



THIS PLAN IS BASED ON SURVEY
THE LEASE SITE IS WHOLLY CONTAINED IN
CROWN FOLIO Vol. 11748 Fol. 341 C.A. 1A ON CD052445A
FOR EASEMENT DETAILS SEE C/F Vol. 11748 Fol. 341
THE LEASE SITE IS NOT AFFECTED BY AN EXISTING EASEMENT
LEASE SITE LOCATION & DIMENSIONS ARE BASED UPON
CONNELL WAGNER'S SITE SETOUT PLAN DATED 10/02/1998
AS SUPPLIED BY AXICOM PTY LTD
**'BEWARE' UNDERGROUND POWER CABLES AND OTHER
SERVICES MAY EXIST IN THE AREA UNDER SURVEY**

C/T Vol. 11748 Fol. 341
C.A. 1A ON CD052445A
OP106424
CROWN ALLOTMENT 1A
SECTION B
PARISH OF LANGWARRIN
COUNTY OF MORNINGTON

Executive Summary

12.11 Busking in the CAA

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 new *Busking Code of Conduct* and *Street Performance Permit Conditions*.

Recommendation (Director Community Development)

That Council endorses the new *Busking Code of Conduct* and *Street Performance Permit Conditions*.

Key Points / Issues

- Consultation on the new format *Busking Code of Conduct* and *Street Performance Permit Conditions* was undertaken with CAA businesses by advertising in the Leader, and online at council's website. Consultation commenced on 5th July 2019 and concluded on 28th July 2019
- As no feedback was received from business operators in the CAA during the consultation period, it is recommended that Council approve the new *Busking Code of Conduct* and *Street Performance Permit Conditions*
- The current *Busking Code of Conduct* is outdated with inappropriate minor conditions imbedded in a Gazetted document which requires unnecessary red tape to alter
- The proposed format of the new Gazetted *Busking Code of Conduct* clearly articulates enforceable elements whilst minor, periphery conditions, reside in a non-gazetted set of *Street Performance Permit Conditions* allowing for more efficient 'tweaking' of permit conditions should this become necessary
- The main changes in the new set of documents are:
 - Street performance permits will be free;
 - Applicants are vetted through a quality lens (keeping in mind that we are not auditioning for professional performers);
 - Assessment criteria developed to ensure Street Performers are considered suitable and acceptable to safety, amenity and their public appeal;
 - Length of performance time has been reduced with mandatory maximum 'set' times and mandatory breaks;
 - Selected sites allow for low volume amplification; and
 - Valid Frankston council *Street Performance Permit* must be displayed while performing.

12.11 Busking in the CAA
Executive Summary

- A number of city traders have concerns regarding the current quality and appropriateness of some performances. This concern most often arises from a clash of performance type and the space the performance is occurring in. i.e. a loud saxophone in a highly reverberant space

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are financial costs, however, these costs can be accommodated within existing budgets.

Charging for Street Performance Permits presents a barrier for many performers.

Revenue raised is insignificant (approx. \$800pa) and requires unnecessary burdensome processes. Officer’s time will be more productively spent on managing quality.

Consultation**1. External Stakeholders**

Consultation with business operators in the CAA was undertaken by advertising in the Leader newspaper and via council’s website. The Consultation period ran from 5th July 2019 to 28th July. No feedback was received during the consultation period.

2. Other Stakeholders

Community safety.

Analysis (Environmental / Economic / Social Implications)

The proactive management of Street Performers is a way to foster the cultural diversity and entertainment that street performance can provide while ensuring safety, amenity and access for the public.

Legal / Policy / Council Plan ImpactCharter 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

Enforcement of the *Busking Code of Conduct* is provided through General Local Law 2016 – No. 8

Policy Impacts

The new suite of Busking/Street Performance documents provide a clearer articulation of Councils intent for this art form.

12.11 Busking in the CAA
Executive SummaryOfficer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

The topics of safety, audience management, performance times & sites, noise levels, alcohol & prohibited substances and amenity are covered in the *Busking Code of Conduct* and *Street Performance Permit Conditions*.

Conclusion

The proposed format of the new Gazetted *Busking Code of Conduct* clearly articulates enforceable elements whilst minor, periphery conditions, reside in a non-gazetted set of *Street Performance Permit Conditions* allowing for more efficient 'tweaking' of permit conditions should this become necessary.

Management of the quality of our permitted Street Performers, rather than the collection of minimal permit fees will provide a more vibrant amenity in the Frankston CAA.

As no feedback was received from business operators in the CAA during the consultation period which ran from 5th July 2019 to 28th July 2019, it is recommended that Council approve the new *Busking Code of Conduct* and *Street Performance Permit Conditions*.

ATTACHMENTS

- Attachment A: [↓](#) Arts & Culture - NEW Busking Code of Conduct - August 2019 (A3477015).pdf
- Attachment B: [↓](#) Arts & Culture - NEW Application for Street Performance August 2019 (A3477042).pdf
- Attachment C: [↓](#) Arts & Culture - NEW Street Performance Permit Conditions August 2019 (A3689040).pdf

Busking Code of Conduct



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Introduction

This Frankston City Council Busking Code of Conduct provides guidance in order to ensure street performances are conducted safely, at appropriate times and are compliant with the Street Performance Permit Conditions.

Council sees the proactive management of the Busking Code of Conduct as a way to foster the cultural diversity and entertainment that street performance brings to Frankston City while ensuring safety, amenity and access for the public.

The Code provides information about acceptable parameters, guidelines and behaviours for street performers in Frankston City.

Street Performance is defined as the playing of a musical instrument, singing, giving a recital, creating art or performing.

Street performers in Frankston City are bound by this Code of Conduct.

Permits

Street performers are required to:

- hold a current and valid Frankston City Council street performer permit
- visibly display the valid permit while performing
- at all times comply with the Frankston City Council Street Performance Permit Conditions

Frankston City Council reserves the right to alter the conditions or cancel a permit at any time.

Safety

Street performers must:

- always perform in a safe manner
- not endanger members of the public, themselves, or any property.

Audience management

Street performers are required to manage their audience so that traffic flow and pedestrian access remain unimpeded and safe.

Times

Allowable street performance times are outlined in the Street Performance Permit Conditions.

Performance sites

Street performers can only perform in designated busking zones as specified in the Street Performance Permit Conditions.

The issuing of a permit does not guarantee a site.

Noise levels

Street performances should be within acceptable volume levels as outlined in the Street Performance Permit Conditions.

Alcohol and other prohibited substances

Street performers are not permitted to perform while under the influence of alcohol or other prohibited substances.

Local laws

Street performers must comply with all local laws.

Interaction with the public

- Street performers must not offend any member of the public by their behavior, performance or other offensive language/material
- Active solicitation for money from the public is not permitted
- Selected merchandise may be permitted, see the Street Performance Permit Conditions for details.

Related Documents found on Frankston City Council website

- General Local Law 2016 – No.8
- Street Performance Permit Conditions
- Application for Street Performance

Application for: Street Performance



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HOW TO COMPLETE THIS FORM

1. Read the Busking Code of Conduct and the Street Performance Permit Conditions before completing this form
2. Fill out all fields correctly using block letters
3. Ensure you have all supporting documentation; and
4. Ensure all supporting documentation and files are submitted to Council with the completed application form
5. Refer to the 'How to Apply' section for further information.

PLEASE ALLOW 21 DAYS FOR PROCESSING OF THIS PERMIT APPLICATION

SECTION 1: APPLICANT DETAILS

Surname (Required)

Given Name (Required)

Phone No.

Mobile No. (Required)

Email address (Required)

Residential Address (Required)

Suburb

State

Post Code

Applicants under the age of 18 must also provide –

DOB

Parent/Guardian Surname

Parent/Guardian Given Name

Parent/Guardian Telephone No

Parent/Guardian Email address

SECTION 2: STREET PERFORMANCE DETAILS

(1) Please provide a brief description of the of street performance proposed to be conducted

(2) Do you intend to sell merchandise

Yes

Type of merchandise

No

(3) Amplification required

Yes

No



(4) Do you hold Street Performer permits from other Councils?

Yes

No

SECTION 3: SUPPORTING DOCUMENTATION CHECKLIST

Copies of the following documentation must be provided to Frankston City Council at the time of application. Applications received without the required documentation will not be processed.

Photo Identification

A certified copy of photo identification must contain the applicants name and current address

(If applicant is underage and no photo ID is available, the parent/guardian's photo identification is acceptable).

Digital files (for assessment criteria please see Street Performance Permit Conditions)

Applicants need to provide three or four of the following for review by Frankston City Council.

- Links to your music, performance or visual files
- Links to YouTube
- Links to your website
- Links to videos appropriate to your art form
- Other suitable digital files

If you have any other supporting documentation that may benefit your application i.e. testimonials from previous street performances please also submit these.

Evidence of developed and varied repertoire (for assessment criteria please see Street Performance Permit Conditions)

SECTION 4: STATEMENT OF ACCEPTANCE

I declare that the information I have provided is true and correct. I have read, understood and agree to Frankston City Council's Street Performance Permit Conditions and wish to apply for the selected permit to use in accordance with these terms. I will ensure that the permit is not sold, transferred or assigned to another party and will be solely used for the purposes as stated. I agree to return the permit if my eligibility changes. I acknowledge any information found to be false in support of this application will result in my permit being cancelled. I acknowledge that this permit may be withdrawn or cancelled by Council.

Applicants Name

Applicants Signature

Date

(For applicants under 18 years of age)



Parent /Guardian Name

Parent/Guardian Signature

Date

Frankston City Council is committed to protecting your privacy. The personal information you provide on this application is being collected by Frankston City Council for the primary purpose of assessing your eligibility for the selected permit. We may also need to contact you from time to time for directly related purposes. Your personal information will not be disclosed to any external party without your consent, unless required or authorised by law. Failure to provide the information required means your application will not be processed. If you wish to gain access to, or alter any information you have applied to Frankston City Council whilst completing this application, please contact Council on 1300 322 322.

HOW TO APPLY

Please complete the application form and return with any required supporting documentation to Council via one of the methods below.

Please ensure you keep the 'Street Performance Permit Conditions' information for your reference.

 By **Mail**

Frankston City Council
PO BOX 490
Frankston VIC 3199

 By **Email**

Please email the completed application form with the required supporting documentation and files to: info@frankston.vic.gov.au



Frankston City Council

Street Performance Permit Conditions

opportunity » growth » lifestyle

Street performers in Frankston City must follow these conditions:

Permits

- *Street performers* may only perform if they hold a current, valid permit and must obey the conditions of that permit. Laminated valid permit is required to be visibly displayed while performing
- For the purposes of identification, before a permit will be issued, applicants are required to provide a certified copy of proof of identity in one of the following forms:
 - Student identity/proof of age card
 - Current passport
 - Current driver's licence
- In the case of a group, one permit will be issued but each member will be named on the permit and each member must provide identification
- *Street performers* under 18 years of age require written permission from a parent or guardian and must be accompanied by a parent or guardian when performing
- *Street performance* permits are not transferable
- *Street performers* must carry out any directions given by Victoria Police, Ambulance, Emergency Services or an Authorised Officer of Council
- At any time Council may cancel a permit without prior notice if the permit holder fails to comply with any of the provisions contained in the permit or Frankston City Council's *Street Performance Code of Conduct*
- An Authorised Officer of Council may at any time instruct a *Street Performer* to immediately terminate their performance.

Safety

- *Street performers* must always perform in a safe manner. In particular, they must not endanger themselves, the public, or any private and publicly owned property in the area.



- *Street performers* must not use *dangerous or flammable materials or dangerous implements* as part of their performance.
- An Authorised Officer of Council may at any time instruct a *Street Performer* to immediately terminate their performance if the Officer deems it to be too loud, offensive, dangerous or harmful to private / public property or people.

Pedestrian Access (footpaths, shops and intersections)

Street performers are required to manage their audience so that pedestrians can pass freely and safely.

Times


- *Street performers* can perform between 9am to 5pm seven days a week
- Sets must be no longer than 30 minutes duration followed by a 10 minute break and no longer than 1.5 hours in any position

Performance sites

- *Street performers* can only perform in designated *Street Performance* Locations (see attached maps)
- *Street performers* are required to move to another designated site every 1.5 hours to encourage performance diversity within Frankston City
- The issuing of a permit does not guarantee a site
- Low volume amplified performances are limited to designated sites (see attached maps)
- Permission to perform in privately owned undercover shopping centres must be sought from the shopping centre administration. These facilities are not under the jurisdiction of Frankston City Council

Noise levels

- All performances must be within acceptable volume levels, so as not to inconvenience the public or the operation of businesses in the area
- Low volume amplification is permitted in some designated sites (see attached maps)
- In some circumstances amplification permission may be withdrawn
- Some sites are designated as "no amplification" (see attached maps).



Consumption of Alcohol and use of prohibited substances

- *Street performers* are not permitted to perform under the influence of alcohol or prohibited substances
- *Street performers* must not consume alcohol or consume any prohibited substances while performing.

Interaction with the public

- *Street performers* must not offend any member of the public by their behaviour or performance or other offensive material, language
- A suitable receptacle or container for public donations can be placed within the performance area
- Active soliciting of funds from the public is not permitted
- Laminated valid permit is required to be visibly displayed while performing
- Selected merchandise may be sold as determined by Council at the time of permit application

Assessment Criteria

Street performance in the public realm should be considered suitable and acceptable with regard to safety, amenity and its public appeal. To ensure compliance and quality of *street performers* in Frankston, a set of assessment criteria and conditions is applied to applications:

1. The performer is skilled in their art form and has the ability to entertain and engage an audience
2. The performance positively enhances and activates a streetscape creating a comfortable vibrant ambience
3. The performer sets a high standard for presentation and delivery of their craft
4. Applicants will be required to submit links to their music, performance or visual files appropriate to their art form
5. An application may be refused on the grounds of content or quality of performance
6. Each application is assessed by a panel of appropriately skilled council staff
7. Evidence of a developed and varied repertoire.

Definitions

Street Performer – A person performing an act/performance to be seen by the general public

Street performance – playing of a musical instrument, singing, giving a recital, creating art or performing

Performance sites – An area of public land designated by Frankston City Council as suitable for Street performing

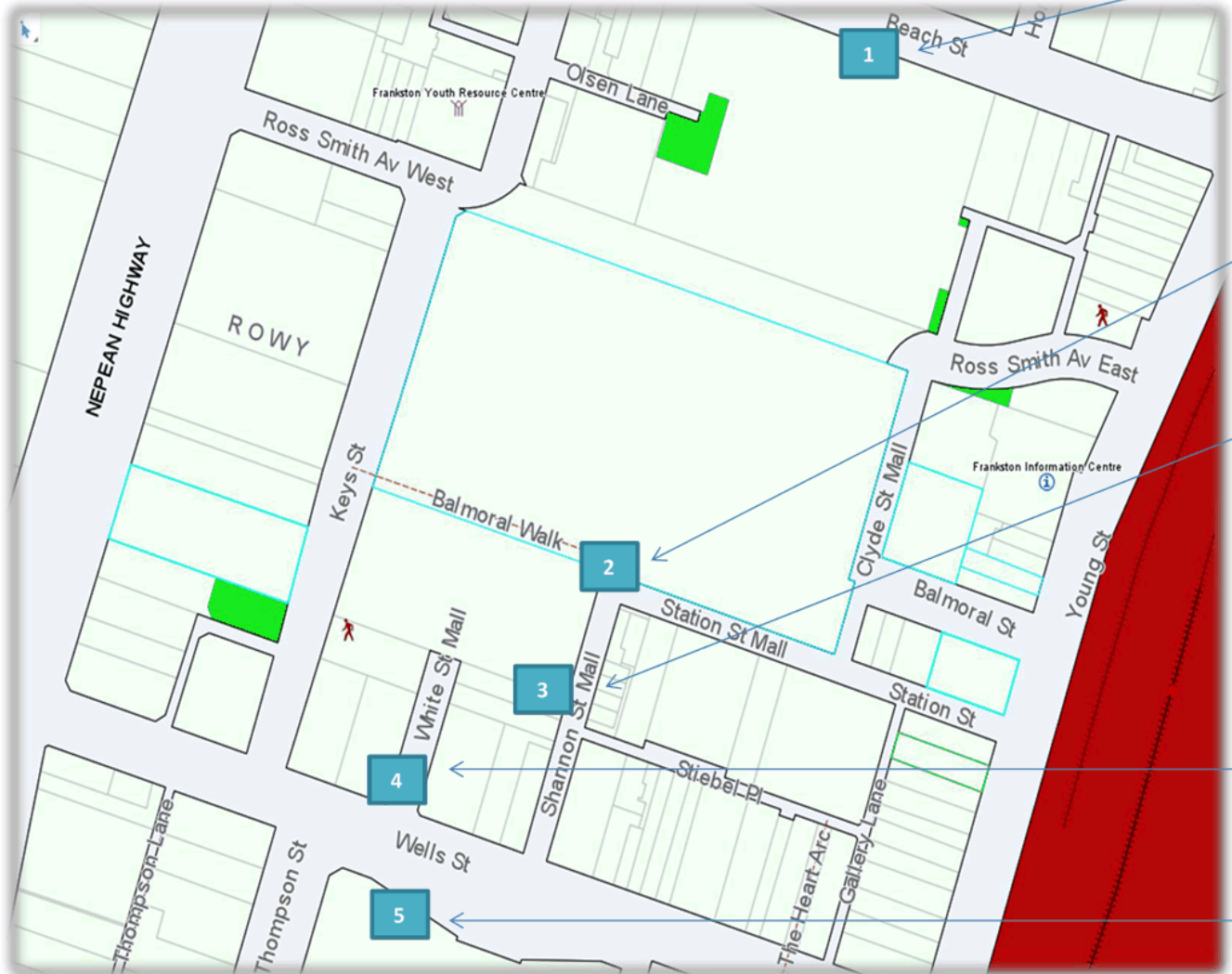
Soliciting funds – The act of asking, begging, seeking or requesting money or goods from members of the public

Dangerous or flammable materials or implements – Materials and implements that pose a risk or uncertain outcomes for people or property. This includes materials that give off heat or toxicity

Frankston City Council reserves the right to alter the conditions of permits at any time.



Street Performance Locations – Frankston CAA



BEACH ST
Site 1
 To the left of the entrance to Bayside Shopping Centre. Near the Taxi rank. **Low volume amplification**

STATION ST MALL
Site 2
 In front of Bayside Shopping Centre closed EXIT doors. **No amplification**

SHANNON ST MALL
Site 3
 To the left of the retailer at 10 Shannon Street. **No amplification**

WHITE ST MALL
Site 4
 (Use of this site is not permitted on Thursdays)
 Entrance of White St Mall on the right hand side. Next to retailer 54-58 Wells Street. **Low volume amplification**

CINEMA FORECOURT
Site 5
 (Use of this site is not permitted on Thursdays)
Low volume amplification



Street Performance Locations – Frankston Foreshore



FRANKSTON
FORESHORE
Site 6
Low volume
amplification

FRANKSTON
FORESHORE
Site 7
Low volume
amplification

Executive Summary**12.12 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - April, May, June 2019**

Enquiries: (Tim Bearup: Community Development)

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.4 Improve the health and wellbeing of residents
Priority Action	2.4.5 Increase social inclusion and community participation in leisure activities including libraries, arts and culture

Purpose

To brief Council on the funding allocation of grants in the Miscellaneous Grants Program, and the community concessions and discounts in the Frankston Arts Centre.

Recommendation (Director Community Development)

That Council:

1. Notes the funding allocations in relation to grants in the Miscellaneous Grants Program, and community concessions and discounts in the Frankston Arts Centre **for the period 1 April to 30 June 2019.**
 - a) Miscellaneous Grants Program \$0 (was fully expended prior to this quarter)
 - b) Community Group Membership Drive \$300
 - c) Youth Action Grants \$0 (No applications)
 - d) Urgent Grants \$1000
 - e) Environmental Sustainability Grants \$494
 - f) Neighbourhood Grants \$0 (No applications)
2. Notes the following overall total expenditure in the Miscellaneous Grants Program **for the 2018-2019 financial year:**
 - a) Miscellaneous Grants Program \$12,455.00
 - b) Community Group Membership Drive \$1,300.00
 - c) Youth Action Grants \$0
 - d) Urgent Grants \$1,000.00
 - e) Environmental Sustainability Grants \$1,494.00
 - f) Neighbourhood Grants \$800.00
3. Notes overall total community concessions and discounts in the Frankston Arts Centre for the 2018-2019 financial year was \$194,581.
4. Approve for officers to review the grant categories, criteria and promotional activities with the intent to maximise community take up.

Key Points / Issues

- Miscellaneous Grants and Frankston Art Centre community concessions and discounts to the community groups are reported to Council at the end of each quarter. This report relates to funding decisions made in quarter 4 being 1 April 2019 to 30 June 2019 and provides an overview of the year in relation to budget expenditure.

**12.12 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions -
April, May, June 2019****Executive Summary**

- At the conclusion of quarter 4, Miscellaneous Grants program was fully expended and, as such, no applications were received this quarter (1 April 2019 – 30 June 2019). However, the program closes the 2018-2019 year with \$2,547 in surplus due to the withdrawal of one applicant and a further 14 applicants forgoing their grant. Therefore, of \$15,000 allocated, \$12,455 was expended in Miscellaneous Grants program in the 2018-2019 financial year.
- Two applications were made to the Community Group Membership Drive special category during this quarter; one was awarded funding for \$300 and one was awarded funding for \$500 (refer attachment A). It is noted that one applicant forgoes their grant. Therefore, of \$5,000 allocated, \$1,300 was expended in Community Group Membership Drive category for the 2018-2019 financial year.
- No applications were received in the Youth Action Grants special category during this quarter. Therefore, of \$5,000 allocated, \$0 was expended in Youth Action Grants category in the 2018-2019 financial year.
- One application was made to the Urgent Grants special category during this quarter and was awarded funding for \$1,000 (refer attachment A). The category closes the 2018-2019 year with \$9,000 in surplus due to the withdrawal of one applicant. Therefore, of \$10,000 allocated, \$1,000 was expended in the Urgent Grants category for the 2018-2019 financial year.
- One application was made to the Environmental Sustainability Grant special category during this quarter and was awarded funding for \$494.00 (refer attachment A). Therefore, of \$5,000 allocated, \$1,494 was expended in the Environmental Sustainability Grant category for the 2018-2019 financial year.
- No applications were received in the Neighbourhood Grant special category during this quarter. Therefore, of \$5,000 allocated, \$800.00 was expended in the Neighbourhood Grant category for the 2018-2019 financial year.
- This quarter \$24,378 was awarded in community concessions and discounts for the Frankston Arts Centre (refer attachment B). Therefore, of \$224,000 allocated, \$194,581 was expended in Frankston Art Centre community concessions and discounts in the 2018-2019 financial year.
- All expenditure quoted in this report is excluding GST.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

The annual Miscellaneous Grants Program and Frankston Art Centre concessions and discounts are within budget.

**12.12 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions -
April, May, June 2019****Executive Summary****Consultation****1. External Stakeholders**

Miscellaneous Grants are advertised and available on Council's website. The Frankston Arts Centre discounts and concessions are available at point-of-sale to eligible organisation and groups.

2. Other Stakeholders

The Miscellaneous Grants Sub Committee comprises two Councillors, Mayor Councillor O'Reilly and Councillor Mayer, Director Community Development, Director Corporate Development, with administrative support provided by the Program Integration Officer and Team Leader Community Development. The Manager Arts and Culture and the Coordinator Operations Frankston Arts Centre have also been consulted.

Analysis (Environmental / Economic / Social Implications)

The assessment of Miscellaneous Grants and Frankston Arts Centre discounts and concessions includes reviewing the expected contribution a project or activity will make to the economic, social and/or environmental outcomes in Frankston City.

Legal / Policy / Council Plan ImpactCharter 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

There are no statutory obligations or legal implications considered in this report.

Policy Impacts

The Community Grants Policy, the Miscellaneous Grants Guidelines and the Frankston Arts Centre Community Discounts Criteria and Guidelines guide the decision making for all allocations.

Subject to Council approval, officers will undertake a review of the grant categories, criteria and promotional activities with the intent to maximise community take up.

Officer's Declaration of Interests

Under Section 80C of the Local Government Act 1989, Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

Miscellaneous Grants are assessed against the Community Grants Policy and the Miscellaneous Grants Guidelines. The applications are discussed and agreed upon by the Miscellaneous Grants Program Sub Committee comprising the Mayor, Councillor Aitken, Director Community Development and Director Corporate Development, with administrative support provided by the Program Integration Officer. The community discounts and concessions are assessed and allocated according to the Frankston Arts Centre Community Discounts Criteria and Guidelines. These processes reduce the risk of inappropriate funding contributions.

**12.12 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions -
April, May, June 2019****Executive Summary****Conclusion**

Funding allocations, discounts and concessions in the Miscellaneous Grants and Frankston Arts Centre programs are reported quarterly to Council. The grants provide valuable support to a range of community groups and individuals and add value to the Frankston Community.

ATTACHMENTS

Attachment A: [↓](#) Miscellaneous Grants Successful Recipients - Quarterly Report - Apr-Jun 2019.pdf

Attachment B: [↓](#) Arts Concession Discounts - Quarterly Report - Apr-Jun 2019

Category	Applicant	Activity	Grant
Community Group Membership Drive (up to \$500)	University of the Third Age (U3A)	Marketing project to increase membership	\$300.00
Community Group Membership Drive (up to \$500)	Peninsula Youth Music Society (PMYS)	Saturday morning Music School Open Day	\$500.00
Environmental Sustainability Grants (Up to \$1,000)	Friend's of Edithvale-Seaford Wetlands Inc.	Wetland Study Group	\$494.00
Urgent Grants (Up to \$1,000)	Country Women's Association (CWA) Frankston Branch	Fence replacement at CWA premises	\$1,000.00
		TOTAL	\$2,294.00

Community Grants 2018-19 – Frankston Arts Centre Discounts and Concessions Budget – Quarter 4 report – Apr, May, Jun 2019

	Apr	Mar	Jun	YTD
Community Grant - Ticketing- Dance/Calisthenics Total	\$0.00	\$0.00	\$2,008.00	\$31,493.00
Community Grant - Ticketing - Local Theatre Total	\$3,325.00	\$362.00	\$0.00	\$23,885.00
Community Grant - Ticketing - Schools Total	\$0.00	\$2,468.00	\$6,319.00	\$43,815.00
Community Grant - Ticketing - Self Managed Tickets Total	\$0.00	\$0.00	\$0.00	\$17,516.00
Community Grant - Theatre Rental - Dance/Calisthenics Total	\$0.00	\$0.00	\$0.00	\$25,091.00
Community Grant - Theatre Rental - Local Theatre Total	\$4,391.00	\$0.00	\$0.00	\$21,327.00
Community Grant - Theatre Rental - Schools Total	\$0.00	\$1,573.00	\$3,932.00	\$31,454.00
TOTAL	\$7,716.00	\$4,403.00	\$12,259.00	\$194,581.00

Executive Summary

12.13 ANZAC Day future support

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 seek a decision by Council on the future ANZAC Day support provided by Council to the Frankston and Seaford RSL's.

Recommendation (Director Community Development)

That Council:

1. Notes the Sponsorship Policy.
2. Notes that a letter has been issued to the Frankston RSL that:
 - commits funding of \$5K for the Frankston RSL at the mid-year budget review;
 - donates 80 x chairs, 2 x trestle tables and lectern to the Frankston RSL for their ongoing use;
 - requires the Frankston RSL to complete the event application process for each event in consultation with Council officers and follow Council's standard standing grant acquittal process.
3. In respect of the offer that has been made to the Frankston RSL, either:
 - Confirms support for this offer that will also require an exemption to Council's Sponsorship Policy, or:
 - Seeks a review of this offer in favour of alternate arrangements that provide a greater level of in-kind Council support to Frankston RSL.
4. In respect of the Seaford RSL, either:
 - Authorises an exemption to the Council's Sponsorship Policy and commits funding of \$5K at the mid-year budget review which will also require the Seaford RSL to complete the event application process for each event in consultation with Council officers and follow Council's standard standing grant acquittal process, or:
 - Seeks alternate arrangements that provide a greater level of in-kind Council support to the Seaford RSL

Key Points / Issues

- The officers discussed with the Councillors present at a Councillor briefing Monday 24 June 2019, the requests by Frankston RSL for support.
- On Thursday 6 June 2019, a memorandum was sent to Councillors outlining the benchmarking details which was undertaken following a debrief meeting with the Frankston RSL on Wednesday 15 May 2019.
- The benchmarking of other RSL arrangements with Councils indicated no Council in the benchmarking study manages ANZAC Day ceremonies.
- Additional funding and in-kind support was provided to the Frankston RSL only over the 100 year Centenary celebrations.

12.13 ANZAC Day future support**Executive Summary**

- Prior to the centenary celebrations the support offered by Council was the use of the site, provision of chairs, tables and lectern.
- Frankston City Council's sponsorship policy contra indicates support of gaming.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

That Council commits the funding of \$5,000 towards ANZAC Day commemorations for both the Frankston RSL and Seaford RSL and authorises the Chief Executive Officer to make the necessary adjustments to the Mid-Year Budget Review.

Consultation**1. External Stakeholders**

An external benchmarking exercise has been undertaken with 12 Councils around Australia. The Councils which were benchmarked include:

- Nine Victorian Councils
- One New South Wales Council
- One Queensland Council
- One South Australian Council

The summary data collected is outlined in more detail in the Memorandum dated 6 June 2019 in the attachments.

2. Other Stakeholders

Those Councillors who were present at the Councillor briefing on Monday 24 June were updated. Councillors who were also present at a debrief meeting with the Frankston RSL on Wednesday 15 May 2019 were also consulted.

Input from these discussions has formed the recommendations within this report.

Analysis (Environmental / Economic / Social Implications)

During the lead up to the 2019 ANZAC Day services, there was media interest and social media engagement around the level of support Frankston City Council was providing to the Frankston RSL. The community's viewpoints differed, however the community have a level of interest in the outcome.

Legal / Policy / Council Plan ImpactCharter 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.

12.13 ANZAC Day future support**Executive Summary**Legal

There are no legal or statutory obligations which are impacted.

Policy Impacts

Council's sponsorship policy needs to be considered and whether an exemption to this policy is granted on the basis of the funding being used for the ANZAC Day services only.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

Council officers review event applications and associated plans to ensure event risk are mitigated, which is why both Frankston RSL and Seaford RSL are required to go through the event application process.


Conclusion

That Council determine the offer made to both the Frankston and Seaford RSL's.

ATTACHMENTS

Attachment A: [↔](#) ANZAC Day memorandum to Councillors - 6 June 2019 (*Under Separate Cover*)

Attachment B: [↓](#) Sponsorship Policy - CURRENT - @ June 2011 APPROVED BY COUNCIL updated November 2013 (A1567981).pdf

	FRANKSTON CITY COUNCIL POLICY	Policy Number 01/01
	Sponsorship	Issue Date:

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1. POLICY STATEMENT:

Frankston City Council recognises and supports sponsorship as a valuable contractual business agreement between key partners that is of mutual benefit, and that aligns with Council and Community values and vision.

2. REASON FOR POLICY:

This policy has been formulated to assist Council in making decisions regarding sponsorship arrangements. There is a need for a clear framework for decision-making on sponsorship and guidelines for assessing sponsorship opportunities to avoid arbitrary decisions and duplicate approaches to external organisations. It recognises that sponsorship involves some form of organisational exposure and therefore sponsorship has implications for the credibility, identity and values that are associated with the Council and its image. It provides guidance as to the type of benefits and advantages sought through such arrangements.

3. SCOPE:

The policy provides guidance to Council when (a) seeking sponsorship support from, and (b) providing sponsorship support to external bodies including non Government organisations (NGOs), Corporate and business organisations and the Frankston City community.

This policy applies to all Service Units within Frankston City Council – including those with their own external brand (ie. Frankston Arts Centre & Peninsula Aquatic and Recreation Centre). It should be fully implemented by each divisional General Manager. It covers Council both offering and seeking sponsorship, both cash and in-kind.

The Frankston Charitable Fund is excluded from this Policy, as is the Frankston City Council Community Grants scheme, donations or miscellaneous grants.


4. AUTHORISATION:

This policy was approved by Council on

The General Manager Development has overall responsibility of this Policy; the Manager Economic Development, Events & Tourism has responsibility for Policy implementation and review.

..... CEO, Frankston City Council

..... General Manager Development

	FRANKSTON CITY COUNCIL POLICY	Policy Number 01/01
	Sponsorship	Issue Date:

5. REVISION

DATE:

The policy will be reviewed in April 2015 and following this date in line with the four year council election cycle.

6. POLICY OBJECTIVES:

The objectives of this policy are to ensure that:

- Council, as stewards of civic assets, makes strategic decisions that serve to further the public good of the citizens of Frankston City; and
- Sponsorship opportunities align with the goals of the Frankston Community Plan and Vision and the Council Plan.


The objectives contained within this Policy will apply in respect to:

- Incoming Sponsorship (received from external organisations);
- Outgoing Sponsorship (provided by Council) Cash and In-kind Sponsorship sales promotions; but
- Does not include donations, bequests, government grants or programs nor philanthropic grants.

7. PRINCIPLES:

Frankston City Council acknowledges that sponsorship can provide significant benefits to Council and its community, and will consider sponsorship opportunities where the following principles apply:

1. The sponsorship is complimentary with Council’s Vision, Values, Policies and Strategies.
2. There is minimal conflict of values between the proposed sponsorship and Council.
3. The sponsorship furthers goals and objectives of Frankston City Council through the Council Plan by enhancing the social, environmental and economic aspects of the community.
4. The sponsorship will not involve Frankston City Council in controversial issues such as political or cultural sensitivities, or expose the council to adverse criticism.
5. Council reserves the right to enter into exclusive arrangements where the integrity of the relationship needs to be protected.
6. The establishment of the relationship created by the sponsorship will be transparent, produce outcomes of integrity and deliver tangible benefits to the community.
7. The sponsorship agreement will meet the Criteria as outlined in Council’s Sponsorship Guidelines, which includes but is not limited to budget, duration, return on investment, and / or agreed objectives.
8. Council offering sponsorship will normally be for a major event or activity conducted within the geographic boundaries of Frankston City.

 FRANKSTON CITY COUNCIL POLICY	Policy Number 01/01
Sponsorship	Issue Date:

Frankston City Council will not enter into sponsorship with External bodies who:

- Are involved in unlawful activities;
- Do not share Council's views on promoting a diverse, tolerant and inclusive community;
- Are political parties;
- Are considered to be an unsuitable partner by Council for reasons it sees fit to apply in the context of this policy;
- Offer programs that may present a hazard to the community;
- Offer programs that do not reflect widely held community views;
- Contravene State and Commonwealth legislation, Local Laws or Frankston Planning Scheme; or
- Are currently involved in a tendering or procurement process with the Council.

In relations to outgoing sponsorships:

- Use of Council logo must be approved by Council's Media and Communications Unit.
- Frankston City Council reserves the right to withdraw sponsorship with the External Party when they are considered to have not complied with the spirit of the policy and any written agreement entered into as a sponsor arrangement.

8. ROLES & RESPONSIBILITIES:

Interpretation of the Policy when clarification is required can be sought from the Manager Economic Development, Events & Tourism.


An internal register of Sponsorship Agreements will be maintained by the Economic Development, Events & Tourism Department to assist with ensuring that uncoordinated multiple approaches are not made to, or by the one organisation.

All Council staff (or their agents) seeking sponsorship must consult with this register prior to an approach can being made. Where there is already a sponsorship relationship in place, the officer responsible for the relationship should be consulted with.

Any outgoing sponsorship to a value of greater than \$20,000 in one financial year will be presented to Council for information.

Any inbound sponsorship (greater than \$50,000 in one financial year) requires prior Executive Management Team endorsement.

General Managers have the discretion to refer sponsorship proposals to the Executive Management Team for comment and, if appropriate, to Council for endorsement of appropriate action.

	FRANKSTON CITY COUNCIL POLICY	Policy Number 01/01
	Sponsorship	Issue Date:

Responsibility for the overall accountability and implementation of the standards outlined in this policy is with the CEO who shall only enter into sponsorship arrangements in accordance with this policy.

The Management Team is responsible for ensuring adherence to the requirements of this policy.

9. POLICY NON-COMPLIANCE:

The Executive Management Team reserves the right to revoke any sponsorship arrangement made between Council and External Party if adherence to this Policy is not complied with or the external body is brought into public disrespect.

10. RELATED DOCUMENTS:

This policy must be read in conjunction with Council documents including:

1. Sponsorship Guidelines;
2. Frankston City Council Plan;
3. Community Plan and Vision;
4. Health & Wellbeing Plan;
5. Other Council Policies and Strategies including Economic Development, Gambling Policy, Sustainability Policy, Frankston City Community Grants Policy; and
6. Frankston City Council's Branding Guidelines.

11. IMPLEMENTATION OF THE POLICY:

Following adoption of this Policy, internal communication mediums will be utilised to explain the obligations and responsibilities of the new policy to all staff.

Workshops will be conducted with key Council staff as required

The Policy and the Guidelines will be placed onto council's website.


12. DEFINITIONS:

For the purpose of this policy, the following definitions will apply:

External bodies include non Government organisations (NGOs), Corporate and Business organisations and the Frankston community.

Company means any form of private entity operating for the purpose of profit creation.

Donations are defined as free money with no benefits required and may be tax deductible.

	FRANKSTON CITY COUNCIL POLICY	Policy Number 01/01
Sponsorship		Issue Date:

Bequests are defined as a gift of property or assets to a beneficiary as defined in a will. A bequest may be of a specific sum, a percentage, or the residue of an estate, and may consist of cash, securities (stocks and bonds), life insurance proceeds, real estate, and/or personal property.

Philanthropy is defined as the voluntary giving of money or other resources for community purposes by individuals, communal and religious institutions and the business sector; it is being extended beyond 'giving', by encouraging new forms of **social investment**, in which commercial enterprise is being shaped by social as well as financial goals, to create innovative models of sustainable community services, environmental protection and social development, as well as new business.

Government Grants are defined as a sum of money received by Council for a specific purpose, to deliver a service or project on their behalf.

Organisation means any group, incorporated or unincorporated, operating for a defined purpose or function.

Sales Promotion is defined as is any initiative undertaken by an organisation to promote an increase in sales, usage or trial of a product or service and can, include coupons, sales, discounts, premiums, sweepstakes and contests.

Sponsorship means the exchange of money, goods or services from one party to another where there are specific obligations on the receiver for a return to the sponsor in some form. In practical terms, this would mean a return to Council in the form of positive media exposure, publicity, marketing collateral or economic impact to the City when Council is providing sponsorship.

Executive Summary**12.14 Response to Petition - Proposed Installation of High Voltage Power Transmission Line along Silver Avenue, Frankston North***Enquiries: (Vishal Gupta: Community Assets)*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 provide a response to the petition tabled at Council's Ordinary Meeting on 1 July 2019 regarding proposed installation of high voltage power transmission line along Silver Avenue, Frankston North, between Tamarisk Drive and Aldercourt Primary School.

Recommendation (Director Community Assets)

That Council:

1. Notes a petition with 14 signatures objecting to the proposed installation of high voltage power transmission line along Silver Avenue, Frankston North, between Tamarisk Drive and Aldercourt Primary School;
2. Notes that United Energy have advised the proposed works are necessary to meet the requirements of Electricity Distribution Code and for the continued reliability and security of electricity supply to the residents of Silver Avenue precinct;
3. Notes that proposed minor utility installation works by essential service providers such as United Energy are exempt from Council approval process; and
4. Advises the Head Petitioner accordingly.

Key Points / Issues

- At the Ordinary Council meeting 2019/OM8 on 1 July 2019, Council received a petition from the residents of Silver Avenue containing 14 signatures requesting that:
"We the undersigned hereby petition Frankston City Council to NOT approve the above proposal, considering that it will have a detrimental effect on Silver Ave residents' and Aldercourt school students' health, quality of life and adjoin residential property values, as well as changing this residential street look into unacceptable industrial appearance."
- Silver Avenue is a local street which is approximately 450 metres long and runs east-west between Tamarisk Drive and Excelsior Drive. Silver Avenue predominately provides access to residential properties, Aldercourt Primary School and Pat Rollo Reserve.
- United Energy (UE) is a critical infrastructure owner and essential service provider responsible for the proposed upgrade of electricity network in Silver Avenue.
- Council officers have recently contacted representatives of UE and Zinfra, who act as authorised contractors for UE, to seek details on the proposed works and discuss issues raised by the residents.

**12.14 Response to Petition - Proposed Installation of High Voltage Power
Transmission Line along Silver Avenue, Frankston North****Executive Summary**

- The proposed works along Silver Avenue include:
 - Replacement of some of the existing poles with 1.5 metre taller poles;
 - Installation of 3 new High Voltage wires on top of the poles; and
 - Installation of pole mounted transformer outside Pat Rollo Reserve.
- The proposed works and location of poles/transformer are shown in Attachment A.
- The key reason for the proposed works is that the existing transformers that supply Silver Avenue precinct are severely overloaded and may be subject to a high risk to loss of supply particularly on extreme weather days.
- Representatives of UE have advised Council officers that the proposed works are considered to be compliant with relevant standards and guidelines as per below.
 - Noise - Transformer complies with the sound level performance of AS60076.10 and the relevant EPA noise criterion.
 - Health – Magnetic fields related to this type of line construction are well below the exposure limit in the international guidelines from the international commission on Non-Ionizing Radiation Protection and decreases further with the distance from the wires.
 - Location of Poles - The location and distance of poles from the property boundary along Silver Avenue complies with Electricity Safety (Installations) Regulations 2009 S.R.No.164/2009.
 - Amenity – The proposed works are considered to be typical of works of similar nature along residential streets and are not anticipated to have any detrimental effect on the residents of Silver Avenue or Aldercourt school students.
- Following a powerline survey by UE/Zinfra, some notable changes have been made to the location of poles/transformer. These changes are noted below:
 - Relocation of the transformer west of school crossing and in front of the Pat Rollo reserve car park on the opposite side of the street from the school;
 - Relocation of existing pole immediately next to the school crossing to 8metres to the east.
- Council approval is not required for the proposed works.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

**12.14 Response to Petition - Proposed Installation of High Voltage Power
Transmission Line along Silver Avenue, Frankston North****Executive Summary**

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

Consultation**1. External Stakeholders**

Council officers have contacted representatives of UE and the head petitioner to discuss the proposed works and its potential impact on the residents of Silver Avenue.

It is noted that UE has also done a powerline survey for residents in Silver Avenue to ensure the community is informed of the proposed works and any feedback is incorporated in the development of final proposal and associated project management activities.

UE has provided a formal response to various queries raised by a resident in Silver Avenue. A copy of response (redacted copy without names) is provided in Attachment B.

A Council officer also met with Aldercourt Primary School and noted that the school is currently experiencing power drop off and hence supports the proposed power upgrade works along Silver Avenue.

2. Other Stakeholders

Council's Planning department has been consulted on this matter.

Analysis (Environmental / Economic / Social Implications)

- It is acknowledged that the petition demonstrates an objection to the proposed works by a group of residents on the basis that the proposed works will have detrimental effect on Silver Ave residents' and Aldercourt school students' health, quality of life and adjoin residential property values, as well as amenity and character of the area.
- Head petitioner via her email dated 24 July has also shared a reference to the research paper as per below:
 - *Exposure to extremely low-frequency magnetic fields and the risk of childhood cancer: update of the epidemiological evidence*
<https://www.ncbi.nlm.nih.gov/pubmed/21946043>
- However, Council officers discussions with representatives of UE have confirmed that the proposed works along Silver Avenue complies with relevant standards and guidelines as detailed above.

Legal / Policy / Council Plan ImpactCharter 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

There are no legal implications.

**12.14 Response to Petition - Proposed Installation of High Voltage Power
Transmission Line along Silver Avenue, Frankston North****Executive Summary**Policy Impacts

No policy implications.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

Council's risks have been considered in preparation of this report and it is noted that the proposed works are compliant with relevant standards and guidelines.

Conclusion

United Energy (UE) is critical infrastructure owner and essential services provider licensed by the Essential Service Commission to own, plant, design, build, augment, maintain and operate an electricity distribution system that must meet the maximum electrical demand and provide a reliable and quality supply.

The proposed upgrade works by UE are part of augmentation of electricity distribution system in Silver Avenue precinct. The existing transformers supplying Silver Avenue precinct are severely overloaded and may be subject to a high risk of loss of supply particularly on extreme weather days.

The proposed works do not require any formal approval from Council and as such Council has limited, if any, jurisdiction to intervene in the proposed works undertaken by UE or its authorised contractor Zinfra.

It is recommended that a detailed response from UE in relation to various concerns raised by the residents is noted (attachment B) and the head petitioner is advised accordingly.

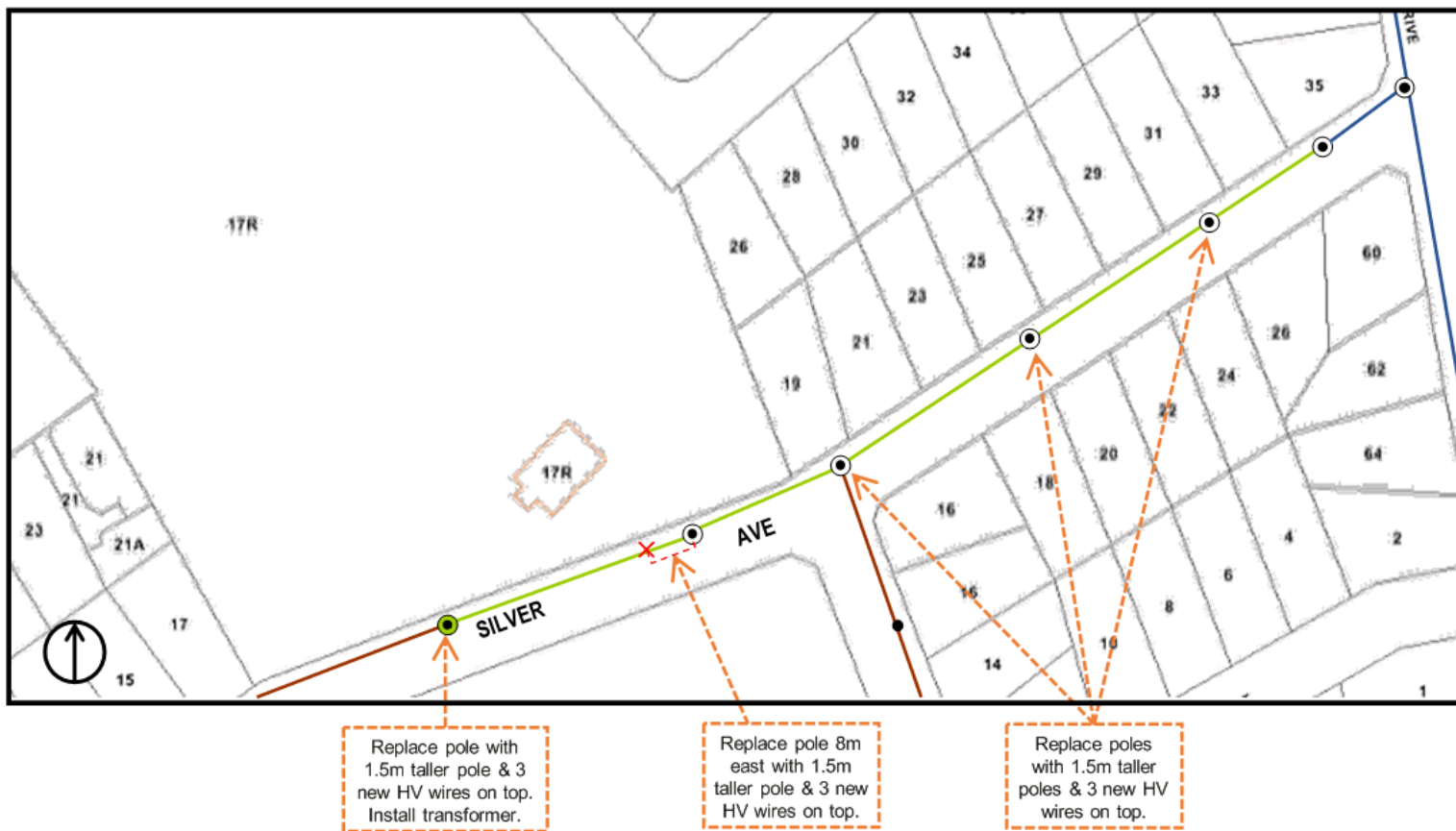
ATTACHMENTS

Attachment A: [↓](#) Location of Poles and Transformer

Attachment B: [↓](#) Copy of UE Response



Upgrade of the electricity distribution system in Silver Ave, Frankston North Ref: UED-CSA-002110



The construction works will be carried out with minimum disruption and awareness of residents' needs. Nature strips will be reinstated within 3-4 weeks of the installation of new poles. If power supply needs to be interrupted, you will be notified at least four days in advance. The transformer complies with the sound level performance of Australian Standard AS60076.10, with reduced limit, and the relevant EPA noise criterion.

Associated with all electric wires, including the wiring inside houses and with your use of electrical appliances are magnetic fields. They are present wherever an electrical current flows along a wire. Magnetic fields related to this type of line construction are well below the exposure limit in the international guidelines from the International Commission on Non-ionizing Radiation Protection and further decrease with distance from the wires.

United Energy Distribution Pty Limited
ABN 70 064 651 029



Ref: UED-CSA-002110

17 June 2019



Dear 

Re: Upgrade of the electricity network in Silver Ave

United Energy (UE) is a critical infrastructure owner and essential services provider licensed by the Essential Services Commission to own, plan, design, build, augment, maintain and operate an electricity distribution system that supplies over 630,000 customers in Victoria. The distribution system must meet the maximum electrical demand and provide a reliable and quality supply. United Energy has contracted Zinfra to provide some of these services.

UE has plans to augment the electricity distribution system in your street. As a part of our communication process we would like to provide you with information about the proposed works.

Existing transformers that supply the area are severely overloaded and maybe subject to high risk of loss of supply particularly during times of high electricity demand on extreme weather days. An augmentation is required so that the distribution system is capable of meeting existing demand and load growth. It will be necessary to replace some poles with 1.5m taller poles, install 3 new HV wires on top, and install a pole mounted transformer as shown on the enclosed diagram map.

This type of construction can be found on many residential streets. Following a powerline survey the transformer is now proposed to be mounted on the next pole west of the school crossing in front of the recreation reserve car park on the opposite side of the street from the school. The existing pole immediately next to the school crossing is to be relocated 8m to the east.

Noise The transformer complies with the sound level performance of Australian Standard AS60076.10, with reduced limit, and the relevant EPA noise criterion. Older severely overloaded transformers can sometimes make noise – the installation of this additional transformer is designed to reduce that existing overload.

Health Associated with all electric wires, including the wiring inside houses and with your use of electrical appliances are magnetic fields. They are present wherever an electrical current flows along a wire. Magnetic fields related to this type of line construction are well below the exposure limit in the international guidelines from the International Commission on Non-Ionizing Radiation Protection and further decrease with distance from the wires.



Solar In response to a resident's suggestion that solar growth into the future is a better solution, the uptake of solar is likely to take considerable time while United Energy is required to meet existing demand and load growth where the system is severely overloaded now.

Location To determine the location for the new infrastructure, Electrical System Designers have calculated where the demand is greatest on the distribution system. Cumulative voltage drop for each circuit determines the location for a transformer to ensure that voltage drop does not exceed that specified in the Electricity Distribution Code.

Planning In recognition of the essential and critical nature of electricity all planning schemes across Victoria allow for and support the installation of this essential utility infrastructure. Silver Ave is in a Residential Zone (R1Z) under the Frankston Planning Scheme. The installation of a transformer, poles, wires, and cables is a use for which a Permit is not required under "Table of uses" Section 32.08-2 being a use listed in Clause 62.01 as "The use of land for a minor utility installation." (The land use term "Minor Utility Installation" is defined under Definitions - Clause 73.03.
<http://planningschemes.dpcd.vic.gov.au/schemes>)

The requirements and authority of an electricity distributor are defined in the Electricity Industry Act 2000, the Electricity Safety Act 1998 and associated Regulations and Codes. Section 93(1) of the Electricity Industry Act 2000 grants powers to electricity corporations (of which UE is one) to, amongst other things:

- subject to the Road Management Act 2004, may enter upon any public or private land or roads and construct any works or place on under or over any such land or road any structure or equipment and may repair, alter or remove any such structure or equipment or any works under its control.
- do all things necessary or convenient for constructing, maintaining, altering, or using any works or undertakings of, or under the control of, the electricity corporation.

This augmentation is vital to meet the requirements of the Electricity Distribution Code and for the continued reliability and security of electricity supply to the community.

If you are a tenant of the property, please inform your Leasing Agent or Landlord of this letter.

Please note that United Energy engages Zinfra as its authorised contractor in the southern region of the network to carry out the design, construction and project management activities on United Energy's behalf.



Yours sincerely,



Correspondence : Zinfra, 126 Watt Rd, MORNINGTON VIC 3931

Executive Summary**12.15 Response to Petition - Construction of Kelvin Grove, Langwarrin**

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 provide a response to the petition tabled at Council's Ordinary Meeting on 12 March 2019 regarding construction of Kelvin Grove, Langwarrin.

Recommendation (Director Community Assets)

That Council:

1. Supports consultation with all property owners within Kelvin Grove in the form of a survey to seek their interest in constructing Kelvin Grove through a Special Charge Scheme;
2. Notes that a report outlining the consultation and results of the survey will be presented to Council by the November 2019 Ordinary Meeting; and
3. Advises the Head Petitioner accordingly.

Key Points / Issues

- At its meeting on 12 March 2019, Council accepted a petition containing 10 signatures from property owners of Kelvin Grove, Langwarrin. The petition read:
We the undersigned hereby petition Frankston City Council to investigate the viability and costs associated with sealing Kelvin Grove, Langwarrin.
- The estimated cost construct Kelvin Grove is in the range of \$1,250,000 to \$1,500,000. A functional level design for Kelvin Grove would be required to gain more accurate estimates of the costs associated with constructing the road. The cost of engaging a design consultant to carry out design works is estimated at \$20,000.
- At its meeting on 3 June 2019, Council adopted the updated Contributory Schemes Policy (2019) that guides the creation and implementation of contributory projects by special rates and charges such as road construction projects. This policy is also a guide for the equitable distribution of costs between Council and property owners obtaining a special benefit from projects. Kelvin Grove is ranked 14th out of 68 unconstructed roads in the priority list that is a part of the Contributory Schemes Policy.
- The petition represented several of the 26 properties on Kelvin Grove. Consultation in the form of a survey could be carried out with all property owners on Kelvin Grove to seek their interest in constructing Kelvin Grove through a Special Charge Scheme. If there is a high level of support, Council could then resolve to initiate a road construction project. Funding would be required in a future Capital Works budget for Council's component of the cost.
- Traffic counts carried out in 2011 found the average week day traffic volume on Kelvin Grove to be 192 vehicles.

12.15 Response to Petition - Construction of Kelvin Grove, Langwarrin**Executive Summary**

- Kelvin Grove is an unconstructed road 820m long extending from Cranbourne-Frankston Road to McKays Road in a north-south direction. The road is between 5.5m and 7.5m in width along the road. (Attachment A).
- If a survey is undertaken, Council officers would report back to Council at a Council Meeting in November 2019 with the results, and a recommendation as to whether the project should be further developed.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

An estimate to construct Kelvin Grove is in the range of \$1,250,000 to \$1,500,000. This is based on costs of similar road construction projects Council has carried out recently through Special Charge Schemes. However, this is dependent on drainage requirements and would need to be confirmed through a final design.

Functional level design works for Kelvin Grove are estimated to cost \$20,000.

There are currently no funds allocated in the budget for design or works in Kelvin Grove.

Consultation**1. External Stakeholders**

The head petitioner has been consulted in relation to this matter.

Consultation with all property owners impacted by a Special Charge Scheme should be undertaken to gauge support for construction of the Kelvin Grove.

2. Other Stakeholders

No other stakeholders have been consulted as part of this report.

Analysis (Environmental / Economic / Social Implications)

There may be vegetation removal works associated with the construction of Kelvin Grove. Any proposed works in Kelvin Grove will ensure that vegetation impact is minimised. The final costs will include offsetting and replanting of vegetation. Council's Contributory Charge Scheme Policy states:

Every effort will be made to minimise the removal of indigenous, native and significant vegetation in all cases by utilising existing road alignments where possible. In addition the design process will incorporate consideration of options to minimise the impact on vegetation, with the preferred option being selected taking into consideration environmental benefit, as well as safety and financial benefits.

Social implications of construction of Kelvin Grove are:

- Reduction in dust issues associated with an unsealed road;

12.15 Response to Petition - Construction of Kelvin Grove, Langwarrin**Executive Summary**

- Potential reduction in vehicle maintenance costs;
- Better amenity; and
- Increase in property values on Kelvin Grove.

Legal / Policy / Council Plan ImpactCharter 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

There are no legal implications associated with this report.

Policy Impacts

If there is sufficient support from the property owners in Kelvin Grove for further development of the proposal, this would be undertaken under the provisions of Council's Contributory Charge Scheme Policy (2019).

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 risks associated with this report.

Conclusion

It is recommended that consultation in the form of a survey is carried out with all property owners on Kelvin Grove to seek their interest in constructing the road through a Special Charge Scheme.

Council officers propose to undertake the above community consultation, and report back to Council at a Council Meeting in November 2019 with the results, and a recommendation as to whether the project should be further developed.

ATTACHMENTS

Attachment A: [↓](#) Map of Kelvin Grove, Langwarrin

MAP OF KELVIN GROVE, LANGWARRIN



- Length of Kelvin Grove is 820m (0.8km) from Cranbourne-Frankston Road to McKays Road.

- Width of Kelvin Grove (as existing – unsealed) is between 5.5m and 7.5m.

- McKays Road is also unsealed.

Executive Summary**13.1 Further response to NOM 1312 - Unemployment in Frankston**

Enquiries: (Fran Boyd: Corporate Development)

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.1 Create a sustainable workforce

Purpose

To brief Council on the Frankston City Council Work Ready Programs.

Recommendation (Director Corporate Development)

That Council notes the report and that a further update be provided by the March 2020 Ordinary Meeting.

Key Points / Issues

- At its meeting on 1 April 2019, Council resolved that Council:
 1. *Notes the report*
 2. *Notes the Frankston City Council (FCC) Work Ready Initiatives document.*
 3. *Council endorses the following initiatives within the 2019/2020 budget at a total cost of \$202,518 (plus on costs):*
 - *the implementation of the Structured Workplace Placement Program in partnership with the Frankston Mornington Peninsula Local Learning Network (FMPLLN) and schools within the municipality in 2019; and*
 - *the establishment of up to fourteen School Based Apprentice part-time roles (\$4,700 per placement - \$65,800 in total)*
 - *The establishment of four trainee positions (\$136,717 plus on-costs).*
 4. *Endorses that all applicants for the “Work ready Program” live locally at the time of submitting their application.*
 5. *Notes that traineeships be awarded to candidates whom are either*
 - a. *Long term unemployed; or*
 - b. *Have a disability.*
 6. *Requests that the CEO writes to Peninsula Leisure Pty Ltd. Inviting it to become an active participant in the program and reporting back to Council on progress on this matter at the July 2019 Ordinary meeting.*
 7. *Requests the CEO to ensure officers liaise with the relevant Government agencies to assist with identifying local candidates for the programs.*
 8. *Directs the CEO to ensure sufficient resourcing is provided to support the “Work Ready Program”.*
 9. *Refers the proposed Graduate Engineers Program and the Cadet Building Surveyor recommendations to the 2019/2020 Midyear Budget for consideration.*
 10. *Notes that should the uptake of the School Based apprentice part time roles be less than budgeted, a report is to be brought to Council with options for an earlier implementation of the proposed Graduate Engineers Program and Cadet Building Surveyor recommendations with the unused funds.*
- A letter was sent from the CEO to the CEO of Peninsula Leisure Pty Ltd inviting the organisation to participate in the program. A response was received by email from the CEO at Peninsula Leisure on 15 July, 2019:

13.1 Further response to NOM 1312 - Unemployment in Frankston**Executive Summary**

"I can confirm that PL at both PARC and The Pines has a deep focus on fostering local employment opportunities including:

- Partnerships with multiple community groups.*
- Active participation in transition to work programs including tours, briefings, mentoring and offering of suitable opportunities where available.*
- Partnerships with local education providers, such as Chisholm, for pre and post course placement.*
- We provide regular work placement opportunities for school aged children, as well as industry and course specific adults.*
- PL employs predominantly from the Frankston region (approx. 70%)*
- We have employed many of our staff through the above partnerships and programs (gym, learn to swim, café, customer experience and sales positions filled)"*

- Three of the four traineeships are currently being actively recruited with the first trainee expected to commence early in September 2019 and the others to follow in October 2019.
- Two students under the Structured Workplace Placement Program have been placed in the Business & Information Technology Department and are progressing well.
- Further placements will not commence until February 2020 due to time tabling and curriculum issues with the local schools, however three placements have been confirmed to date to commence in February 2020.
- Two School Based Apprentice positions have been identified for the Operations Centre, one in the Workshop and one within Parks and Gardens. We are currently exploring with the FMPLLEN when suitable students can be identified and recruited into these roles.
- Other opportunities suitable for school based apprentices are also being explored within Council Operations
- The proposed Graduate Engineers Program and the appointment of a part time Cadet Building Surveyor will be referred to the 2019-2020 Mid-Year Budget Review for consideration.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

That Council refers the funding of \$104,400 plus on-costs towards the employment of one part time Cadet Building Surveyor and the implementation of the Graduate Engineers Program to the Mid-Year Budget Review for further consideration.

13.1 Further response to NOM 1312 - Unemployment in Frankston**Executive Summary**

No further budget is required to implement this program in 2019/2020.

Consultation**1. External Stakeholders**

Consultation has occurred with the FMPLLEN on the implementation of the Structured Workplace Learning program and the School Based Apprenticeships and the critical dates in the yearly timelines when students can be placed throughout the year. Further consultation has also been with WISE employment services who are a disability service provider and with the Brotherhood of St Laurence to work with Council to identify and employ four trainees who will either have a disability or will be classified as being long term unemployed.

2. Other Stakeholders

All Managers have been advised of the Work Ready program initiative and have been invited to participate by hosting a student and/or trainee.

Analysis (Environmental / Economic / Social Implications)

No further implications have been identified

Legal / Policy / Council Plan ImpactCharter 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

No further legal implications have been identified.

Policy Impacts

Nil

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 further risk mitigation was deemed necessary as all placements/employment arrangements will be based on a formal student placement contracts and employment contracts.

Conclusion

The Work Ready Program is currently being rolled out with three of the four traineeships being actively recruited, two students currently placed within the Structured Workplace Learning Program and a further three identified. In addition, two School Based Apprentice roles have been created at the Operations Centre.

ATTACHMENTS

Nil

Executive Summary**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD) Rating System - Proposed Local Policy**

Enquiries: (Michael Papageorgiou: Community Development)

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.3 Natural and sustainable environment
Priority Action	1.3.2 Reduce Council's energy use and greenhouse gas emissions and progress towards carbon neutrality

Purpose

To present to Council the recommended approach to achieve superior environmentally sustainable outcomes for new development in Frankston City Council and to request authorisation to prepare and exhibit a planning scheme amendment to introduce a Local Environmentally Sustainable Development Policy in the Frankston Planning Scheme.

Recommendation (Director Community Development)

That Council:

1. Notes the Environmentally Sustainable Development (ESD) Policy Investigation: Background Information Findings report prepared by Sustainable Development Consultants.
2. Notes the findings and recommendations of the Environmentally Sustainable Development (ESD) Policy Investigation: Recommended Policy Triggers report prepared by Sustainable Development Consultants.
3. Authorises officers to write to the Minister for Planning to request authorisation to prepare and exhibit a planning scheme amendment to introduce a Local Environmentally Sustainable Development Policy in the Frankston Planning Scheme.
4. Refers \$93,000 per annum to the mid-year budget review for the creation of a Band 6 position at Council for a dedicated ESD planning officer.
5. Refers \$7,500 per annum to the mid-year budget review for a subscription to the Built Environment Sustainability Scorecard (BESS).
6. Refers \$12,000 to the mid-year budget review for ESD training for current planning staff.

Key Points / Issues

- At its meeting on 22 October 2018, Council resolved:

“That Council:

1. *Refers \$6,600 per financial year for the next two years to the mid-year budget review for a subscription to the CASBE Council network to enable strategic planning policy work and subsequently ESD rating assessments; and*
2. *Supports officers in undertaking further research for the establishment of a local Environmentally Sustainable Development Policy for inclusion in the Frankston Planning Scheme in association with further research for the adoption of an appropriate Environmentally Sustainable Development assessment tool, with a report to Council to be provided within the next six (6) months.*

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Executive Summary**

3. *Notes that should Council endorse the recommendations, an additional Band 6 planner will be required in due course to undertake the rating assessments at an approximate cost of \$82K plus on costs.*

- This report addresses item 2 and 3 as listed above.
- The Frankston Planning Scheme includes various policies, provisions and standards to achieve a basic level of environmental sustainability within new developments.
- Council officers currently lack the regulatory provisions to enforce Environmentally Sustainable Development (ESD) principles and strategies beyond what is currently included within the Frankston Planning Scheme.
- The most effective way of ensuring future development achieves superior environmental outcomes within Frankston's Metropolitan Activity Centre and throughout Frankston City is to pursue a local ESD planning policy for inclusion in the Frankston Planning Scheme.
- There are 17 Councils with specific local ESD planning policies which currently exist among Victorian Planning Schemes.
- All 17 local Council ESD planning policies currently included in Victorian Planning Schemes are virtually indistinguishable in their content. However, each Council has chosen to vary the thresholds for the level of development to which these policies apply. This variation exists due to each local government determining thresholds relevant to their local development profile.
- Council officers previously had no strategic justification to support any proposed thresholds which would require certain development types to demonstrate best practice ESD outcomes. Officers subsequently sought expert advice to determine appropriate thresholds for inclusion in a local ESD planning policy for Frankston City Council.
- Officers supplied development application data for a period of 2.5 years (Jan 2017–Jun 2019). This data was then analysed and used to help determine the policy thresholds from a financial/resourcing perspective.
- The Recommended Policy Triggers report prepared by Sustainable Development Consultants (SDC) recommends the following thresholds for a local ESD planning policy for inclusion in the Frankston Planning Scheme:
 - Residential - Small
 - A development of 2 to 9 dwellings.
 - A development for residential accommodation other than dwellings with a gross floor area between 50 to 1000m².
 - Residential - Large
 - A development of 10 or more dwellings.
 - A development for residential accommodation other than dwellings with a gross floor area greater than 1000m².
 - Non-Residential – Small
 - A development with a gross floor area between 100-1000m².

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Executive Summary**

- Non-Residential – Large
 - A development with a gross floor area greater than 1000m².
- The proposed policy thresholds aim to find a balance between acknowledging Frankston's local development pattern, noting and being consistent with the approaches of other Councils, achieving maximum benefit from ESD outcomes, and ensuring acceptable resourcing implications.
- The majority of development in Frankston City Council is multi-dwelling residential and non-residential. It is considered that the inclusion of single dwellings in a threshold would unreasonably increase the statutory burden for the municipality. Furthermore, no other Council, comparable or otherwise, currently employs a threshold for single dwellings.
- Council officers currently lack the formal skill base to assess the ESD outcomes of development applications. For Frankston City Council to be best-placed to implement a local ESD Policy, it is recommended that a full-time equivalent Band 6 ESD planning officer position be created with a breadth of responsibilities relating to ESD at an approximate cost of \$93,000 per annum.
- In addition to a dedicated ESD officer, it is also recommended that Council commits to training current planning staff in ESD principles and assessment to build internal knowledge and capacity. The cost associated with this training is approximately \$12,000 and will be delivered in stages over a number of months.
- Numerous ESD assessment tools are currently available to evaluate various elements of development applications.
- For Council to be best placed to assess all application types, licensing for the Built Environment Sustainability Scorecard (BESS) tool is strongly recommended. The cost associated with the licensing for this assessment tool is approximately \$7,500 (plus GST) per annum.
- The next recommended step to achieving superior environmentally sustainable outcomes for new development in Frankston City Council is to prepare and exhibit a planning scheme amendment to implement the new proposed policy.

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 is 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/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Executive Summary**

Implementation of the policy will require additional resourcing. Council will require an additional Band 6 ESD planning officer position to assess the ESD components of all eligible applications, enforce permit conditions, and to support Council with other internal ESD initiatives. This will incur of cost of approximately \$93,000 per annum plus on-costs.

Training of planning officers is recommended to build internal knowledge and capacity and ensure a consistent approach is taken toward ESD outcomes across applications. Training modules are available to educate planning officers in the basic elements of sustainable building design and assessment. These modules, delivered in stages by a suitably qualified ESD professional, are anticipated to incur a total cost of approximately \$12,000.

Any further specialised and ongoing training courses for ESD assessment tools are anticipated to be met from the Community Development training budget.

For Council to be best placed to assess all application types, licensing for the Built Environment Sustainability Scorecard (BESS) tool is recommended. The cost for the licence subscription to BESS is \$7,500 (plus GST) per annum.

Consultation**1. External Stakeholders**

External stakeholder consultation will be sought during the exhibition stage of the planning scheme amendment process.

In the event that the Policy is introduced to the Frankston Planning Scheme, training and information sessions will be provided for developers and the wider public to familiarise them with the new policy and its requirements.

2. Other Stakeholders

Internal stakeholder consultation will be sought during the preparation stages of the planning scheme amendment process.

In the event that the Policy is introduced to the Frankston Planning Scheme, training and information sessions in ESD principles and assessment will be provided to the planning staff to build internal knowledge and capacity.

Analysis (Environmental / Economic / Social Implications)Environmental

Best practice ESD seeks to ensure that any environmentally detrimental impacts resulting from development are minimised whilst pursuing opportunities to improve and enhance the ESD outcomes.

Economic

The recommendations seek to improve the overall quality of developments, reducing long-term upkeep, damage, running and alteration costs. Improved liveability and usability of developments and streetscapes are likely to encourage new and ongoing investment in Frankston.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Executive Summary**Social

Best practice environmentally sustainable design seeks to establish development that is adaptable, efficient, amenable and long-lived. This reduces long-term costs and improves the liveability and usability of development. The recommendations of this report seek to encourage and facilitate these sustainability outcomes and will provide opportunities for Frankston residents to engage directly with Council and the wider community on matters pertaining to ESD during the implementation process.

Legal / Policy / Council Plan ImpactCharter 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

Procurement procedures and protocols are relevant to this report.

Policy Impacts

The recommendations of this report seek to amend the Frankston Planning Scheme to include a local ESD Policy.

The recommendations of this report will assist in achieving the objectives of Clauses 21.04, 21.05 and 21.10 of the Frankston Planning Scheme.

The recommendations of this report will also assist in achieving the various ESD principles, objectives and strategies of Frankston City Council that are detailed later in this report.

Planning permit application procedures and planning scheme amendment procedures and protocols are also 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

The risks associated with the immediate recommendations of this report are considered to be low. The requirements for Frankston's policy are proposed to be largely consistent with the requirements of the 17 local ESD policies already established by other Councils, save for the proposed thresholds. As such, the potential for the new policy to dampen investment in Frankston due to onerous, complex or expensive requirements is considered to be unlikely. As highlighted in the Background Information Findings report, the 2014 Environmentally Efficient Design Advisory Committee found that local ESD planning policies are "unlikely to impose an unreasonable regulatory cost burden on applicants". The existing policies are well established precedents and provide considerable strategic justification for Frankston to implement a policy consistent with those already in operation.

Additionally, all affected and concerned parties will have the opportunity to make submissions for Council's consideration during the exhibition stage(s) of the amendment process to introduce a new local ESD planning policy to the Frankston Planning Scheme.

It is considered that these processes would be sufficiently inclusive to ensure that the above risk will be managed to within acceptable levels.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Executive Summary****Conclusion**

Council employs various policies, strategies and other methods to achieve a basic level of environmentally sustainable design outcomes for the municipality's built environment. Although these are founded on robust principles, officers currently lack the regulatory power to implement specific ESD outcomes for new development. To achieve ESD outcomes beyond those achieved through the Victorian Planning Provisions, other Victorian Councils have chosen to establish local ESD policies within their planning schemes.

The establishment of a local ESD policy within the Frankston Planning Scheme will empower planning officers to require mandatory ESD outcomes for new development. Implementation of an ESD policy is best achieved through a combination of education, assessment and compliance. It is therefore recommended that a full-time equivalent ESD planning officer position be created with a breadth of responsibilities relating to ESD. In association with the introduction of a local policy, a licensing subscription to the ESD assessment tool BESS will place Council in the best position to assess all application types. With many of the costs associated with ESD assessment being free to the community, and the main cost to Council being staff resourcing, the investment of introducing an ESD policy is considered to be highly beneficial in contributing towards a sustainable, healthy and resilient built environment in Frankston.

ATTACHMENTS

- Attachment A: [↓](#) BESS Prospectus
- Attachment B: [↓](#) ESD Policy Investigation: Background Information Findings Report
- Attachment C: [↓](#) ESD Policy Investigation: Recommended Policy Triggers Report

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment****Background****Current ESD initiatives and approaches employed by Frankston City Council**

The following information identifies the plans, policies, strategies and other approaches which demonstrate Frankston City Council's commitment to achieving Environmentally Sustainable Development (ESD) outcomes for the municipality's built environment.

1. Strategies, Plans and Policies

The attached ESD Policy Investigation: Background Information Findings Report prepared by Sustainable Design Consultants details the various ESD principles, objectives and strategies referred to in the following Frankston City Council plans, policies and strategies:

- Frankston City Council Plan 2017-2021
- Community Plan 2017-2021
- Sustainability Policy
- Environmental Sustainability Policy
- Environment Strategy: Greening Our Future
- Frankston City Health and Wellbeing Plan 2017-2021
- Housing Strategy
- Building Asset Management Plan
- Environmentally Sustainable Design Standards for Council Buildings
- Climate Change Impacts and Adaptation Plan
- Towards Zero Emissions Plan 2019-2023
- Biodiversity Policy
- Urban Forest Policy
- Integrated Water Action Plan 2016-2026
- Waste Minimisation and Management Plan 2015-2020
- Integrated Transport Strategy
- Frankston Metropolitan Activity Centre Structure Plan
- Karingal Major Activity Centre Structure Plan
- Frankston Planning Scheme Review Report

The adoption of a local ESD planning policy will help to achieve the various environmental sustainability objectives outlined in the above strategic documents. While many of these documents comprehensively address sustainability issues, these are often in isolation. An ESD policy will facilitate improved sustainability outcomes across multiple priority areas, particularly by influencing development of private land throughout the municipality.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment****2. Urban Design Guideline Documents**

Council's Ecologically Sustainable Design Guides for Buildings and Urban Design were endorsed for publication by Council on 6 July 2009.

These publications are intended to provide useful information and specific recommendations to improve the environmental credentials of building projects. As with all guides and guidelines they are implemented on a voluntary basis with willing applicants.

The structure of the guides has been arranged to make the information accessible and easy to find, applicable to a broad range of users and project types, and targeted to specific issues as required, while maintaining a clear focus on ESD.

Although founded on strong principles, which are still relevant and applicable to current developments, officers lack the regulatory power to enforce ESD best practice standards beyond what is currently required within the Frankston Planning Scheme.

3. The Frankston Planning Scheme

The attached ESD Policy Investigation: Background Information Findings Report prepared by Sustainable Design Consultants details the environment and environmental sustainability references of the Municipal Strategic Statement (MSS) in the Frankston Planning Scheme at the following Clauses:

- Clause 21.02 Key Issues
- Clause 21.03 Vision and Strategic Framework
- Clause 21.04 Settlement
- Clause 21.05 Environmental Risk
- Clause 21.06 Environmental and Landscape Values
- Clause 21.07 Housing
- Clause 21.09 Natural Resource Management
- Clause 21.10 Built Environment and Heritage

It is considered that a strong strategic direction for environmental sustainability exists within the Frankston Planning Scheme MSS. The adoption of a local ESD planning policy will help to achieve these objectives and strategies.

Planning Scheme ControlsResCode – Residential Development Standards

The standards of Clauses 54 and 55 aim to ensure a basic level of sustainability in residential developments. Amongst other matters, the standards contain particular requirements to meet the objectives for:

- Efficient site use
- Potential for overshadowing
- Amenity Impacts
- Storm-water runoff and infiltration
- Daylight to new and existing windows
- Solar access

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment**

- Landscaping including retention of vegetation

A development must meet all the objectives of the relevant clause of the Frankston Planning Scheme before a permit can be issued.

The Better Apartment Design Standards (BADS)

The Victoria Planning Provisions and all planning schemes were amended in March 2017 to introduce the Better Apartments Design Standards (BADS). These standards are included in Clause 58 of the Frankston Planning Scheme and now apply to all apartment developments in Victoria.

The BADS introduced measures to ensure apartment developments achieve a reasonable level of sustainability. Among other matters, the standards contain the requirements to meet the objectives for:

- Access to daylight
- Internal amenity
- Dwelling adaptability
- Energy efficiency and fossil fuel energy use
- Daylight and solar energy use
- Thermal efficiency
- Natural ventilation
- Landscaping including retention of vegetation
- Plant and animal habitat
- Waste and recycling facilities
- Storm-water collection, utilisation and infiltration

Alternative ESD Approaches

In addition to the above, the following information pertains to policies, strategies and other approaches which Frankston City Council could pursue to achieve superior ESD outcomes for its built environment.

1. Local ESD Policies

In addition to the above controls, 17 Victorian Councils have introduced local ESD policies into their respective planning schemes to date. The overarching objective of these policies is for development to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of these policies, 'best practice' is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site-specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

These policies provide a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

Councils that have established a local ESD Policy within their respective planning schemes are:

- Banyule City Council Clause 22.05 (gazetted 19 November 2015)
- Moreland City Council Clause 22.08 (gazetted 19 November 2015)
- City of Port Phillip Clause 22.13 (gazetted 19 November 2015)
- City of Stonnington Clause 22.05 (gazetted 19 November 2015)
- City of Whitehorse Clause 22.1 (gazetted 19 November 2015)
- City of Yarra Clause 22.17 (gazetted 19 November 2015)
- City of Monash Clause 22.13 (gazetted 29 September 2016)
- Manningham City Council Clause 21.1 (gazetted 31 August 2017)
- City of Darebin Clause 22.12 (gazetted 31 August 2017)
- Knox City Council Clause 22.04 (14 December 2017)
- City of Whittlesea Clause 22.01 (gazetted 18 October 2018)
- City of Greater Bendigo Clause 22.1 (gazetted 18 October 2018)
- Brimbank City Council Clause 22.02 (gazetted 18 October 2018)
- City of Greater Dandenong Clause 22.06 (gazetted 18 October 2018)
- Hobsons Bay City Council Clause 22.13 (gazetted 18 October 2018)
- City of Kingston Clause 22.21 (gazetted 18 October 2018)
- Wyndham City Clause 22.08 (gazetted 18 October 2018)
- Currently awaiting approval, Amendment C388 seeks to incorporate a local ESD planning policy into the Greater Geelong Planning Scheme.

Councils with established ESD policies typically employ an internal officer to assess the ESD outcomes of development applications, especially where an established proprietary ESD assessment tool is used for assessment purposes. It is important to note that Frankston City Council does not retain any planning officers with training in the use of these assessment tools. Additionally, it is also important to note that without an established local ESD Policy within the Frankston Planning Scheme, Frankston's planning officers currently lack the regulatory power required to implement ESD outcomes beyond what is currently included within the Frankston Planning Scheme.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment****2. CASBE**

The Council Alliance for a Sustainable Built Environment (CASBE) is an association of Victorian Councils committed to the creation of a sustainable built environment within and beyond their municipalities. CASBE's value derives from maximising the benefits of integrating Ecological Sustainable Development (ESD) in planning policy. CASBE's work supports industry, government, research bodies and the community shift towards a sustainable built environment.

As of 2019, there are 31 CASBE member Councils. These are: Banyule, Bass Coast, Bayside, Benalla, Brimbank, Darebin, Bendigo, Greater Dandenong, Greater Geelong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Port Phillip, Stonnington, Strathbogie, Whitehorse, Whittlesea, Wodonga, Wyndham, Yarra and Yarra Ranges.

All Victorian Councils with established local ESD Policies in their respective Planning Schemes are CASBE member Councils.

The resources available through CASBE are considered to be invaluable for Councils looking to achieve superior ESD outcomes for their built environments. It is also a valuable forum and ongoing support group for Councils who have already established a local ESD Policy within their Planning Schemes. CASBE staff convenes and support Councils implementing ESD Policy processes by offering:

- Networking opportunities with CASBE Councils, industry professionals, online discussion groups and external stakeholders
- Access to information resources for ESD research, policies, assessment and staffing
- Training for the BESS ESD assessment tool.

To become a member, Councils must sign the CASBE Memorandum of Understanding (MoU) with the Municipal Association of Victoria. The CASBE MoU is effective for a three year period. New Councils sign on to the remainder of that three year period. The current MoU period expires 30 June 2020.

Frankston City Council signed the CASBE MoU in March 2019.

3. Environmentally Sustainable Development – Assessment Tools

To demonstrate compliance with the requirements of an ESD policy, applicants may use relevant tools or assessment methods. Example tools commonly listed in ESD policies include BESS, STORM, Green Star and MUSIC. Assessments such as NatHERS, Section J and NABERS are required for compliance with other regulations, however, also provide input to ESD assessment tools such as BESS.

These assessment tools and software are an effective way of measuring various elements of a proposed building's design or it's actual performance. Benchmarks allow proposed designs and/or actual buildings to compare their performance with buildings of the same type. In most cases they provide instant and reliable feedback on various measurements including energy use, greenhouse gas emissions, potable water saving, treatment of stormwater, embodied energy emissions, daylight and ventilation.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment**

The Built Environment Sustainability Scorecard (BESS) is the predominant tool used by Victorian Councils to assess planning applications against local ESD policies and is accessed free of charge by planning permit applicants for subscriber Councils.

The Stormwater Treatment Objective - Relative Measure (STORM) calculator, suited to assessing stormwater treatments of simpler development types such as residential, is free to use.

The use of other rating or assessment tools such as Green Star or MUSIC occurs for more complex developments which require input from an applicant's ESD consultants. In this instance, the cost of access to such tools is typically borne by the consultants.

**The Environmentally Sustainable Development (ESD) Policy Investigation:
Recommended Policy Triggers Report**

See Attachment C - Recommended Policy Triggers Report

In June 2019, Council engaged Sustainable Development Consultants (SDC) to complete background research and prepare options with strategic justification for policy triggers in relation to a draft Environmentally Sustainable Development (ESD) planning policy to be considered by Council. The research investigated existing local ESD policies, best practice approaches and financial/resourcing implications, and was undertaken to inform stakeholders of key information and assist the implementation of an ESD Planning Policy appropriate for the municipality.

Across the 17 specific local ESD planning policies which currently exist in Victorian Planning Schemes, there are a variety of thresholds for the level of development which these policies apply to. Such variation exists due to each local government determining thresholds relevant to their local development profile.

The size of the development determines the application requirements. Common requirements include:

- For small developments: A Sustainable Design Assessment (SDA)
- For large developments: A Sustainability Management Plan (SMP), and a Green Travel Plan (GTP).

With consideration given to the number and type of development applications received by Frankston City Council on an annual average basis, the Recommended Policy Triggers report recommends the following thresholds for inclusion in a local ESD planning policy for Frankston:

- Residential – Small

Recommended thresholds:

- A development of 2 to 9 dwellings; and
- A development for accommodation other than dwellings with a gross floor area between 50 to 1000m².

Rationale:

- Demonstrates ambition
- Captures the predominant multi-dwelling development type
- The same as the majority of LGAs; and
- Manageable amount of statutory workload.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

- Residential – Large

Recommended thresholds:

- A development of 10 or more dwellings.
- A development for accommodation other than dwellings with a gross floor area greater than 1000m².

Rationale:

- All LGAs have a Dwellings threshold of >10; and
- The majority (12) of LGAs have a >1000m² threshold for accommodation other than dwellings.

- Non-Residential – Small

Recommended thresholds:

- A development with a gross floor area between 100 to 1000m².

Rationale:

- 100m² is one of the most common minimum thresholds;
- Manageable amount of statutory burden; and
- Demonstrates ambition.

- Non-Residential – Large

Recommended thresholds:

- A development with a gross floor area greater than 1000m².

Rationale:

- >1,000m² is the threshold used by the majority of LGAs.

The proposed policy thresholds above will capture the majority of development applications (multi-dwelling residential and non-residential) received by Frankston City Council. There is currently no precedent policy operating in a Victorian Planning Scheme which utilises a threshold that applies to applications for single dwellings. In addition to unreasonably increasing the statutory burden for officers, there is considered to be no strategic justification for the inclusion of single dwellings in an ESD policy threshold for Frankston City Council.

The recommended policy thresholds aim to find a balance between acknowledging Frankston City Council's local development pattern, noting the approaches of other Councils, achieving maximum benefit from ESD outcomes, and ensuring acceptable resourcing implications.

The proposed thresholds outlined above would result in a policy whose requirements are as environmentally stringent and rigorous as any other existing local ESD planning policy in Victoria.

Application requirements

The below information lists the most common approaches to application requirements for a local ESD policy:

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

- Small Developments

Small developments, for example <10 dwellings or <1,000m², commonly require a Sustainable Design Assessment (SDA). An SDA is a document that sets out the sustainable design features of a proposed development. Such a report is commonly supported by applying the BESS and STORM tools.

To assist applicants with their submission, Councils may provide an SDA template to help guide a response.

Objectives within an ESD policy relating to sustainability issues such as energy, water, indoor environment quality and waste are addressed within BESS, a tool specifically designed to address requirements of local ESD planning policies.

- Large Developments

Large developments, for example >10 dwellings or >1,000m², commonly require a Sustainability Management Plan (SMP). An SMP is similar to an SDA in that it addresses similar sustainability issues, however it requires a more detailed response regarding how the performance outcomes will be achieved. The nature of larger developments provides the opportunity for increased environmental benefits and major resource savings. Hence, greater rigour in assessment is justified.

Such a report is commonly supported by the use of the BESS/Green Star, MUSIC/STORM tools. Councils may also provide an SMP template to help guide an applicant response.

Additionally, a Green Travel Plan (GTP) is often required for larger developments. This outlines the efforts a development proposes to reduce reliance on single occupant motor vehicle trips. It must be noted that depending on the location of a development and its proximity to alternative transport infrastructure, a GTP may not entirely be appropriate for all large developments due to limitations inherent in a location. Addressing policy objectives relating to transport may be more appropriately addressed within an SMP for some developments. Application requirements regarding transport for each application may be at the discretion of Council when acting as the Responsible Authority.

For Council to be best placed to assess all applications types, and to maintain a consistent assessment approach with other local ESD planning policies, the Recommended Policy Triggers report recommends the following tools as appropriate for adoption by Frankston City Council:

1. A subscription to the Built Environment Sustainability Scorecard (BESS); and
2. Licensing for the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software.

The Built Environment Sustainability Scorecard (BESS)

BESS is the predominant tool used by Victorian Councils to assess planning applications against local ESD policies. BESS is accessed free of charge by planning permit applicants for subscriber Councils.

BESS is an online assessment tool which assesses sustainability criteria such as energy and water efficiency, thermal comfort, and overall environmental sustainability performance of a new building or alteration. Categories include:

- Management
- Water

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

- Energy
- Stormwater
- Indoor Environment Quality (IEQ)
- Transport
- Waste
- Urban Ecology
- Innovation

BESS is designed for the planning permit approvals process, can assess any size or type of development and uses in-built calculators, deemed-to-satisfy approaches and options of alternative compliance. To achieve a passing score in BESS, the development must meet a minimum 50% overall score and minimums in the Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories. BESS does not assess 'as built' outcomes or performance during operation.

Victorian Councils must subscribe to BESS in order to allow planning permit applicants within their municipality access to the tool. In addition to the cost of the CASBE membership, a separate fee is applicable for a BESS subscription. BESS subscription enables planning permit applicants within the municipality access to the tool.

A subscription to BESS is \$7,500 (plus GST) per annum.

Although training is not required to use the BESS tool, training is recommended for those who regularly prepare or assess complex assessments, i.e. planners. The cost of training programs ranges from \$330 per person (covering less complex residential development applications) to \$660 per person (covering all types of residential development applications and non-residential, mixed use developments).

See Attachment A to read the BESS Prospectus.

Model For Urban Stormwater Improvement Conceptualisation (MUSIC)

For Council to be best placed to assess all applications types, licensing for the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software has also been recommended.

The Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software predicts the performance of stormwater quality management systems. MUSIC is best used for larger developments requiring multiple stormwater treatment measures, also known as a treatment train.

Access to this software would allow Council to critically evaluate the outputs of any submitted modelling results by reviewing the inputs and assumptions of the model. Access to MUSIC software incurs a cost. Licensing costs for MUSIC are:

- \$5,500 excl. GST (MUSIC Single User USB Dongle and first 12 months Support & Maintenance)
- \$600 excl. GST (Annual Maintenance and Support including updates)

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

Although the Recommended Policy Triggers report recommends MUSIC licensing permissions for Council, use of the software will only be needed for approximately 30 per cent of development applications per year. This percentage of applications requiring a MUSIC assessment is not considered to sufficiently justify the purchase or ongoing maintenance and support costs for the software, at this point in time. In the event that the local ESD Policy is successfully introduced into the Frankston Planning Scheme, Council may review the need for the software in due course.

See Attachment B – Background Information Findings Report for a comprehensive list, and further discussion of the tools available to assess development ESD outcomes.

Irrespective of what the above tools may recommend for a given development proposal, it is again important to note that Council officers currently lack the regulatory power required to implement ESD outcomes for new developments. The appropriate method for achieving this is through the establishment of a local ESD Policy within the Frankston Planning Scheme. Subscribing to any ESD assessment tool without an established ESD Policy would be considered a premature step in the process as the resources required for a tool's subscription and any associated training would not produce the desired result of improved ESD outcomes for new developments.

Issues and Discussion**1. The necessity of a planning scheme policy**

A local ESD Policy included within the Frankston Planning Scheme would sufficiently empower planning officers to request and enforce superior ESD outcomes for development occurring throughout the municipality. If Council were to adopt an ESD assessment tool without an established local ESD Policy in the Frankston Planning Scheme, officers would still lack the regulatory provisions to enforce ESD principles and strategies beyond what is currently included within the Frankston Planning Scheme.

2. Consistent policy approach

There are 17 specific local ESD planning policies which currently exist in Victorian Planning Schemes. All 17 of these policies are virtually indistinguishable in their content, save for the variation in their preferred thresholds to which these policies apply. This variation exists due to each local government determining thresholds relevant to their local development profile. This consistent approach across Councils has led to a gradual reduction in the time taken to approve each successive ESD policy amendment. It also provides a strong precedent for other Councils to implement similar policies.

Diverting from this consistent approach when introducing a local ESD planning policy for Frankston could have the unintended effect of seriously delaying the amendment process. Major changes in the policy content could also result in an unreasonable statutory burden and impact on the day to day implementation of the policy. The existing policies are well-established precedents and provide considerable strategic justification for Frankston to implement a policy consistent with those already in operation. It is considered that there is no strategic justification to vary the policy content beyond the thresholds recommended in the Recommended Policy Triggers report.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy
Officers' Assessment****3. Staffing/Resourcing shortage**

At present, Council lacks the internal skill base necessary to assess the ESD outcomes of planning applications. While training of planning staff in ESD principles and assessing planning applications against ESD planning provisions should occur to build internal capacity, it is recommended that a dedicated ESD planning officer position be created at Frankston City Council to support the introduction of a local ESD policy to the Frankston Planning Scheme.

Using Frankston's annual planning application data, and with consideration of the proposed policy thresholds, the Recommended Policy Triggers report estimates that 752 hours will be required for ESD assessments in Frankston each year. Whilst this workload amounts to a 0.4-0.5 full time equivalent (FTE) role, it is strongly recommended that the role be 1.0 FTE, in order for an officer and Frankston City Council to be best placed to implement a local ESD planning policy. It is emphasised that the ESD Officer role would extend beyond the assessment of applications to include the range of educative, industry liaison, and compliance checking activities including but not limited to:

- Internal education for the organisation relating to ESD in the planning process;
- Attendance at pre-application meetings to assist planning applicants to understand the application requirements relating to ESD;
- Provision of ESD advice to planning applicants on how to improve their development;
- Point of contact for external enquiries regarding ESD;
- Assessment of planning applications for ESD requirements;
- Assistance to planning applicants during the application process such as explanation of Requests for Further Information from Council;
- On-site ESD inspections for developments once built to ensure compliance with ESD policy;
- External ESD education sessions for developers and built environment consultants to increase local industry understanding; and
- ESD input into Capital Works projects, where appropriate.

Implementation of the ESD policy will be best achieved through a combination of education, assessment and compliance. It is therefore recommended that a full-time equivalent ESD planning officer position be created with a breadth of responsibilities relating to ESD. No budget or position currently exists for such a role.

4. Timing

As with any planning scheme amendment, a proposal to introduce a local ESD policy to the Frankston Planning Scheme is subject to approval by the Minister for Planning. The Amendment could potentially take upwards of 6 months to prepare, exhibit and adopt.

Options Available including Financial Implications

1. Endorse the recommendations of the report; and progress with the proposed planning scheme amendment; or
2. Endorse selected recommendations of the report; or
3. Take no further action.

**13.2 Response to 2018/NOM47 - Environmentally Sustainable Development (ESD)
Rating System - Proposed Local Policy****Officers' Assessment**

The resource requirements associated with this report are estimated to be approximately \$93,000 per annum for resourcing and assessment tool subscriptions with an additional cost of approximately \$12,000 over the next twelve months for internal training. There are no current resources included within the Annual Budget for this purpose. Consideration for funding will need to be referred to the Mid-Year Budget Review.

BESS Prospectus

Save time and accelerate
sustainable development with
the Built Environment
Sustainability Scorecard (BESS)



bess.net.au

“Using BESS
will make it
much easier
for our planning
team to track
their sustainable
design targets.”

Cover Image: *The Commons*
Architect: *Breathe Architecture*
Photographer: *Andrew Wuttke*
Opposite: *Elwood Green*
Architect: *MA Architects*
ESD Consultant: *Ark Resources*

Donna D'Alessandro, Coordinator Planning City of Port Phillip



*BESS is an initiative of the Council Alliance
for a Sustainable Built Environment*

Introducing BESS – the Built Environment Sustainability Scorecard

BESS is a new generation sustainable design assessment tool for buildings at the planning permit stage. BESS assesses energy and water efficiency, thermal comfort, and overall environmental sustainability performance of new buildings or alterations. BESS assists development applicants to demonstrate that their proposal meets sustainability information requirements as part of a planning permit application.

An initiative of the Council Alliance for a Sustainable Built Environment (CASBE), this smart, web-based tool works seamlessly with local government sustainability planning policies.

BESS covers all major sustainable design categories and can assess any building type, enabling permit applicants to demonstrate how their proposed development addresses sustainability.



An assessment tool designed for the planning process

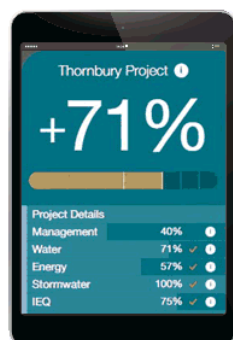
For many years, a dedicated group of Victorian councils have been encouraging their communities to deliver comfortable and sustainable buildings through the planning approval process.

This approach is known as the Sustainable Design Assessment in the Planning Process framework (SDAPP).

BESS supports the SDAPP framework, saving time and effort for both planners and the development community.

Key features:

- > Purpose built for Victorian councils and the planning permit process
- > Aligns with Environmentally Sustainable Design (ESD) Local Planning Policies and the SDAPP fact sheets
- > Provides flexibility for the user while delivering sustainability outcomes
- > Facilitates a consistent framework and assessment of sustainability at the planning stage
- > Assesses any size or type of building via a single interface
- > Information required increases in complexity with the size and scale of the project being assessed
- > Nine sustainable design categories covered
- > Multiple options for demonstrating compliance, including in-built calculators, deemed-to-satisfy approaches and the option of alternative compliance
- > Location-neutral. Does not advantage or disadvantage a development based on location.
- > Standardised report streamlines the assessment process
- > Smart administrator functions to store and manage assessments
- > Aggregate data to track impact over time and for annual reporting to Council
- > Online help
- > Access to technical and administrative support





Supporting BESS

To support the management, maintenance and upgrading of BESS on an ongoing basis, an annual subscription fee is applicable for councils wanting to use BESS in their development communities.

By subscribing to BESS, planning permit applicants can prepare a BESS report for a site located within that municipality.

Please note that councils must be a CASBE member to subscribe to BESS. CASBE membership is a separate fee. BESS subscription enables industry use of BESS in your municipality.

Council Alliance for a Sustainable Built Environment

CASBE relies on the financial support of local government. The CASBE Network of councils extends across Victoria, and is supported by the CASBE financial members.

To become a member, councils must sign the CASBE Memorandum of Understanding (MoU) with the Municipal Association of Victoria. The CASBE MoU's are effective for a three year period. New councils sign on to the remainder of that three year period. Annual membership fees are based on a council's planning and rates activity.

CASBE Membership benefits:

- > Support from CASBE staff
- > A position on the CASBE Steering Committee.
- > Access to free training sessions and material.
- > Participation in an important Council led initiative in sustainable built environments
- > Recognition in CASBE's ongoing advocacy activities

For membership rates or more information about CASBE membership please refer to the CASBE membership prospectus, or contact the CASBE Executive Officer at Municipal Association of Victoria +61 3 9667 5555 casbe@mav.asn.au



Council Alliance for a Sustainable Built Environment

*Image: Saltwater Community Centre
Architect: Croxon Ramsay
Photographer: Diana Snape*

BESS subscriptions

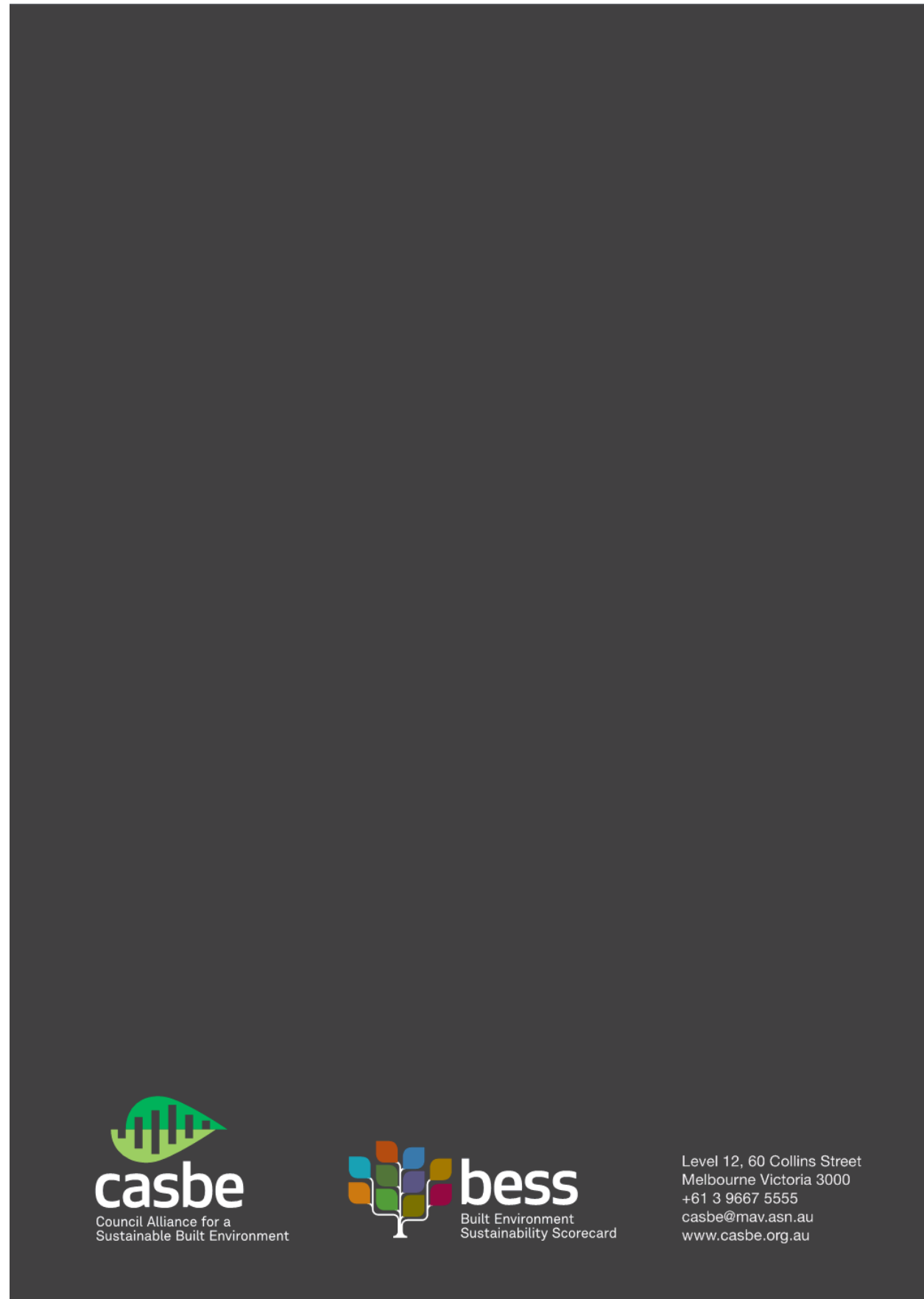
Gold Supporter		Annual subscription fee
Open to any CASBE member council		\$10,000 + GST
Level 1		
Income from planning permit applications is greater than \$300,000 or Income from rates is greater than \$50m		\$7,500 + GST
<i>Pro-rata (6 Month) option for new members</i>		\$3,750 + GST
Level 2		
Income from rates is between \$20 – \$50m		\$3,750 + GST
<i>Pro-rata (6 Month) option for new members</i>		\$1,875 + GST
Level 3		
Income from rates is less than \$20m		\$1,000 + GST
<i>Pro-rata (6 Month) option for new members</i>		\$500 + GST

For more information
contact: BESS Manager
Municipal Association of Victoria
+61 3 9667 5555
casbe@mav.asn.au



Council Alliance for a Sustainable Built Environment (CASBE) is supported by the Municipal Association of Victoria

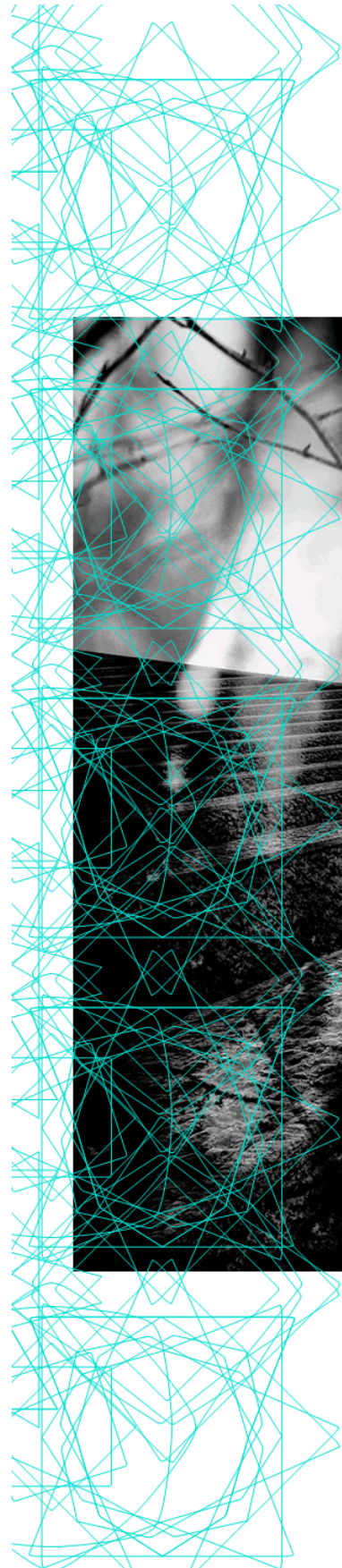
BESS was developed with the support of the Victorian Government.



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CREATE A BETTER PLACE TO LIVE.



Frankston City Council
Environmentally Sustainable Development (ESD) Policy Investigation



SUSTAINABLE DEVELOPMENT
_CONSULTANTS

**Frankston City Council
Environmentally Sustainable Development
(ESD) Policy Investigation**

Background Information Findings

July 2019

S3845.V2

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Revision	Date of Issue	Description	Author	Approved
V2	09-07-2019	Final Report	NC	BdW
V2	22-07-2019	Final Report - updated development statistics	NC	BdW

1. Introduction

Frankston City Council has engaged Sustainable Development Consultants to complete background research and prepare options with strategic justification for policy triggers in relation to a draft Environmentally Sustainable Development (ESD) planning policy to be considered by Council.

This background research will investigate existing local ESD policies, best practice approaches and financial/resourcing implications, and has been undertaken to inform stakeholders of key information and assist the implementation of an ESD Planning Policy appropriate for the municipality.

2. Policy Context

Addressing the impact of urban development on the natural environment can be undertaken through the town planning process when key decisions are made about building design. Applying the concept of Environmentally Sustainable Development (ESD) during the planning process allows consideration of environmental sustainability in order to achieve a range of environmental, social and economic benefits.

ESD aims to ensure that developments meet the needs of the present without comprising the ability of future generations to meet their own needs by adhering to appropriate environmental design standards. A concept related to ESD is Water Sensitive Urban Design (WSUD), an approach to planning and designing urban areas which aims to reduce the impact of development on the water cycle. While WSUD is a defined concept of its own, consideration of WSUD commonly also occurs when ESD principles are applied more broadly.

A range of approaches to ESD and WSUD through the planning process have been undertaken at both a state and local government level. The following aims to outline these current approaches.

2.1 Victorian Planning Provisions

Planning in Victoria is guided by the *Planning and Environment Act 1987* (the Act). The Act provides for a single instrument of planning control for each municipality, the planning scheme, which sets out the way land may be used or developed. The Act also provides for the Victoria Planning Provisions (VPP) - a template document of standard state provisions for all planning schemes to be derived from.

Below is a summary of provisions which relate to ESD in the planning process.

2.1.1 PLANNING POLICY FRAMEWORK

The Planning Policy Framework (PPF) forms part of the strategic foundation of a planning scheme and aims to address issues of State importance. The PPF contains various references to the environment and sustainability. Examples include objectives and strategies of provisions such as:

- Clause 11 Settlement;
- Clause 12 Environmental and Landscape Values;
- Clause 13 Environmental Risks;
- Clause 14 Natural Resource Management;
- Clause 15 Built Environment and Heritage;
- Clause 16 Housing;
- Clause 18 Transport; and
- Clause 19 Infrastructure.

Examples of references related to ESD in the PPF include energy efficiency, environmental degradation, climate change, integrated water management, conservation and wise use of natural resources and sustainable transport. While these provisions highlight ESD, they are overarching objectives and do not act as specific planning controls.

Currently, a State planning policy which comprehensively addresses ESD does not exist. The Department of Environment, Land, Water and Planning (DELWP) is currently in the process of developing an approach to a state-wide ESD planning policy.

2.1.2 PARTICULAR PROVISIONS

Additional references to ESD in planning schemes can be found under the heading of Particular Provisions. Particular Provisions are planning controls that apply only to certain uses and development or to particular aspects of certain uses and development. Examples of Particular Provisions related to ESD include:

- Clause 52.17 Native Vegetation;
- Clause 52.34 Bicycle Facilities;
- Clause 53.18 Stormwater Management in Urban Development;
- Clause 55.03 Site Layout and Building Massing;
- Clause 55.07 Apartment Developments;
- Clause 56.07 Integrated Water Management; and
- Clause 58 Apartment Developments.

Some of these provisions more comprehensively address certain elements of ESD such as energy efficiency, stormwater management or indoor environment quality than the PPF. However, these provisions are limited to certain uses or development, or limited in their ability to address ESD holistically.

Amendment VC154

Planning Scheme Amendment VC154, gazetted on 26 October 2018, aimed to implement a range of reforms relating to integrated water management and stormwater management. New and amended planning provisions include:

- Clause 19.03-03S Integrated Water Management;
- Clause 53.18 Stormwater Management in Urban Development;
- Clause 55.07 Apartment Developments;
- Clause 56.07 Integrated Water Management; and
- Clause 58.03 Site Layout.

The new provisions ensure that stormwater generated from all forms of urban development, not just residential subdivision and apartment developments, is managed in an integrated way to mitigate the impacts of stormwater runoff on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

The amendment extends the existing stormwater management requirements for residential subdivision and apartment developments to:

- All commercial and industrial subdivisions and developments;
- All public use developments; and
- All residential multi-dwelling developments.

While the reforms have increased the number of development types required to address stormwater management, one of the exemptions, as listed under Clause 53.18-1, is an application to construct a building or construct or carry out works associated with one dwelling on a lot.

Under these provisions, standards commonly state that stormwater management systems should be designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

2.2 Local Planning Policies

In the absence of a comprehensive state-wide approach to ESD or WSUD in the planning process, several Victorian local governments have addressed sustainable design assessment through the Local Planning Policy Framework (LPPF).

The introduction of specific local ESD planning policies aims to support and strengthen a range of existing clauses in the PPF and LPPF.

2.2.1 ESD POLICIES

In 2009, a number of Victorian councils coordinated their efforts to introduce a consistent Environmentally Sustainable Development (ESD) policy into their planning schemes. Since then, a total of 17 Victorian local governments have incorporated a local ESD planning policy into their planning schemes.

On 19 November 2015, six Victorian Councils had their local ESD planning policies gazetted. These included:

- Banyule City Council *Clause 22.05*;
- Moreland City Council *Clause 22.08*;
- City of Port Phillip *Clause 22.13*;
- City of Stonnington *Clause 22.05*;
- City of Whitehorse *Clause 22.1*; and
- City of Yarra *Clause 22.17*.

Subsequently, several other councils had a local ESD planning policy gazetted, including:

- City of Monash *Clause 22.13* (gazetted 29 September 2016);
- Manningham City Council *Clause 21.1* (gazetted 31 August 2017);
- City of Darebin *Clause 22.12* (gazetted 31 August 2017); and
- Knox City Council *Clause 22.04* (14 December 2017).

Gazetted on 18 October 2018, Amendment GC110 saw the most recent addition of local ESD planning policies into Victorian Planning Schemes. This included the following councils:

- City of Whittlesea *Clause 22.01*;
- City of Greater Bendigo *Clause 22.1*;
- Brimbank City Council *Clause 22.02*;
- City of Greater Dandenong *Clause 22.06*;
- Hobsons Bay City Council *Clause 22.13*;
- City of Kingston *Clause 22.21*; and
- Wyndham City *Clause 22.08*.

Currently awaiting approval, Amendment C388 seeks to incorporate a local ESD planning policy into the Greater Geelong Planning Scheme.

Other local policies with ESD requirements include:

- Maribyrnong City Council *Clause 21.06* (gazetted 15 September 2011);
- City of Melbourne *Clause 22.19* (gazetted 4 April 2013);
- City of Moonee Valley *Clause 21.04* (gazetted 5 March 2015); and
- Mildura Rural City Council *Clause 22.03* (gazetted 17 November 2016).

These amendments introduced local planning policies. They are not planning controls or provisions that outline the need to require planning permits. The local policies are only applied when another provision of a planning scheme triggers the need for a planning permit.

2.2.2 ESD POLICY THRESHOLDS

Across the 17 specific local ESD planning policies which currently exist in Victorian Planning Schemes, there are a variety of thresholds for the level of development which these policies apply to. Such variation exists due to each local government determining thresholds relevant to their local development profile.

Below is a summary of the different thresholds present within the 17 ESD policies, and how commonly each threshold is applied.

Table 1: Threshold variation and frequency for residential developments

Res - Small (Dwellings) ¹		Res - Small (GFA m ²) ²		Res - Large (Dwellings)		Res - Large (GFA m ²)	
Threshold	Occurrence	Threshold	Occurrence	Threshold	Occurrence	Threshold	Occurrence
2-9	10	50-1000	4	>10	17	>1000	12
3-9	7	50-2000	1			>2000	2
		100-999	1			>2499	3
		100-1000	3				
		500-1000	4				
		500-1999	1				
		1000-2499	3				

Table 2: Threshold variation and frequency for non-residential developments

Non-res - Small (GFA m ²)		Non-res - Large (GFA m ²)	
Threshold	Occurrence	Threshold	Occurrence
50-1000	1	>1000	12
50-2000	1	>2000	3
100-999	1	>2499	2
100-1000	5		
300-1000	1		
500-1000	4		
500-1999	1		
500-2000	1		
1000-2499	2		

The size of the development determines the application requirements. Common requirements include:

- Small: Sustainable Design Assessment (SDA); and
- Large: Sustainability Management Plan (SMP), Green Travel Plan (GTP).

It should be noted that six councils explicitly list thresholds for alterations and additions. All 17 councils include a note which states that: 'To remove any doubt, development also includes alterations and additions'.

¹ Accommodation/Mixed Use with residential component of dwellings

² Development of a building for accommodation other than dwellings

2.2.3 ESD POLICY PLANNING PANELS

The introduction of ESD Policies has generally included consideration by a planning panel as part of the planning scheme amendment process. This section outlines various relevant matters that have been addressed by the planning panels.

Table 3: Summary of amendments related to local ESD planning policies

Amendment	Gazetted	LGA
C73	19/11/2015	Banyule
C71	19/11/2015	Moreland
C97	19/11/2015	Port Phillip
C177	19/11/2015	Stonnington
C130	19/11/2015	Whitehorse
C133	19/11/2015	Yarra
C113	29/09/2016	Monash
GC42	31/08/2017	Manningham
GC42	31/08/2017	Darebin
C150	14/12/2017	Knox
GC110	18/10/2018	Brimbank
GC110	18/10/2018	Greater Bendigo
GC110 (formerly C201)	18/10/2018	Greater Dandenong
GC110	18/10/2018	Hobsons Bay
GC110	18/10/2018	Kingston
GC110	18/10/2018	Whittlesea
GC110	18/10/2018	Wyndham
C388	Approval Under Consideration	Greater Geelong

Justification

Prior to being gazetted on 19 November 2015, the six local ESD planning policies were subject to a joint Planning Panel and Advisory Committee. The Environmentally Efficient Design Advisory Committee (the Committee) was appointed by the Minister for Planning on 15 June 2013 with the purpose of providing "advice to the Minister for Planning on the applicability and suitability of including environmental sustainability requirements in planning schemes generally" as proposed in the six policies.

Some of the 26 findings³ of the Committee included:

- There is a strong legislative and policy framework that supports the need for sustainable development, and which recognises that both planning and building have a significant role to play in achieving it.
- There is a role and a statutory obligation for planning to advance sustainability.
- Whilst the existing State Planning Policy Framework and Victoria Planning Provisions provide a good starting point for the inclusion of sustainability, there are clear areas for improvement.
- A State-wide approach to sustainability in planning would be the most effective way to achieve the greatest sustainability outcomes; however, there is still a potential role for local policies to play in achieving greater local sustainability outcomes.
- There is a clear need for an integrated planning and building approach to achieve sustainable outcomes.
- There are clear positive economic, social and environmental benefits to be gained through improved sustainable development outcomes in planning.
- The use of Local Policies until such time as a State-wide approach is developed should be supported, with the inclusion of a sunset clause.

³ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 101-102.

The Planning Panel for Amendment C113 (Monash ESD policy) supported the approach of Council in progressing this issue and concluded the amendment would advance Council's consideration of applications in important environmental areas⁴.

The Planning Panel for Amendment GC42 (Darebin and Manningham ESD policies) concluded⁵:

- There is strong policy support for the inclusion of the proposed ESD policies within the local planning policy framework and supports them.
- That the Amendment was both sound and strategically justified.

The Planning Panel for City of Greater Dandenong found that the Amendment C201 "is strongly supported by existing Council policy and other Advisory Committee and Panel processes and reviews which have generally supported the recognition and introduction of local ESD planning policy"⁶.

Through the Amendment process undertaken by a number of Victorian councils relating to local ESD planning policies, it has been found that "the introduction of such policies is appropriate and a consistent approach until such time as the state government determines to introduce a state-wide planning policy position relating to ESD"⁷.

Thresholds and triggers

So, while the various Panel reports included much commentary about various aspects of ESD policy, the key consideration for Frankston City Council is what was concluded in relation to the setting of ESD Policy triggers.

The Committee (for the first group of Councils) reviewed whether policies should have the same thresholds or whether it is appropriate to vary the thresholds between planning schemes, having regard to the type and intensity of its development within each municipality and Council's ability to implement the policy. The Committee concluded that "the ability of the individual Councils to set particular thresholds should be retained"⁸.

The Committee also discussed issues of equity, whether it is fair for only those developments which require a planning permit to incorporate a higher level of sustainability than those that do not. The Committee concluded that such developments should not necessarily be expected "to achieve a higher level of sustainability than a single dwelling just because they are subject to a planning permit"⁹. The Committee found that "all developments including metropolitan and non-metropolitan applications can incorporate forms of sustainability, therefore, to ensure fairness, the Committee considers they should"¹⁰. However, the Committee acknowledged that it could be argued that planning has a limited role to play in achieving sustainable development for a significant area of new residential development and that "for planning to have a greater role or wider coverage, it would be necessary to have greater permit triggers"¹¹.

During the Planning Panel for Amendment C113, it was questioned whether it was appropriate for an ESD policy to apply to such a broad range of permit triggers. It was submitted that the Planning Practice Note 8 (PPN8) 'Writing a Local Planning Policy' allows for application to a 'specific discretion or group of discretions', and noted that there were existing long standing policies in the scheme with such an application, with such policies applying to 'All land' in the municipalities, and presumably all permit applications¹². The Panel was "satisfied that even though the policy does not apply to a specific permit trigger, it is consistent with PPN8 in its form and content and the application to a 'group of discretions' is appropriate"¹³. Regarding the operation of policies in relation to permit triggers not relating directly to sustainability, the approach included in Clause 22.19 of the Melbourne Planning Scheme has also been noted by the 2014 Committee¹⁴, "where the policy is called up for buildings and works for certain developments regardless of the permit trigger" and that "this policy has been in place since early 2013 and the Committee is not aware whether this aspect of that policy has been challenged". Additionally, it has

⁴ Panel Report - Amendment C113 Gaming, Licensed Premises and Environmentally Sustainable Design Policies (2015), p. 24.

⁵ Panel Report - Amendment GC42 Environmentally Sustainable Development Policy (2016), p. 13 & p. 16.

⁶ Panel Report - Amendment C201 Environmentally Sustainable Development (2018), p. 8.

⁷ Panel Report - Amendment C201 Environmentally Sustainable Development (2018), p. 8.

⁸ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 86.

⁹ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 46.

¹⁰ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 46.

¹¹ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 45.

¹² Panel Report - Amendment C113 Gaming, Licensed Premises and Environmentally Sustainable Design Policies (2015), p. 20.

¹³ Panel Report - Amendment C113 Gaming, Licensed Premises and Environmentally Sustainable Design Policies (2015), p. 23.

¹⁴ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 84.

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been noted that the *Boroondara CC v 1045 Burke Road ([2015] VSCA 27)* case “actually clarifies and strengthens the application of the policy, making it clear that even if the trigger being considered is, for example, the Heritage Overlay, ESD considerations may be relevant”¹⁵.

Issues of equity were also discussed during the Amendment C113 (Monash) panel process, with concern that the policy will only apply to those developments requiring a planning permit. However, the Panel concluded that “on balance, and noting the exemption of small developments (1-2 dwellings) from requiring sustainability assessment in the policy, the Panel considers that most significant development will be covered by virtue of it requiring a permit”¹⁶.

During the Panel hearing for Amendment C150 (Knox), a submission relating to a desire that the proposed ESD policy apply to single dwellings because they represent a large proportion of housing stock was discussed. The Panel concluded that “only a relatively small proportion of single dwellings require a planning permit therefore the policy would have limited influence”¹⁷.

The City of Greater Dandenong originally proposed a minimum residential threshold of five dwellings, however, after the majority of submissions received relating to Amendment C201 proposed a minimum threshold of three dwellings, the council altered the threshold to three. The Panel believed that the revised policy would “still allow the most significant development to be covered by the ESD policy by virtue of it requiring a planning permit”¹⁸. The Panel noted that “further reducing the threshold levels under proposed Clause 22.06 presents challenges for single dwellings, where in much of the context of residential zones no planning permits may be required, effectively omitting the application of the local ESD policy”¹⁹. Although the Panel concluded that “further reducing the residential development thresholds for application of the ESD policy to fewer than three dwellings is not considered necessary, at this point in time, due to the uncertainty with respect to any state-wide review of ESD policy” it also accepted that “thresholds can be set by Councils to suitably address their unique context”²⁰.

Cost

Regarding the cost of incorporating ESD principles into a development, in an expert witness statement received by the Committee, it was submitted that “for all the development types, including single dwellings, there is a significant positive cost benefit ratio”²¹ and the Committee found that the proposed local policies were “unlikely to impose an unreasonable regulatory cost burden on applicants”²².

2.2.4 WSUD POLICIES & THRESHOLDS

Currently 11 Victorian councils have local planning policies with objectives relating to stormwater and/or Water Sensitive Urban Design (WSUD). These Councils include:

- City of Monash;
- Bayside City Council;
- Hume City Council;
- City of Moonee Valley;
- City of Port Phillip;
- City of Stonnington;
- City of Yarra;
- City of Melbourne;
- Campaspe Shire Council;
- City of Casey; and
- City of Kingston.

Below is a summary of use and development types which the provisions apply to.

¹⁵ Panel Report - Amendment C113 Gaming, Licensed Premises and Environmentally Sustainable Design Policies (2015), p. 23.

¹⁶ Panel Report - Amendment C113 Gaming, Licensed Premises and Environmentally Sustainable Design Policies (2015), p. 22.

¹⁷ Panel Report - Amendment C150 Planning Scheme Review (2017), p. 19.

¹⁸ Panel Report Amendment C201 - Environmentally Sustainable Development (2018) p. 12.

¹⁹ Panel Report Amendment C201 - Environmentally Sustainable Development (2018) p. 12.

²⁰ Panel Report Amendment C201 - Environmentally Sustainable Development (2018) p. 12.

²¹ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 65.

²² Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 68.

The City of Monash has a Stormwater Management Policy (Clause 22.04), gazetted on 19 January 2006, which aims to address management of stormwater flows and applies to all land. While protection of the natural environment is mentioned, the focus is primarily on drainage.

On 26 May 2011, Bayside City Council had a local WSUD planning policy (Clause 22.08) gazetted. The policy applies to:

- Accommodation;
- Construction of a building to be used for commercial, industrial or mixed-use purposes; and
- A subdivision in a business zone.

On 13 December 2012, Hume City Council had an Industrial Stormwater Management Policy (Clause 22.19) gazetted. This policy applies to:

- Industry;
- Warehouse; and
- Subdivision for Industry and Warehouse.

Five councils had local WSUD planning policies gazetted on 13 March 2014 in an effort to improve stormwater quality. These councils included:

- City of Moonee Valley *Clause 22.03*;
- City of Yarra *Clause 22.16*;
- City of Port Phillip *Clause 22.12*;
- City of Stonnington *Clause 22.18*; and
- City of Melbourne *Clause 22.23*.

These five policies have similar objectives to the existing stormwater management policies of other councils; however, they capture more development types. Although there is slight variation in the application of the policies between the councils, generally the policies apply to new buildings and extensions to existing buildings which are 50 square metres in floor area or greater. They also apply to subdivision in particular zones, either commercial or business.

Campaspe Shire Council had a policy (Clause 22.07) similar to Bayside City Councils', gazetted on 4 April 2014. One main difference is that it applies to subdivision in a commercial and residential zone, as opposed to a business zone only.

The City of Casey have a Stormwater policy (Clause 22.05, gazetted 9 February 2017) which applies to all land.

On 31 May 2018, the City of Kingston had a Stormwater Management policy (Clause 22.2) gazetted. The policy applies to:

- Medium Scale Development:
 - Residential and/or mixed-use developments of 3 to 9 dwellings.
 - Non-residential developments with a new building gross floor area between 500m² and 1000m².
 - Subdivision of vacant land between 1,000m² and 4,999m².
- Large Scale Development:
 - Residential and/or mixed-use developments of 10 or more dwellings.
 - Non-residential developments with a new building gross floor area greater than 1,000 m².
 - Subdivision of vacant land greater than 4,999m².
 - Subdivision of land involving public road networks or public open space as determined by Council.

Most policies do not apply to an application for an extension or alteration of an existing building of less than 50 square metres in floor area, nor subdivision of an existing building.

All except the Monash provisions include reference to an objective of achieving the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999).

Although recent state-wide changes (Amendment VC154) to Victorian Planning Provisions relating to stormwater have occurred, some of these existing local policies address limitations of the amended VPPs. For example, Clause 53.18 does not apply to buildings or works associated with one dwelling on a lot, whereas several of the local policies apply to all buildings. Additionally, Clause 53.18 does not apply to applications under zones such as

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Low Density Residential and Green Wedge, whereas several of the local policies either apply to all land or do not contain exemptions based on zones. Depending on the development types which Council would like to address stormwater objectives, a local stormwater/WSUD policy which goes further than the VPPs may be advantageous.

2.3 Frankston City Council Strategic Justification

Reference to the natural environment and sustainability can be found throughout a number of Frankston City Council documents and the Frankston Planning Scheme. Examples of such references are outlined below.

2.3.1 STRATEGIES, PLANS & POLICIES

The **Frankston City Council Plan 2017-2021** comprises four key pillars, with one of the long-term community outcomes being 'A Planned City', with the aim that the 'natural environment is protected and enhanced, resources are used efficiently, and waste is minimised'²³. Council's **Community Plan 2017-2021** lists environmental and sustainability initiatives as a 'Think Big Top Ten Idea'²⁴, which are ideas of great community interest as voted for by residents. The Community Plan states that the community believes "it is vital that development is appropriate and sustainable"²⁵ and that there is "a need for information and support as to how we can all contribute to a better environment"²⁶.

Council's **Sustainability Policy** states that Council is "is committed to achieving a sustainable way of life for current and future generations through a common understanding of sustainability"²⁷. Furthermore, the objective of Council's **Environmental Sustainability Policy** is to "demonstrate leadership and achieve best practice in environmental sustainability in partnership with the community", with the principle of "practicing and promoting ecologically sustainable development principles (ESD) in planning and development of the city"²⁸. The **Environment Strategy: Greening Our Future** contains an action to implement the Frankston Housing Strategy utilising appropriate ESD tools²⁹.

Frankston City Health and Wellbeing Plan 2017-2021 seeks to enable "equitable access to affordable energy efficient housing that promotes healthy living conditions, equitable access to the means to improve the energy performance of homes, a culture of efficiency with access to the means to live more sustainably, and resilience to climate change"³⁰. The Plan lists an emerging area of concern within Frankston City is the impact that poor quality housing is having on health and wellbeing³¹.

A key theme of Council's **Housing Strategy** aims to provide direction "to improve the design, quality and environmental performance of new and existing dwellings in the City"³² and recognises that incorporation of ESD principles in buildings can help to address long-term housing affordability issues by reducing ongoing utility costs³³. The Strategy contains actions such as advocacy to the Victorian Government on stronger ESD requirements, provision of ESD information to planning applicants and investigation of implementing the Sustainable Design Assessment in the Planning Process (SDAPP) framework³⁴.

Council's **Building Asset Management Plan** notes energy and water efficiency works identified during a facilities audit which can be carried out as part of Council's maintenance and renewal program³⁵. Further demonstrating leadership, Council's **Environmentally Sustainable Design Standards for Council Buildings** "provide Council with a guide to improve the environmental performance of Council's buildings through the integration of ESD principles in the creation, renewal, upgrade, expansion, maintenance and disposal of Council's buildings"³⁶.

To assist the community in reducing their vulnerability and facilitate an adaptive response to climate change impacts, Council's **Climate Change Impacts and Adaptation Plan** contains an action to "encourage climate

²³ Frankston City Council Plan (2017-2021), p. 17.

²⁴ Frankston City Community Plan (2017-2021), p. 4.

²⁵ Frankston City Community Plan (2017-2021), p. 17.

²⁶ Frankston City Community Plan (2017-2021), p. 21.

²⁷ Frankston City Council Sustainability Policy (2012), p. 1.

²⁸ Frankston Environmental Sustainability Policy (2010), p. 1.

²⁹ Environment Strategy: Greening Our Future (2014-2024), p. 87.

³⁰ Frankston City Health and Wellbeing Plan (2017-2021), p. 42.

³¹ Frankston City Health and Wellbeing Plan (2017-2021), p. 43.

³² Frankston Housing Strategy (2018), p. 61.

³³ Frankston Housing Strategy (2018), p. 93.

³⁴ Frankston Housing Strategy (2018), p. 106.

³⁵ Frankston Building Asset Management Plan (2016), p. 96.

³⁶ Frankston Environmentally Sustainable Design Standards for Council Buildings (2015), p. 1.

friendly building design in new developments”³⁷. Council’s **Towards Zero Emissions Plan 2019-2023** contains several actions relating to ESD including working with developers to improve local development standards, development of an ESD policy planning scheme amendment, introduction of an ESD tool for assessing planning permit applications, staff training in ESD and creation of a dedicated staff resource to conduct on-site ESD inspections to determine as-built compliance³⁸.

Frankston’s **Biodiversity Policy** lists development as a potential impact on biodiversity, noting that “the objectives of urban growth and development and protection of natural values and biodiversity are potentially in conflict and need to be finely balanced through careful planning”³⁹. The Policy also states that Council is committed to “advocating for Frankston’s future growth, land use, land zoning and urban design to be sympathetic to existing natural areas and habitat corridors”, and to critically assess use and development proposals with regard to impact on ecological functions⁴⁰. Frankston’s **Urban Forest Policy** has a vision of a “resilient, healthy and diverse urban forest providing benefits for the entire community, in the present and for future generations”⁴¹.

Council’s **Integrated Water Action Plan 2016-2026** includes actions relating to “improving the capacity of community members to increase the uptake of integrated water management activities and initiatives”⁴². An action of Council’s **Waste Minimisation and Management Plan 2015-2020** is to “continue to use best practice guidelines to assess development applications”⁴³. The Frankston **Integrated Transport Strategy** includes a vision of “providing a sustainable transport system that minimises negative impacts on the natural environment”⁴⁴ and actions such as requiring certain development types to incorporate a Green Travel Plan as part of the planning permit process⁴⁵.

The **Frankston Metropolitan Activity Centre Structure Plan** contains the built form principle of design excellence, which aims to “ensure all development provides excellence in the standard of architecture and ESD and contributes to the creation of exciting and inspiring streets in Frankston”⁴⁶. Strategies contained in the **Karingal Major Activity Centre Structure Plan** include to “encourage the evolution of a high-quality built form which maximises sustainable building practices”⁴⁷ and to “encourage Water Sensitive Urban Design (WSUD) to meet current best practice performance objectives for stormwater quality”⁴⁸.

While there is an evident commitment by Frankston City Council to positive environmental outcomes and their associated benefits, there is a lack of means to achieve this using the planning system. The **Frankston Planning Scheme Review Report**, due for public exhibition in June/July 2019, recommends “that Council progress its ESD planning provisions to require mandatory ESD assessments for new development in the Frankston Planning Scheme”⁴⁹.

The adoption of a local ESD planning policy will help to achieve the various environmental sustainability objectives of Council’s strategic documents. While many of these documents comprehensively address sustainability issues, these are often in isolation. An ESD policy will facilitate improved sustainability outcomes across multiple priority areas, particularly by influencing development of private land throughout the municipality.

³⁷ Frankston Climate Change Impacts and Adaptation Plan (2011), p. 42.

³⁸ Frankston Towards Zero Emissions Plan (2019-2023), p. 29.

³⁹ Frankston Biodiversity Policy (2018), p. 2.

⁴⁰ Frankston Biodiversity Policy (2018), p. 4.

⁴¹ Frankston Urban Forest Policy (2017), p. 1.

⁴² Frankston City Council Integrated Water Action Plan (2016-2026), p. 14.

⁴³ Frankston City Council Waste Minimisation and Management Plan (2015-2020), p. 56.

⁴⁴ Frankston Integrated Transport Strategy (2013), p. 48.

⁴⁵ Frankston Integrated Transport Strategy (2013), p. 49.

⁴⁶ Frankston Metropolitan Activity Centre Structure Plan (2015), p. 18.

⁴⁷ Karingal Major Activity Centre Structure Plan (2013), p. 19.

⁴⁸ Karingal Major Activity Centre Structure Plan (2013), p. 24.

⁴⁹ Frankston Planning Scheme Review Report (2019), p. 25.

2.3.2 FRANKSTON PLANNING SCHEME

The Municipal Strategic Statement (MSS) establishes the strategic framework for the municipality and provides part of the strategic basis for the application of zones, overlays and particular provisions in the planning scheme. The MSS provides the broad local policy basis for making decisions under a planning scheme. Acting as a planning authority or responsible authority, a council must aim to achieve the objectives and follow the strategies set out in the MSS.

The MSS, that underpins the local section of the Frankston Planning Scheme, contains a number of references to the environment and environmental sustainability. These include, for example:

Clause 21.02 Key Issues

- Climate change impacts:
 - Frankston City Council is significantly exposed to climate extremes and natural hazards such as storm surges and coastal inundation, floods, bushfires and extreme temperatures.
- Environmental sustainability:
 - Incorporating the principles on environmental sustainability into planning for the municipality is a key priority for the community and this is to be achieved through:
 - Encouraging new development to incorporate both environmentally sustainable design and integrated water management principles and features.
- Health and wellbeing:
 - Incorporating the principles of a healthy, connected community into planning for the municipality is a key priority for Council and this is to be achieved through:
 - Encouraging sustainable living and climate change adaptation.

Clause 21.03 Vision and Strategic Framework

- The Council Plan contains a number of key strategies that are relevant to the Frankston Planning Scheme:
 - Embed sustainability principles into strategic planning.
 - Deliver planning frameworks that protect and enhance heritage, unique characteristics and the environment of the municipality. Develop an urban design policy incorporating environmentally friendly and sustainable principles to guide assessment of proposed developments and deliver design innovation and architectural excellence.
 - Minimise the impact of climate change, reduce pollution and encourage the sustainable use of natural resources.

Clause 21.04 Settlement

- Objective 4: Achieve higher standards of efficiency and sustainability in new developments.
 - Strategies:
 - Advocate for the use of energy efficient and passive design principles in new developments, including subdivisions, such as lot and building orientation, green roofs and walls, and solar and / or wind powered street lighting.
 - Advocate for the incorporation of Water Sensitive Urban Design principles into new development.

Clause 21.05 Environmental Risk

- Objective 5: To manage the environmental health of the municipality's waterways and their catchments.
 - Strategies:
 - Encourage integrated water management approaches in new developments that maximise water efficiency and alternative water use.

Clause 21.06 Environmental and Landscape Values

- Objective 2: Maintain and enhance the current level of biological diversity in the municipality and encourage the retention and revegetation of indigenous and Australian native species, particularly along watercourses, wetlands, the foreshore and identified habitat corridors. Maintain and enhance vegetation and biodiversity of local and regional significance, in addition to vegetation and biodiversity of importance at the national and state level.
 - Strategies:
 - Ensure that new development anywhere in the municipality does not diminish the integrity of Frankston's biodiversity (natural resources and the maintenance of ecological

processes and genetic diversity). When there is doubt about the impact of any proposal, adopt the precautionary principle.

Clause 21.07 Housing

- Key issues:
 - Incorporate ecologically sustainable design principles into new and existing residential development.
- Other Actions:
 - Seek to include environmental sustainability measures for new residential development in the Frankston Planning Scheme.

Clause 21.09 Natural Resource Management

- Key issues:
 - Minimising water usage in domestic, commercial and industrial applications, and encouraging the use of alternative water sources such as stormwater and recycled water from the Eastern Treatment Plant.
 - Protecting and increasing public open space, remnant indigenous vegetation and wetlands and waterways.

Clause 21.10 Built Environment and Heritage

- Objective 1: Seek a high level of architectural, urban and sustainable design in new development, which projects a positive image of the City.
 - Strategies:
 - Encourage all development to be well designed, responsive to its context, and incorporate design features that demonstrate attention to quality and sustainability.
- Objective 4: Encourage the adoption of environmental sustainability principles in the design and development of all new buildings.
 - Strategies:
 - Ensure new development incorporates environmentally sustainable design principles in its design, layout, materials, energy and water provisions, construction and landscaping.
 - Incorporate water sensitive urban design principles in the layout and choice of landscaping materials and plants.
 - Retain existing canopy trees and provide sufficient space to accommodate new canopy trees.

We consider that a strong strategic direction for environmental sustainability exists within the Frankston Planning Scheme MSS. The adoption of a local ESD planning policy will help to achieve these objectives and strategies.

3. Best practice ESD & WSUD

A variety of approaches to incorporating ESD and WSUD into development exist and are supported by a range of assessment tools. Below is a summary of examples commonly used in Victoria.

3.1 Approaches

3.1.1 SUSTAINABLE DESIGN ASSESSMENT IN THE PLANNING PROCESS (SDAPP)

Victorian local governments have developed a framework known as the Sustainable Design Assessment in the Planning Process (SDAPP). The SDAPP framework:

- Recognises the role of local governments as a statutory authority for planning matters;
- Provides a framework for consideration of sustainable design elements of planning applications;

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- Offers a consistent method for identifying opportunities for improved environmental building performance; and
- Ensures that sustainability is considered at the very early design phase – the best time to maximise opportunities for good orientation and other initiatives that create liveable, comfortable, efficient buildings.

The SDAPP framework covers 10 Key Sustainable Building Categories which should be considered by a development. It has been determined that the 10 categories “provide a sound basis for assessment, but it should be recognised that developments may not need to embrace all elements to achieve an acceptable level of sustainability”⁵⁰.

This framework has been used for the past decade and there is a precedent supported by the Victorian Civil & Administrative Tribunal (VCAT) that upholds these requirements for developments. The SDAPP framework intends to facilitate environmental performance outcomes that are above the minimum requirements under building regulations. Encouragement by SDAPP to exceed the energy efficiency provisions of the Building Code of Australia (BCA) was not found to be a significant concern by the Committee in 2014⁵¹.

3.1.2 BUILDING REGULATIONS

The National Construction Code (NCC) was developed by the Council of Australian Governments (COAG) and incorporates all on-site construction requirements into a single national code. The Building Code of Australia (BCA) comprises Volume 1 and 2 of the NCC. The BCA is produced and maintained by the Australian Building Codes Board (ABCB) on behalf of the Australian, States and Territories governments.

The BCA contains energy efficiency provisions that must be satisfied for different Classes of buildings, relating to the thermal energy rating of the building envelope, lighting energy efficiency, and energy efficiency of large fixed equipment such as air conditioning and lifts. In the case of a single dwelling, either a rainwater tank connected to all sanitary flushing systems or a solar water heater system must also be installed.

The Committee Report states that “the nationally agreed position is that building standards are to rule out ‘worst practice’, and therefore the thermal rating to be met is the minimum for the various Classes of buildings”⁵². It was also found that “the fact that the building regulatory system is generally not involved at the initial design stage of a development, when the orientation and internal layout of buildings is determined, can result in a less desirable design outcome, even though the minimum thermal energy rating is met”⁵³.

It should be noted that Victoria adopted the 2019 update of the NCC on 1 May 2019. The 2019 provisions mainly affect non-residential development classifications, and significantly increase the level of energy efficiency required. While at the time of writing NCC Calculators have not yet been released, it is anticipated that the increase in efficiency will be in the order of 30-35%.

For NCC 2019 a 12-month transitional period, ending 30 April 2020, applies to the energy efficiency provisions in Section J of Volume One and Parts 2.6 and 3.12 of Volume Two. During this time either the new NCC 2019 provisions or those from NCC 2016 may be used.

3.1.3 URBAN STORMWATER BEST PRACTICE ENVIRONMENTAL MANAGEMENT GUIDELINES

The Best Practice Environmental Management (BPEM) guidelines have been designed to meet the needs of people involved in the planning, design or management of urban land uses or stormwater drainage systems. The BPEM guidelines assist developments in meeting minimum State Environment Protection Policy (SEPP) requirements.

Stormwater management provisions arising from Amendment VC154 (Refer 2.1.2) utilise the BPEM guidelines as best practice performance objectives which stormwater managements systems should be designed to.

⁵⁰ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 19.

⁵¹ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 62.

⁵² Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 55.

⁵³ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 56.

3.2 Tools and Software

To demonstrate compliance with the requirements of an ESD policy, applicants may use relevant tools or assessment methods. Example tools commonly listed in ESD policies include BESS, STORM, Green Star and MUSIC. Assessments such as NatHERS, Section J and NABERS are required for compliance with other regulations, however, also provide input to ESD assessment tools such as BESS. Other tools listed below may be voluntary or not yet have a widespread use, however, could be used as an alternative approach to the satisfaction of the responsible authority to demonstrate compliance with ESD policy requirements.

3.2.1 BUILT ENVIRONMENT SUSTAINABILITY SCORECARD (BESS)

The Built Environment Sustainability Scorecard (BESS) is a recommended tool under the SDAPP framework. BESS is an online assessment tool which assesses sustainability criteria such as energy and water efficiency, thermal comfort, and overall environmental sustainability performance of a new building or alteration. Categories include:

- Management;
- Water;
- Energy;
- Stormwater;
- Indoor Environment Quality (IEQ);
- Transport;
- Waste;
- Urban Ecology; and
- Innovation.

BESS is designed for the planning permit approvals process, can assess any size or type of development and uses in-built calculators, deemed-to-satisfy approaches and option of alternative compliance. To achieve a passing score in BESS, the development must meet a minimum 50% overall score and minimums in the Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories. BESS does not assess 'as built' outcomes or performance during operation.

Victorian councils must subscribe to BESS in order to allow planning permit applicants within their municipality access to the tool. BESS is provided free of charge to planning permit applicants. Ongoing management and maintenance of the tool is funded by participating local governments via annual subscription fees paid to the Council Alliance for a Sustainable Built Environment (CASBE).

3.2.2 NATIONWIDE HOUSE ENERGY RATING SCHEME (NATHERS)

The Nationwide House Energy Rating Scheme (NatHERS) assesses thermal performance and provides homes with a star rating out of ten based on an estimate of a home's potential (heating and cooling) energy use.

The main purpose of the NatHERS is to demonstrate compliance with mandatory energy efficiency requirements for homes and major renovations based on the National Construction Code.

There are currently three software tools accredited for use under NatHERS:

- AccuRate;
- BERS Professional; and
- FirstRate5.

Assessment must be undertaken by an accredited assessor.

3.2.3 SECTION J ENERGY ASSESSMENT

To demonstrate compliance with BCA Section J energy efficiency requirements, either a deemed-to-satisfy assessment can be undertaken, or an alternative solution provided based on modelling the thermal performance of certain non-residential developments.

Such assessment software must comply with the ABCB Protocol for Building Energy Analysis Software.

3.2.4 NATIONAL AUSTRALIAN BUILT ENVIRONMENT RATING SYSTEM (NABERS)

NABERS is a building performance assessment tool which can be used to measure a building's energy efficiency, carbon emissions, as well as the water consumed, the waste produced and compare it to similar buildings.

Development types which can be assessed by NABERS include office building, office space, apartment building, data centre, shopping centre and hotel.

Under the Building Energy Efficiency Disclosure (BEED) Act 2010, NABERS ratings are legally required for commercial building owners/managers for spaces within office buildings of 1,000 square metres or more. The NABERS Energy Rating must be disclosed at point of sale or lease.

Assessment must be undertaken by an accredited assessor.

3.2.5 GREEN STAR

Green Star is a national and voluntary rating system which can assess the sustainable design, construction and operation of buildings, fit-outs and communities.

Currently Green Star rating tools include:

- Design & As Built;
- Performance;
- Communities; and
- Interiors.

Green Star certification is a formal process during which a development is awarded a rating by an independent, third party assessment panel of experts through a documentation-based assessment.

A certification fee applies to projects pursuing a Green Star certified rating, with the cost borne by the developer.

3.2.6 OTHER ESD RATING TOOLS

There are a number of ESD rating tools which are either emerging or applicable to a smaller scope of development types. Some examples include:

- WELL Building Standard – focus on human health and well-being in buildings and communities;
- Passive House certification – a fabric-first construction standard focused on high performance and comfort; and
- Living Building Challenge – focus on regenerative spaces, natural systems, self-sufficiency and natural resource limits.

3.2.7 STORMWATER TREATMENT OBJECTIVE - RELATIVE MEASURE (STORM)

The Stormwater Treatment Objective - Relative Measure (STORM) calculator is a method of simplifying the analysis of stormwater treatment methods. STORM is designed for the general public to easily assess Water Sensitive Urban Design (WSUD) measures on their property.

The tool has been developed specifically for small residential and industrial developments to rate how well different properties treat stormwater and to compare them against a common measurement system.

The STORM Calculator displays the amount of treatment that is required to meet best practice targets, based on BPEM guideline stormwater quality objectives (Refer 3.1.3), using a range of WSUD treatment measures.

The STORM Calculator uses rainfall data from any region in Victoria, Australia, by looking at the municipality in which the development is located.

STORM is free to use.

3.2.8 MODEL FOR URBAN STORMWATER IMPROVEMENT CONCEPTUALISATION (MUSIC)

The Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software predicts the performance of stormwater quality management systems. In contrast to the STORM calculator, MUSIC is best used for larger developments requiring multiple stormwater treatment measures, also known as a treatment train.

The tool is used to demonstrate compliance with BPEM guideline stormwater quality objectives (Refer 3.1.3).

Access to MUSIC software incurs a cost.

3.2.9 INSITE WATER

InSite Water is a newly developed integrated water management and stormwater assessment tool for use on small-scale development sites (less than 10,000 square metres).

The tool models aspects such as rainwater and detention tanks, raingardens and appliance efficiency.

Access to InSite Water incurs a cost.

4. Types of developments

It is estimated that of the buildings expected to be standing in 2050 in Australia, 51 per cent will have been built after the 2019 update of the National Construction Code in 2019⁵⁴. While there is significant work required to improve the sustainability performance of existing buildings, the magnitude of new development/building construction makes the sustainability assessment of new buildings a key consideration if improved sustainability outcomes are to be achieved.

4.1 Frankston City Council development statistics

Development application data for a period of 2.5 years (Jan 2017–Jun 2019) was analysed to determine the average number of multi-dwelling residential applications received by Frankston City Council per year. On average, multi-dwelling applications total 106 per year. See below for further detail based on the number of dwellings per development.

Table 4: Multi-dwelling residential application distribution by number of dwellings

Number of dwellings	Average applications per year	% of multi-dwelling applications
2	40	38%
3	29	27%
4	12	11%
5	3	3%
6	6	6%
7	1	1%
8	3	3%
9	1	1%
10 or more	11	10%

On average, Frankston City Council only receives two applications per year for accommodation other than dwellings such as aged care facilities, motels and student accommodation.

On average, non-residential development applications total 22 per year, approximately half of which are for warehouse developments. Of non-residential and multi-dwelling residential applications combined, non-residential only accounts for less than 20 per cent of applications.

Currently over 80 per cent of the Frankston population lives in a house with the remaining population living in multi-unit developments (i.e. apartments, semi-detached houses and/or townhouses). It has been found that "Frankston City's population living in multi-unit dwelling developments is predicted to sharply increase to 45% of all dwellings by 2031"⁵⁵. While multi-dwelling developments currently account for a large proportion of applications received by Council, it can be expected that this development type will become even more significant in the future.

It should be noted that on average 110 applications per year are also received for single dwellings, either as the sole dwelling on a lot or in addition to an existing dwelling on a lot.

⁵⁴ Built to Perform: An industry led pathway to a zero-carbon ready building code (2018) ASBEC, p. 7.

⁵⁵ Frankston City Council Waste Minimisation and Management Plan (2015-2020), p. 32.

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5. Financial implications

5.1 Community

5.1.1 DEVELOPMENT COSTS

Many ESD interventions are cost-neutral and only require a more considered approach to building design. These include interventions such as maximising the orientation and internal layout of a building to increase benefits such as passive solar heating and more effective natural ventilation. These are best addressed early in the design stage.

Some ESD initiatives may require greater capital investment, however, it has been found that items such as the installation of rainwater tanks and solar panels are cost beneficial, with payback periods for dwellings in Climate Zone 6 of 10 years and 4.1 years respectively⁵⁶. Although inclusion of such features may result in increased initial costs, long-term benefits can be achieved through reduced utility costs. Additionally, an independent cost-benefit assessment undertaken in 2014 to determine the likely implications of Frankston City Council adopting ESD Standards for Council facilities found that achieving the environmental performance targets outlined in the Standards resulted in significant energy and water cost savings over time, with an estimated payback of 5.6 years⁵⁷.

5.1.2 EXPERT ADVICE

Councils which currently have local ESD policies often state that typically for smaller developments which require a Sustainable Design Assessment (SDA) it is not necessary for an applicant to engage an ESD consultant to prepare such a report. Councils also often state that a BESS report, generated after completing an assessment using the online BESS tool, can be submitted with a planning application to satisfy the requirement for an SDA. It has been noted in a planning panel witness statement that applicants of smaller developments "have no problems completing an SDA unassisted, through accessing information on the Councils' websites or hardcopy"⁵⁸, and that "the SDA level has been designed such that the architect can undertake the level of reporting necessary"⁵⁹. Resources made available by councils, such as SDA templates, can help guide applicants in completing an SDA independent of an expert consultant.

Larger developments requiring a Sustainability Management Plan (SMP) will likely need to be prepared by an ESD consultant or similar. It has been noted that "the practice of hiring a consultant at this level is very well established and business as usual"⁶⁰.

The 2014 Environmentally Efficient Design Advisory Committee found that local ESD planning policies are "unlikely to impose an unreasonable regulatory cost burden on applicants"⁶¹.

5.1.3 TOOLS

The Built Environment Sustainability Scorecard (BESS), the predominant tool used by Victorian councils to assess planning applications against local ESD policies, is accessed free of charge by planning permit applicants for subscriber councils.

The Stormwater Treatment Objective - Relative Measure (STORM) calculator, suited to assessing stormwater treatments of simpler development types such as residential, is free to use.

Use of other rating or assessment tools such as Green Star or MUSIC would likely only occur for more complex developments which require input from ESD consultants. In this instance, the cost of access to such tools would be borne by the consultants. Use of the InSite Water tool would be free for applicants, with the cost of subscription borne by council, although a report generation fee to be paid by applicant may be applicable depending on the subscription type.

⁵⁶ Environmentally Sustainable Design for Subdivisions in Regional Victoria: Proof of Concept and Cost Benefit Analysis, p. 52.

⁵⁷ Frankston Building Asset Management Plan (2016), p. 165.

⁵⁸ Expert Witness Statement EED Policy Amendment - Euan Williamson (2013), p. 5.

⁵⁹ Expert Witness Statement EED Policy Amendment - Euan Williamson (2013), p. 9.

⁶⁰ Expert Witness Statement EED Policy Amendment - Euan Williamson (2013), p. 9.

⁶¹ Advisory Committee and Panel Report - Environmentally Efficient Design Local Policies (2014), p. 68.

5.2 Council

5.2.1 MEMBERSHIPS

Membership to the Council Alliance for a Sustainable Built Environment (CASBE) allows Member Councils access to networking, education, training and resources, in addition to participation in the strategic direction of CASBE. A council must be a CASBE member to subscribe to the BESS tool. The cost of membership⁶² is:

- \$6,000 ex. GST (per annum)

5.2.2 TOOLS

A separate fee is applicable for a BESS subscription. BESS subscription enables planning permit applicants within the municipality access to the tool. A subscription to BESS⁶³ is:

- \$7,500 ex. GST (per annum)

For Council to be best placed to assess all applications types, licensing for the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software is recommended. Access to this software will allow Council to critically evaluate the outputs of any submitted modelling results by reviewing the inputs and assumptions of the model. Costs for MUSIC⁶⁴ licensing are:

- \$4,500 ex. GST (MUSIC Single User USB Dongle and first 12 months Support & Maintenance)
- \$550 ex. GST (Annual Maintenance and Support including updates)

For Council to allow applicants the ability to assess stormwater measures using InSite Water, Council will need to pay a subscription fee. Costs for InSite Water⁶⁵ licensing are:

- \$3,490 ex. GST (per annum; Light subscription – full features, \$30 reporting fee for applicant)
- \$6,250 ex. GST (per annum; Standard subscription – full features and free report generation).

5.2.3 STAFF RESOURCING

ESD training modules are available for planning staff of CASBE Member Councils, in addition to reduced rate in-house BESS training for council staff. While training of planning staff in ESD principles and assessing planning applications against ESD planning provisions should occur to build internal capacity, it is recommended that a dedicated ESD planning officer position be created at Frankston City Council.

A dedicated staffing resource responsible for assessing ESD in planning applications has a range of benefits. These include the provision of expert ESD advice to planning applicants throughout the process, as well as support to planners for smaller ESD matters. A dedicated ESD officer will also increase the efficiency in processing applications and will result in a consistent response from Council to applicants regarding ESD planning requirements. This will increase the ability to achieve meaningful ESD outcomes and ensure applicants are provided with a clear approach to ESD in their developments.

Sufficient internal resourcing is required relevant to the expected workload, based on any proposed policy thresholds. The following are estimates of the time required to assess ESD requirements of planning applications. Note that the time it takes to complete an ESD referral varies depending on the development, and how well the documents have been prepared.

- Sustainable Design Assessment: 4 hours
- Sustainability Management Plan: 12 hours

Using the average development statistics for Frankston City Council and estimated assessment times, resourcing implications for different policy thresholds will be explored in an additional recommendations report.

⁶² <https://www.casbe.org.au/who-we-are/membership/>

⁶³ <https://www.casbe.org.au/who-we-are/membership/>

⁶⁴ <https://ewater.org.au/products/music/access-licensing/>

⁶⁵ https://insitewater.com.au/?page_id=311

6. Key insights

A commitment to environmental sustainability by Frankston City Council is evident in strategic documents and local planning provisions. The introduction of a local ESD planning policy would strengthen this commitment and further Council's ability to achieve ESD outcomes in the built environment.

Past action taken by a large number of Victorian councils has set a solid precedent for the adoption of ESD policies in the planning scheme and is a proactive approach in lieu of a state-wide ESD planning policy.

Introduction of an ESD policy into the Frankston Planning Scheme will be supported by a range of existing tools, often purpose-built, to aid in assessing compliance against policy objectives and requirements.

The adoption of an ESD policy has been generally supported by Frankston City Council. The main point for consideration in this report is the thresholds at which such a policy will apply to development in Frankston. This issue will be explored in detail in an additional report providing recommendations for policy triggers.

With many of the costs associated with ESD assessment being free to the community, and the main cost to Council being staff resourcing, the investment of introducing an ESD policy will be highly beneficial in contributing towards a sustainable, healthy and resilient built environment in Frankston.

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Frankston City Council
Environmentally Sustainable Development (ESD) Policy Investigation



SUSTAINABLE DEVELOPMENT
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**Frankston City Council
Environmentally Sustainable Development
(ESD) Policy Investigation**

Recommended Policy Triggers

July 2019

S3845.D1

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Revision	Date of Issue	Description	Author	Approved
D1	22-07-2019	Draft for Client Review	NC	BdW

1. Introduction

Frankston City Council has engaged Sustainable Development Consultants to complete background research and prepare options with strategic justification for policy triggers in relation to a draft Environmentally Sustainable Development (ESD) planning policy to be considered by Council.

Background research investigating existing local ESD policies, best practice approaches and financial/resourcing implications has been undertaken to inform stakeholders of key information and assist the implementation of an ESD Planning Policy appropriate for the municipality.

This report will outline the recommended policy triggers to be included in a Frankston ESD policy for both:

- Non-residential developments; and
- Accommodation/Mixed Use developments with a residential component.

The report also outlines recommended application requirements and a summary of financial implications based on the recommended policy triggers.

2. Types of developments

The local development context of Frankston City Council should be reflected in any adopted policy and associated thresholds. Setting thresholds to capture the dominant development type, while also considering the statutory burden and associated resourcing implications, will allow Council the best opportunity to influence ESD outcomes in the municipality.

2.1 Frankston City Council development statistics

Development application data for a period of 2.5 years (Jan 2017–Jun 2019) was analysed to determine the average number of multi-dwelling residential applications received by Frankston City Council per year. On average, multi-dwelling applications total 106 per year. See below for further detail based on the number of dwellings per development.

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On average, non-residential development applications total 22 per year, approximately half of which are for warehouse developments. Of non-residential and multi-dwelling residential applications combined, non-residential only accounts for less than 20 per cent of applications.

Currently over 80 per cent of the Frankston population lives in a single dwelling with the remaining population living in multi-unit developments (i.e. apartments, semi-detached houses and/or townhouses). It has been found that "Frankston City's population living in multi-unit dwelling developments is predicted to sharply increase to 45% of all dwellings by 2031"¹. While multi-dwelling developments currently account for a large proportion of applications received by Council, it can be expected that this development type will become even more significant in the future.

It should be noted that on average 110 applications per year are also received for single dwellings, either as the sole dwelling on a lot or in addition to an existing dwelling on a lot.

3. Policy Context

Addressing the impact of urban development on the natural environment can be undertaken through the town planning process when key decisions are made about building design. Applying the concept of Environmentally Sustainable Development (ESD) during the planning process allows consideration of environmental sustainability in order to achieve a range of environmental, social and economic benefits.

ESD aims to ensure that developments meet the needs of the present without comprising the ability of future generations to meet their own needs by adhering to appropriate environmental design standards. A concept related to ESD is Water Sensitive Urban Design (WSUD), an approach to planning and designing urban areas which aims to reduce the impact of development on the water cycle. While WSUD is a defined concept of its own, consideration of WSUD commonly also occurs when ESD principles are applied more broadly.

A range of approaches to ESD and WSUD through the planning process have been undertaken at both a state and local government level. The following aims to outline these current approaches.

3.1 Policy thresholds

As outlined in the Frankston City Council ESD Policy Background Information Findings, a range of different thresholds for the application of a local ESD policy have been adopted.

3.1.1 EXISTING RESIDENTIAL POLICY THRESHOLDS

Below is a summary of the different residential thresholds present within the existing 17 Victorian ESD policies, and how commonly each threshold is applied.

Additionally, groupings based on local government area (LGA) similarities are included. Frankston City Council is grouped with the following Councils as Outer Urban (OU), based on like/comparable planning scheme areas. Such grouping is used for purposes such as averaging planning permit activity data. OU councils include:

- Brimbank;
- Frankston;
- Greater Dandenong;
- Knox;
- Maroondah;
- Mornington Peninsula;
- Nillumbik; and
- Yarra Ranges.

Of the 17 Councils with local ESD planning policies, the majority (11) are classed as Inner and Middle Urban². Three are Outer Urban, two are Growth Area³ and one is Regional Cities⁴.

¹ Frankston City Council Waste Minimisation and Management Plan (2015-2020), p. 32.

² Grouping includes Banyule, Bayside, Boroondara, Darebin, Glen Eira, Hobsons Bay, Kingston, Manningham, Maribyrnong, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra.

³ Grouping includes Cardinia, Casey, Hume, Melton, Whittlesea and Wyndham.

⁴ Grouping includes Ballarat, Greater Bendigo, Greater Geelong, Greater Shepparton, Horsham, Latrobe, Mildura, Wangaratta, Warrnambool and Wodonga.

Residential – Small

Key insights:

- The majority of LGAs (10) have a threshold of 2-9 for dwellings.
- No LGAs currently have a threshold including single dwellings.
- Of the 10 LGAs with a 2-9 dwellings threshold, two are Outer Urban and two are Growth Area.
- Of LGAs with a 2-9 dwellings threshold, half have a minimum threshold of 50m² for accommodation other than dwellings.
- Of LGAs with a 2-9 dwellings threshold, the majority (8) have a maximum threshold of 1,000m² for accommodation other than dwellings.

Table 2: Threshold variation for small residential developments

LGA	Planning Scheme Grouping	Res - Small (Dwellings) ⁵	Res - Small (GFA m ²) ⁶
Banyule	Inner and Middle Urban	2-9	50-1000
Moreland	Inner and Middle Urban	2-9	50-1000
Port Phillip	Inner and Middle Urban	2-9	50-1000
Stonnington	Inner and Middle Urban	2-9	100-1000
Yarra	Inner and Middle Urban	2-9	100-1000
Knox	Outer Urban	2-9	500-1000
Brimbank	Outer Urban	2-9	50-2000
Hobsons Bay	Inner and Middle Urban	2-9	50-1000
Whittlesea	Growth Area	2-9	100-1000
Wyndham	Growth Area	2-9	500-1999
Whitehorse	Inner and Middle Urban	3-9	500-1000
Monash	Inner and Middle Urban	3-9	500-1000
Manningham	Inner and Middle Urban	3-9	500-1000
Darebin	Inner and Middle Urban	3-9	100-999
Greater Bendigo	Regional Cities	3-9	1000-2499
Greater Dandenong	Outer Urban	3-9	1000-2499
Kingston	Inner and Middle Urban	3-9	1000-2499

Residential – Large

Key insights:

- All LGAs have a Dwellings threshold of >10.
- The majority (12) of LGAs have a >1,000m² threshold for accommodation other than dwellings.
- Two Outer Urban LGAs have a threshold different to >1,000m² for accommodation other than dwellings (>2,000m² and >2,499m²).

Table 3: Threshold variation for large residential developments

LGA	Planning Scheme Grouping	Res - Large (Dwellings)	Res - Large (GFA m ²)
Banyule	Inner and Middle Urban	>10	>1000
Moreland	Inner and Middle Urban	>10	>1000
Port Phillip	Inner and Middle Urban	>10	>1000
Stonnington	Inner and Middle Urban	>10	>1000

⁵ Accommodation/Mixed Use with residential component of dwellings.

⁶ Development of a building for accommodation other than dwellings.

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LGA	Planning Scheme Grouping	Res - Large (Dwellings)	Res - Large (GFA m ²)
Yarra	Inner and Middle Urban	>10	>1000
Knox	Outer Urban	>10	>1000
Hobsons Bay	Inner and Middle Urban	>10	>1000
Whittlesea	Growth Area	>10	>1000
Whitehorse	Inner and Middle Urban	>10	>1000
Monash	Inner and Middle Urban	>10	>1000
Manningham	Inner and Middle Urban	>10	>1000
Darebin	Inner and Middle Urban	>10	>1000
Brimbank	Outer Urban	>10	>2000
Wyndham	Growth Area	>10	>2000
Greater Bendigo	Regional Cities	>10	>2499
Greater Dandenong	Outer Urban	>10	>2499
Kingston	Inner and Middle Urban	>10	>2499

Non-residential – Small & Large

Key insights:

- The most common minimum thresholds for Small are 100m² (6 LGAs) and 500m² (6 LGAs).
- The three Outer Urban LGAs have quite different minimum thresholds for Small (50m², 500m² and 1,000m²).
- The majority (12) of LGAs have a threshold of >1000m² for Large,
- The three Outer Urban LGAs have thresholds of either >2,000m² or >2,499m² for Large.

Table 4: Threshold variation for non-residential developments

LGA	Planning Scheme Grouping	Non-res - Small (GFA m ²)	Non-res - Large (GFA m ²)
Port Phillip	Inner and Middle Urban	50-1000	>1000
Brimbank	Outer Urban	50-2000	>2000
Darebin	Inner and Middle Urban	100-999	>1000
Banyule	Inner and Middle Urban	100-1000	>1000
Moreland	Inner and Middle Urban	100-1000	>1000
Stonnington	Inner and Middle Urban	100-1000	>1000
Yarra	Inner and Middle Urban	100-1000	>1000
Hobsons Bay	Inner and Middle Urban	100-1000	>1000
Whittlesea	Growth Area	300-1000	>1000
Whitehorse	Inner and Middle Urban	500-1000	>1000
Monash	Inner and Middle Urban	500-1000	>1000
Manningham	Inner and Middle Urban	500-1000	>1000
Greater Bendigo	Regional Cities	500-1000	>1000
Wyndham	Growth Area	500-1999	>2000
Knox	Outer Urban	500-2000	>2000
Greater Dandenong	Outer Urban	1000-2499	>2499
Kingston	Inner and Middle Urban	1000-2499	>2499

3.1.2 RECOMMENDED POLICY THRESHOLDS

Based on the policy thresholds utilised by other Victorian Councils, the development context of Frankston City Council and the associated resourcing implications, the following thresholds are recommended for a Frankston ESD planning policy. A rationale and justification is provided for different development types.

Residential – Small

Recommended thresholds:

- 2-9 (Dwellings).
- 50-1000m² (Accommodation other than dwellings).

Rationale:

- Demonstrate ambition;
- Capture the predominant multi-dwelling development type;
- The same as the majority of LGAs; and
- Manageable amount of statutory workload.

There is no distinct approach to setting a minimum threshold for Small (Dwellings), as is evident below in Table 5 in a comparison of thresholds and multi-dwelling planning permit activity. Such a decision will be guided by balancing ambition and resourcing implications, while also acknowledging the local development patterns.

For example, Councils such as Port Phillip and Greater Bendigo only have a small number of multi-dwelling planning permits compared to other LGAs and compared to other permit types within their municipality. However, Port Phillip has adopted a threshold of 2-9 dwellings while Greater Bendigo elected for 3-9. Conversely, Moreland and Whitehorse have the largest number of multi-dwelling permit activity of all LGAs yet have different thresholds. Inner city LGAs such as Port Phillip and Moreland are likely guided by greater organisational ambition regarding ESD and possibly supported by the funding required to achieve such objectives. A middle urban or regional LGA such as Whitehorse or Greater Bendigo may be limited in their ability to push for and resource the inclusion of a greater number of development types. Therefore, setting a threshold is more dependent on the level of desire to influence ESD in development and the ability to apply an ESD policy.

Compared to other councils with ESD policies, the amount of multi-dwelling permit activity in Frankston is by no means substantial. By electing a 2-9 dwelling threshold, Frankston City Council will demonstrate ambition by opting for the inclusion of two dwellings and influence ESD outcomes in the multi-dwelling development type which represents the majority type in Frankston (38% of all multi-dwelling applications), while also being able to handle the greater statutory workload (Refer 5.2.3 for further detail).

Table 5: Comparison between Dwellings thresholds and multi-dwelling planning permit activity

LGA	Planning Scheme Grouping	Res - Small (Dwellings)	Multi-dwelling planning permit activity 2017/18 ⁷
Banyule	Inner and Middle Urban	2-9	173
Moreland	Inner and Middle Urban	2-9	424
Port Phillip	Inner and Middle Urban	2-9	77
Stonnington	Inner and Middle Urban	2-9	204
Yarra	Inner and Middle Urban	2-9	52
Knox	Outer Urban	2-9	297
Brimbank	Outer Urban	2-9	266
Hobsons Bay	Inner and Middle Urban	2-9	321
Whittlesea	Growth Area	2-9	135
Wyndham	Growth Area	2-9	80
Whitehorse	Inner and Middle Urban	3-9	423

⁷<https://www.planning.vic.gov.au/resource-library/planning-permit-activity-in-victoria/planning-permit-activity-annual-report-2017-18>

LGA	Planning Scheme Grouping	Res - Small (Dwellings)	Multi-dwelling planning permit activity 2017/18 ⁷
Monash	Inner and Middle Urban	3-9	354
Manningham	Inner and Middle Urban	3-9	394
Darebin	Inner and Middle Urban	3-9	290
Greater Bendigo	Regional Cities	3-9	43
Greater Dandenong	Outer Urban	3-9	247
Kingston	Inner and Middle Urban	3-9	411
Frankston	Outer Urban	2-9 (proposed)	158

It should be noted that although Frankston receives a number of applications for single dwelling developments, as the majority of development in Frankston City Council is multi-dwelling residential and non-residential, and the inclusion of single dwellings in a threshold would increase the statutory burden for Council, it is not recommended at this point in time to pursue a single dwelling threshold.

Residential – Large

Recommended thresholds:

- >10 (Dwellings).
- >1,000m² (Accommodation other than dwellings).

Rationale:

- All LGAs have a Dwellings threshold of >10; and
- The majority (12) of LGAs have a >1000m² threshold for accommodation other than dwellings.

Setting thresholds for larger residential developments is more straightforward as there is a common approach by the majority of LGAs. Additionally, setting a lower threshold (e.g. >1,000m² versus >2,000m²) does not result in a greater number of developments being captured by the policy and increase the amount of applications to be assessed, it simply changes the application requirements. Such a difference will only have a minor impact on resourcing requirements, with submitted documents simply required to provide greater detail about the ESD initiatives in their development in a Sustainable Management Plan (SMP) as opposed to in a Sustainable Design Assessment (SDA) (Refer 4.1 for further detail).

Non-residential – Small

Recommended threshold:

- 100-1000m².

Rationale:

- 100m² is one of the most common minimum thresholds;
- Manageable amount of statutory burden; and
- Demonstrates ambition.

A minimum threshold of 100m² is a common approach for a number of councils. Given the number of non-residential applications in Frankston is much smaller than residential applications, opting for a smaller minimum threshold (e.g. 100m² versus 500m²) is unlikely to increase the statutory burden significantly. Additionally, given that 50% of non-residential development is warehousing, a development type commonly larger than 500m², a threshold of 100m² compared to 500m² will only likely result in a small number of additional developments captured by the policy, such as retail spaces. As this provides a minimal impact on resourcing, it allows Frankston to be ambitious in attempting to influence a broad range of development types and sizes.

Non-residential – Large

Recommended threshold:

- >1,000m².

Rationale:

- >1,000m² is the threshold used by the majority of LGAs.

Like the implications for Residential (Accommodation other than dwellings), having a lower threshold (e.g. >1,000m² versus >2,000m²) will not result in a greater number of developments being captured by the policy. Instead, it will simply result in slight differences in application requirements, such as the inclusion of a Green Travel Plan.

Although the three Outer Urban LGAs have thresholds of either >2,000m² or >2,499m² for Large non-residential development, this is the result of specifying large maximum thresholds for Small non-residential developments, and is likely to be an effort to somewhat reduce the statutory burden by simplifying application requirements for a greater proportion of developments. Such a rationale is less applicable to Frankston where overall permit activity for the municipality is significantly lower than these councils.

Summary

The recommended policy thresholds aim to find a balance between acknowledging Frankston City Council's local development pattern, noting the approaches of other councils, achieving maximum benefit from ESD outcomes, and ensuring acceptable resourcing implications.

Table 6: Summary of recommended policy thresholds for Frankston ESD planning policy

Res - Small (Dwellings) ⁸	Res - Small (GFA m ²) ⁹	Res - Large (Dwellings)	Res - Large (GFA m ²)	Non-res - Small (GFA m ²)	Non-res - Large (GFA m ²)
2-9	50-1,000	>10	>1,000	100-1,000	>1,000

⁸ Accommodation/Mixed Use with residential component of dwellings.

⁹ Development of a building for accommodation other than dwellings.

4. Assessment and compliance

4.1 Application requirements

The most common approach to application requirements for a local ESD policy are outlined below and are appropriate for adoption by Frankston City Council.

Note that integrated water management and stormwater management planning reforms as a result of Amendment VC154 can also be addressed through ESD requirements of a local ESD planning policy.

4.1.1 SMALL DEVELOPMENTS

Small developments, for example <10 dwellings or <1,000m², commonly require a Sustainable Design Assessment (SDA). An SDA is a document that sets out the sustainable design features of a proposed development. Such a report is commonly supported by applying the BESS and STORM tools.

To assist applicants with their submission, Councils may provide an SDA template to help guide a response.

Objectives within an ESD policy relating to sustainability issues such as energy, water, indoor environment quality and waste are addressed within BESS, a tool specifically designed to address requirements of local ESD planning policies.

4.1.2 LARGE DEVELOPMENTS

Large developments, for example >10 dwellings or >1,000m², commonly require a Sustainability Management Plan (SMP). An SMP is similar to an SDA in that it addresses similar sustainability issues, however it requires a more detailed response regarding how the performance outcomes will be achieved. The nature of larger developments provides the opportunity for increased environmental benefits and major resource savings. Hence, greater rigour in assessment is justified.

Such a report is commonly supported by the use of the BESS/Green Star, MUSIC/STORM tools. Councils may also provide an SMP template to help guide an applicant response.

Additionally, a Green Travel Plan (GTP) is often required for larger developments. This outlines the efforts a development proposes to reduce reliance on single occupant motor vehicle trips. It must be noted that depending on the location of a development and its proximity to alternative transport infrastructure, a GTP may not entirely be appropriate for all large developments due to limitations inherent in a location. Addressing policy objectives relating to transport may be more appropriately addressed within an SMP for some developments. Application requirements regarding transport for each application may be at the discretion of Council when acting as the Responsible Authority.

5. Financial implications

The following outlines the costs associated with implementing a local ESD planning policy. The tools listed are those recommended as appropriate for Frankston City Council.

5.1 Memberships

Membership to the Council Alliance for a Sustainable Built Environment (CASBE) allows Member Councils access to networking, education, training and resources, in addition to participation in the strategic direction of CASBE. A council must be a CASBE member to subscribe to the BESS tool. The cost of membership¹⁰ is:

- \$6,000 ex. GST (per annum).

5.2 Tools

A separate fee is applicable for a BESS subscription. BESS subscription enables planning permit applicants within the municipality access to the tool. A subscription to BESS¹¹ is:

- \$7,500 ex. GST (per annum).

For Council to be best placed to assess all applications types, licensing for the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software is recommended. Access to this software will allow Council to critically evaluate the outputs of any submitted modelling results by reviewing the inputs and assumptions of the model. Costs for MUSIC¹² licensing are:

- \$4,500 ex. GST (MUSIC Single User USB Dongle and first 12 months Support & Maintenance).
- \$550 ex. GST (Annual Maintenance and Support including updates).

5.3 Staff Resourcing

ESD training modules are available for planning staff of CASBE Member Councils, in addition to reduced rate in-house BESS training for council staff. While training of planning staff in ESD principles and assessing planning applications against ESD planning provisions should occur to build internal capacity, it is recommended that a dedicated ESD planning officer position be created at Frankston City Council.

A dedicated staffing resource responsible for assessing ESD in planning applications has a range of benefits. These include the provision of expert ESD advice to planning applicants throughout the process, as well as support to planners for ESD matters. A dedicated ESD officer will also increase the efficiency in processing applications and will result in a consistent response from Council to applicants regarding ESD planning requirements. This will increase the ability to achieve meaningful ESD outcomes and ensure applicants are provided with a clear approach to ESD in their developments.

Sufficient internal resourcing is required relevant to the expected workload, based on any proposed policy. It must be noted that the City of Frankston's Towards Zero Emissions Plan (2019-2023) contains an action to "Resource a dedicated officer to conduct on-site ESD inspections for developments once built, to ensure compliance with the ESD policy planning amendment"¹³ for a salary of \$82,000-93,000 per annum. Compliance is an integral aspect in achieving ESD outcomes and is best used to complement different stages in the development process such as design and assessment, and verification of as-built outcomes.

It is therefore recommended that the above officer position be utilised to undertake a range of responsibilities relating to ESD in the planning process, including but not limited to:

- Internal education for the organisation relating to ESD in the planning process;

¹⁰ <https://www.casbe.org.au/who-we-are/membership/>

¹¹ <https://www.casbe.org.au/who-we-are/membership/>

¹² <https://ewater.org.au/products/music/access-licensing/>

¹³ Frankston Towards Zero Emissions Plan (2019-2023), p.14.

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- Attendance at pre-application meetings to assist planning applicants to understand the application requirements relating to ESD;
- Provision of ESD advice to planning applicants on how to improve their development;
- Point of contact for external enquiries regarding ESD;
- Assessment of planning applications for ESD requirements;
- Assistance to planning applicants during the application process such as explanation of Requests for Further Information from Council;
- On-site ESD inspections for developments once built to ensure compliance with ESD policy;
- External ESD education sessions for developers and built environment consultants to increase local industry understanding; and
- ESD input into Capital Works projects, where appropriate.

The following are estimates of the time required to assess ESD requirements of planning applications. Note that the time it takes to complete an ESD referral varies depending on the development, and how well the documents have been prepared:

- Sustainable Design Assessment: 4 hours; and
- Sustainability Management Plan: 12 hours.

Using the average development statistics for Frankston City Council and estimated assessment times, Tables 7 and 8 (below) summarises the estimated resourcing requirements for assessing planning applications for ESD requirements.

Table 7: Summary of hours required for ESD assessments

Development type	Threshold	Applications (per annum)	Hours
Res - Small (Dwellings)	2-9	95	380
Res - Small (m ²) ¹⁴	50-1000	1	4
Res - Large (Dwellings)	>10	11	132
Res - Large (m ²)	>1000	1	12
Non-res - Small (m ²) ¹⁵	100-1000	5	20
Non-res - Large (m ²)	>1000	17	204
		TOTAL	752

Table 8: Summary of full-time equivalent hours

Full time equivalent (FTE)	Hours (per week)	Hours (per year)
0.2	7.6	365
0.4	15.2	730
0.6	22.8	1094
0.8	30.4	1459
1	38	1824

Note that while the above estimated time required for ESD assessments is only 752 hours, it is strongly recommended that the role be 1.0 FTE, in order for the officer and Frankston City Council to be best placed to implement a local ESD planning policy. It is emphasised that the ESD Officer role would extend beyond the assessment of applications to include the range of educative, industry liaison, and compliance checking activities

¹⁴ Gross Floor Area (GFA) data was not available for Residential (Accommodation other than dwellings) applications. Based on development descriptions for application data assessed, assumption has been made to class 50% of applications as Small and 50% as Large.

¹⁵ Gross Floor Area (GFA) data was not available for non-residential applications. Based on development descriptions for application data assessed, approximately 25% of applications have been classed as Small (eg small commercial), and 75% as Large (eg warehousing and larger commercial).

outlined above. Additionally, with the amount of multi-dwelling developments expected to grow in the future, it is possible that the amount of required assessment time will increase over time.

As mentioned, the above resourcing times are estimates and can vary due to a range of factors such as the complexity of the development and how well the submitted documents are prepared. Incorporation of both assessment, compliance and other ESD duties, as outlined previously, into one full time equivalent position will allow suitable flexibility to cater to times of high and low assessment duties. For example, if there is a period when the time required for ESD assessments is lower than estimated, time allocated to other duties such as compliance and education can be increased. Including a breadth of role responsibilities in one role requires the prioritisation of tasks however will ensure that the officer will always be fully occupied.

6. Conclusion

A commitment to environmental sustainability by Frankston City Council is evident in strategic documents and local planning provisions. The introduction of a local ESD planning policy with the recommended policy thresholds would strengthen this commitment and further Council's ability to achieve ESD outcomes in the built environment.

Implementation of the ESD policy will be best achieved through a combination of education, assessment and compliance. It is therefore recommended that a full-time equivalent position be created with a breadth of responsibilities relating to ESD.

A local ESD planning policy and associated staffing resource will be highly beneficial in contributing towards a sustainable, healthy and resilient built environment in Frankston.

Executive Summary**13.3 Response to 2019/NOM23 - Evelyn Street Park**

Enquiries: (Michael Papageorgiou: 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 inform Council on the Town Planning process to formalise Evelyn Street Reserve as a public park.

Recommendation (Director Community Development)

That Council authorises officers to commence the preparation of a planning scheme amendment to rezone inappropriately zoned public open space areas within the suburbs of Seaford, Frankston, Frankston North and Frankston South. This will include the rezoning of the Evelyn Street Reserve to the Public Park and Recreation Zone.

Key Points / Issues

- Two public information sessions were held in May 2019 to receive feedback on whether Council should sell the Evelyn Street Reserve. Feedback from attendees of the information sessions was not supportive of the sale of Council land.
- At its meeting on 22 July 2019, Councillor Aitken tabled a Notice of Motion regarding the Evelyn Street Reserve. Council resolved:
“Council calls for a report to the August 2019 Ordinary meeting on the option to formalise Evelyn Street as a public park”.
- Evelyn Reserve comprises of four (4) parcels of land.
- The current land use zoning of the 4 parcels is the Commercial 1 Zone (C1Z).
- The subject site is well grassed, and contains over 30 trees and/or shrubs including some excellent specimens of flowering gum.
 - Action 7 of the Operational Expenditure High Priorities of the Frankston City Open Space Strategy 2016-2036 seeks to ‘Review the zoning of public open space to ensure it is consistent with the use of the land’.
- Council officers have begun working on a planning scheme amendment to rezone public open space areas that are currently inappropriately zoned. A large list of open space areas has been compiled for potential rezoning including the Evelyn Street Reserve.
- To formalise Evelyn Street Reserve as a public park, it is recommended that the land parcels be rezoned to the Public Park and Recreation Zone (PPRZ). Given the work that has already been completed on a municipal wide planning scheme amendment to rezone open space areas it is considered appropriate for the Evelyn Street Reserve to be incorporated into a larger amendment to save on costs and to contribute to the purpose of the proposed amendment. This cost for undertaking can be accommodated within the 2019-2020 Strategic Planning budget.

13.3 Response to 2019/NOM23 - Evelyn Street Park**Executive Summary**

- It is also noted that a municipal wide amendment may be delayed given the sheer number of properties that the amendment will apply to and as such it is recommended that the amendment be split in two and for the first amendment to involve the suburbs of Seaford, Frankston, Frankston North and Frankston South. Part 1 of the amendment is to be exhibited by December 2019.
- Subject to Council funding, it is further recommended that the 4 parcels of land that make up Evelyn Reserve, be consolidated into one (1) lot and to formally apply 'reserve' status to that lot on title.

Financial Impact

The Victorian Government introduced the "Fair Go Rates" system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is 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.

Over time, with the cost of providing services increasing at a greater rate than increases in Council's major source of income, Council's capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are financial costs, however, the costs associated with any amendment, at this stage, may be accommodated within existing budgets. The costs associated with preparing a Plan of Consolidation and applying a reserve status to the land is not accounted for within the Strategic Planning budget. It is anticipated that the preparation of such a Consolidation Plan would cost approximately \$10,000.

Consultation**External Stakeholders**

At Council Meeting 2019/OM4 on 1 April 2019 Council requested that initial public consultation be undertaken prior to considering the potential sale of the Evelyn Street Reserve.

Officers sought to engage with the community via two public information sessions to inform interested members of our community on the details of the proposed development. Members of the community were also invited to provide feedback via the 'Have Your Say' portal on the Frankston City Council website.

The first public information session on 9 May 2019 was attended by 9 members of the public and two Councillors, Cr Aitken and Cr Toms, the second session was attended by 11 members of the public (4 of which had attended the first session) and two Councillors, Cr Aitken and Cr McCormack.

Feedback from attendees of the information sessions was not supportive of the sale of Council land. Attendees voiced concerns over the loss of the last piece of Council owned green space within the Frankston City Centre, lack of car parking availability to support the proposed development, the loss of native vegetation and a potential increase in anti-social behaviour in the area if the development was to proceed.

13.3 Response to 2019/NOM23 - Evelyn Street Park**Executive Summary**

Feedback was also sought from Council's solicitors Maddocks (legal advice regarding Public Open Space), G. M. Brien and Associates Pty Ltd (valuation advice), Service Authorities, being APA; United Energy; Telstra; Melbourne Water and South East Water (notification of potential sale and/or asset requirements), DJCS; DHHS and Castlerock Property Pty Ltd (potential sale and future development).

Other Stakeholders

Internal stakeholders were advised of the potential sale proposal, and their comments sought.

Planning Scheme Amendment C124 (currently with the Minister for approval) will rezone the Reserve to a Mixed Use Zone with a preferred building height limit of 26 metres. The subject site is well located being adjacent to the Frankston Police Station and Law Courts.

This land is highlighted as a potential future multi-deck car parking development site in the FMAC Parking Precinct Plan.

Council's Open Space Strategy recommends upgrade of the Land for recreation, Water Sensitive Urban Design purposes (WSUD) and enhancing its connection to the Evelyn Street Green Link.

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

The subject site is well grassed, and contains over 30 trees and/or shrubs including some excellent specimens of flowering gum. Formalising Evelyn Street Reserve as a public park will protect the existing environmental qualities of the site and provide a welcome green space on the northern fringe of the Frankston Central City area.

Economic

It is considered that there are no specific economic impacts to formalising Evelyn Street Reserve as a public park.

Legal / Policy / Council Plan ImpactCharter 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

Formalising Evelyn Street Reserve as a public park has no particular legal impacts.

Policy Impacts

A Planning Scheme Amendment will be required to rezone the subject land to the Public Park and Recreation Zone.

A further option is to consolidate the land into one title only, and place a 'reserve' status on the title. This is estimated to cost approximately \$10,000 for the land consolidation and change to title. Subject to Council funding, consolidation of the 4 land parcels that comprise Evelyn Street Reserve, and formally applying reserve status to the land title, may be undertaken in accordance with the Subdivision Act 1988, and the Planning and Environment Act 1987.

13.3 Response to 2019/NOM23 - Evelyn Street Park**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 is no specific risk in formalising the Evelyn Street Reserve as a public park.

Conclusion

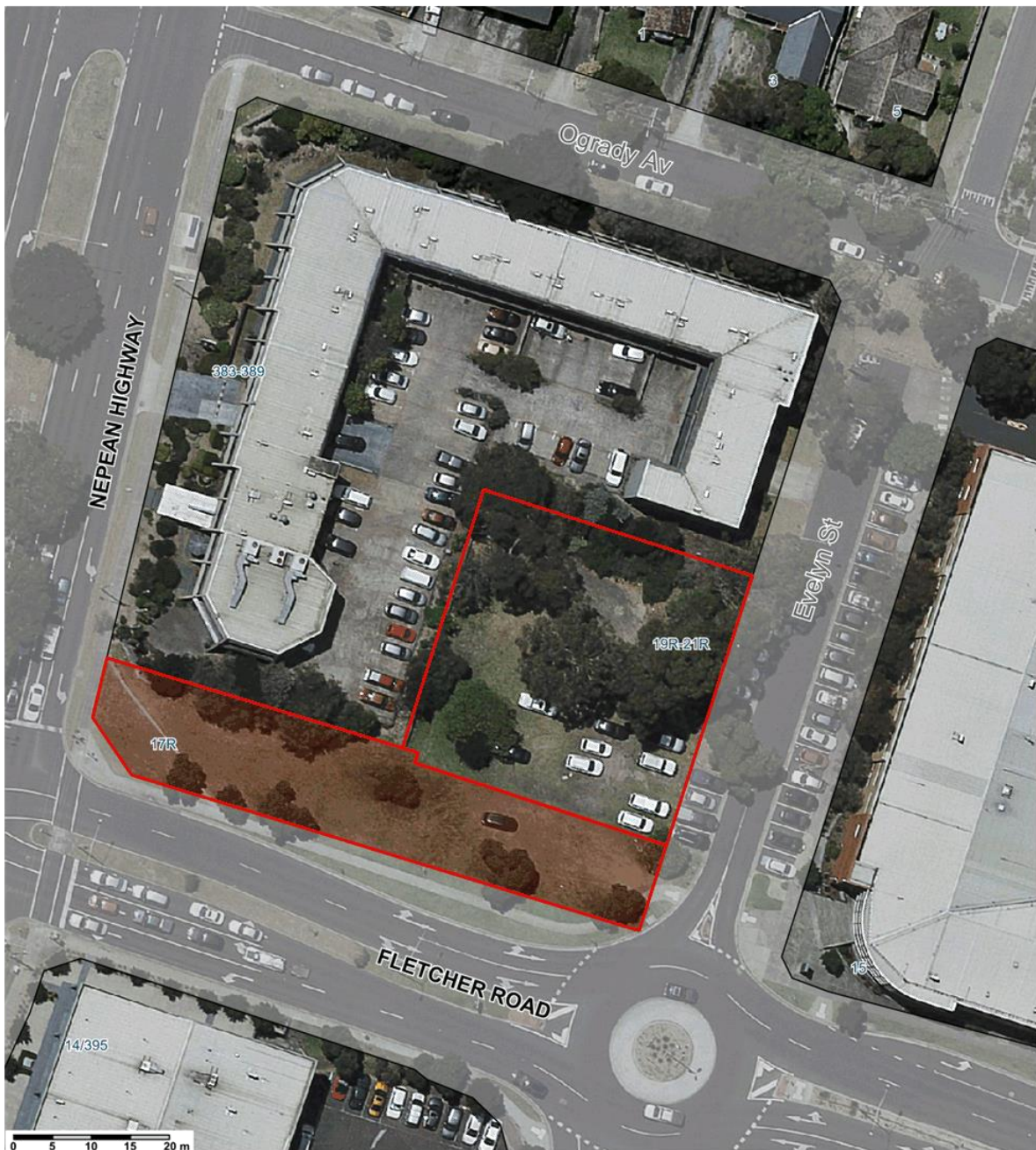
To formalise Evelyn Street Reserve as a public park, it is recommended that the land parcels be rezoned to the Public Park and Recreation Zone (PPRZ) via a Planning Scheme Amendment. Given the work that has already been completed on a municipal wide planning scheme amendment to rezone open space areas it is considered appropriate for the Evelyn Street Reserve to be incorporated into a larger amendment to save on costs and to contribute to the purpose of the amendment. This cost can be accommodated within the 2019-2020 Strategic Planning budget.

The option of consolidating the existing 4 lots and placing a 'reserve' status on the land title is desirable but not essential. However, this is not recommended as there would be additional costs involved. As the land will be rezoned for open space purposes, it can only be used for recreation and related open space activities. As the land is all Council owned there is no urgent need to make it one lot.

ATTACHMENTS

Attachment A:[↓](#) Evelyn Street Reserve Aerial Photo

Attachment B:[↓](#) Evelyn Street Reserve Zoning Map



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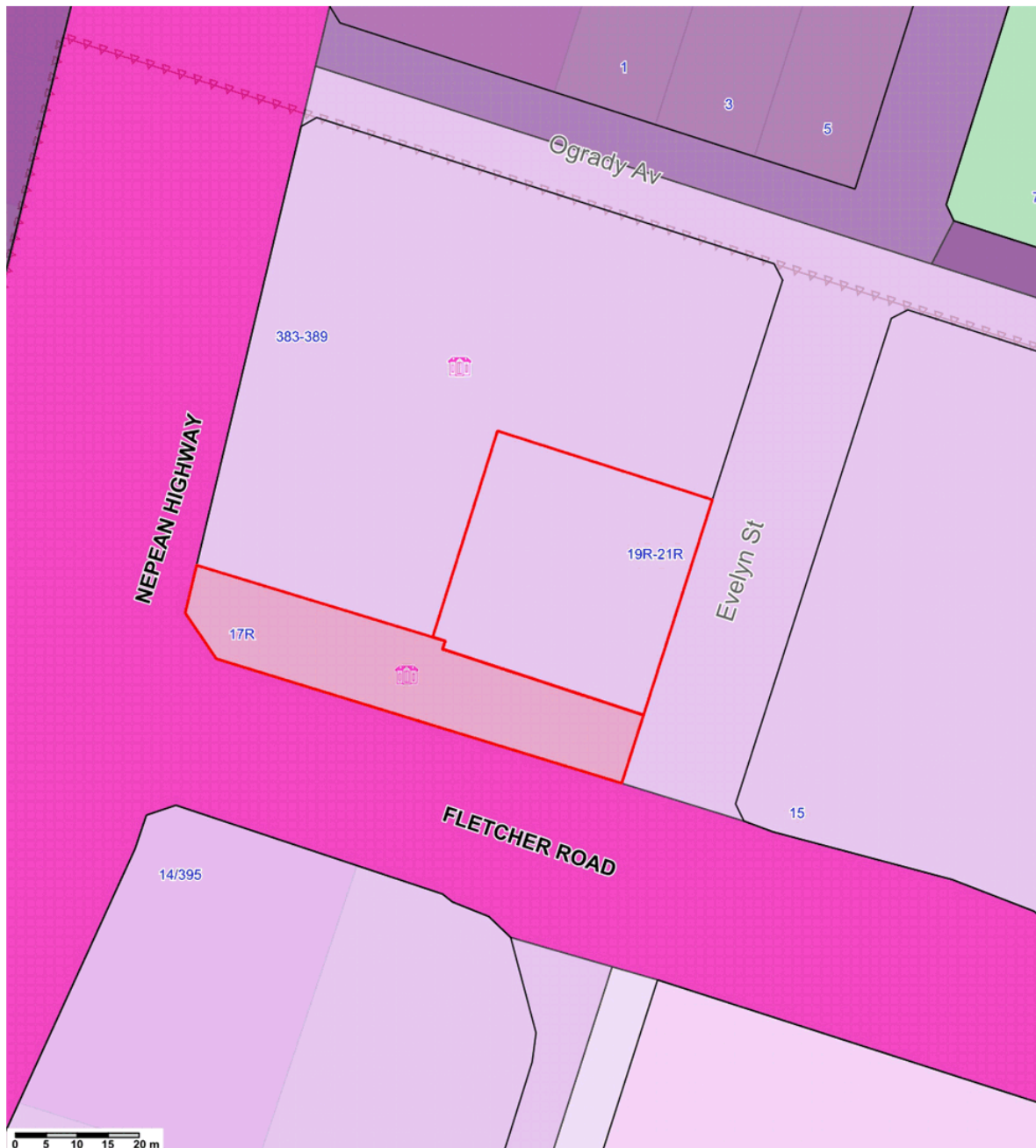
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14.1 2019/NOM25 - Recycled Water Scheme Projects

On 2 July 2019 Councillor Hampton gave notice of his intention to move the following motion:

That Council:

1. Reviews the outcomes achieved following completion of the Stage 1 Robinson Recycled Water Scheme Project that connected Baxter and Robinsons Parks;
2. Uses this analysis to complete the feasibility study of potential future projects, including a continuation of the pipeline from Robinsons Park to Lawton Reserve; and
3. Provides a report to Council by the March 2020 Ordinary Meeting.

COMMENTS BY DIRECTOR COMMUNITY ASSETS

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	YES
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?	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 Council has previously developed recycled water supply projects.
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	NO South East Water are responsible for water supply.
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
11. Can the NoM be implemented without diversion of existing resources?	YES

14.1 2019/NOM25 - Recycled Water Scheme Projects

Question for Consideration	
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 Can be delivered with officer resources only.
14. What is the estimated cost of implementing the NoM?	Officers time only

ATTACHMENTS

Nil

14.2 2019/NOM26 - Lawton Park Master Plan

On 26 July 2019 Councillor Hampton gave notice of his intention to move the following motion:

That a report on the cost of updating the master plan for Lawton Park and adjoining Council land be presented to the November 2019 Ordinary Meeting for assessment by the council for possible funding allocation in the 2019/20 mid-year budget review.

COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	YES
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?	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?	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
11. Can the NoM be implemented without diversion of existing resources?	YES A report only.
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

14.2 2019/NOM26 - Lawton Park Master Plan

Question for Consideration	
14. What is the estimated cost of implementing the NoM?	YES / NO Cost of report only.

ATTACHMENTS

Nil

14.3 2019/NOM27 - Sandfield Reserve Fenced-off Leash-free area

On 25 July 2019 Councillor Hampton gave notice of his intention to move the following motion:

That Council prepare a report for the 18 November 2019 Ordinary Meeting for the feasibility and costings to establish a fenced dog leash-free area on Sandfield Reserve.

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?	YES
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	<p>YES</p> <p>A report only is requested.</p> <p>The needs and suitability of specific locations is undertaken as part of the review of the Domestic Animal Management Plan (DAMP) and is due for review again mid 2020.</p> <p>The review of the DAMP involves extensive community consultation and engagement.</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?	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?	<p>NO</p> <p>The DAMP review is a State Government legislative requirement.</p>
8. Is the NoM consistent with all relevant legislation?	YES

14.3 2019/NOM27 - Sandfield Reserve Fenced-off Leash-free area

Question for Consideration	
9. Is the NoM consistent with existing Council or State policy or position?	Overall consistency but inconsistent with existing DAMP. The issue of dog off-leash areas is a significant issue for the whole municipality who hold differing views.
10. Is the NoM consistent with Council's adopted strategic plan?	NO Overall consistency but inconsistent with existing DAMP.
11. Can the NoM be implemented without diversion of existing resources?	YES A report only.
12. Can the NoM be implemented without diversion of allocated Council funds?	YES A report only.
13. Are funds available in the adopted budget to implement the NoM?	YES A report only is sought.
14. What is the estimated cost of implementing the NoM?	Year 1: \$ NIL (a report only) Recurring: \$ Comments: if applicable

ATTACHMENTS

Nil

14.4 2019/NOM28 - Council Based Grants

On 10 July 2019 Councillor Bolam gave notice of his intention to move the following motion:

1. That the grant allotment concerning 'Neighbourhood Grants' for 'individuals' be increased from \$100 to \$250 and 'groups' from \$100 to \$500 using the existing 'Neighbourhood Grants' budget allotment. Therefore, this won't require any new expenditure or reallocations. These adjustments will put the grant award in line with all other Miscellaneous Grants; and
2. That a new grant category - 'Local Heritage Retention' - is considered for creation. This grant, which will duplicate the 'Lake Macquarie City Council Local Heritage Places' grant process, seeks to encourage owners and community groups to nominate buildings or areas within the municipality with either heritage and/or historical symbolic value. The owner/s or groups, if successful in being awarded the council based grant, will then receive capped funding to conduct restorative works at the respective locations.

A report is to be provided to Council at the September Ordinary Meeting on the proposed 'Local Heritage Retention' funding pool, the capped amount per recipient and general governance in relation to the potential new grant.

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?	YES
3. Is the NoM clear and well worded?	YES The report will include an overall review of the grant and include the proposed local heritage grant The report can be submitted to Council in November due to current workloads.
4. Is the NoM capable of being implemented?	YES Community grants workload has been steadily increasing over the past two years and may require some additional resourcing to meet all deadlines. This will be included in the report.
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

14.4 2019/NOM28 - Council Based Grants

Question for Consideration	
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?	NO There are numerous legislative and regulatory requirements that community groups / individuals may be subject to. This may need to be clarified as a requirement of the grant.
8. Is the NoM consistent with all relevant legislation?	YES However, note comment above.
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
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?	Year 1: \$ Nil Recurring: \$ NIL additional costs

ATTACHMENTS

Nil

14.5 2019/NOM29 - Public Art Murals

On 5 July 2019 Councillor Bolam gave notice of his intention to move the following motion:

That Council:

1. Notes the cost to create two high quality art pieces under the Fletcher Road overpass is estimated at \$60K;
2. Requests that the Frankston Arts Board provides feedback on the best depicted artwork for these two locations; and
3. Refers the costs for undertaking this work to be considered at 2019/20 Mid-Year Review.

COMMENTS BY COMMUNITY DEVELOPMENT DIRECTOR

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	YES
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?	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?	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 / NO Comments: if applicable
11. Can the NoM be implemented without diversion of existing resources?	NO

14.5 2019/NOM29 - Public Art Murals

Question for Consideration	
12. Can the NoM be implemented without diversion of allocated Council funds?	No Arts projects have a relatively long lead time and planned works are currently underway.
13. Are funds available in the adopted budget to implement the NoM?	NO
14. What is the estimated cost of implementing the NoM?	YES / NO Year 1: \$60K Recurring: \$ Comments: if applicable

ATTACHMENTS

Nil

14.6 2019/NOM30 - Investigation of Major Projects

On 11 June 2019 Councillor Aitken gave notice of his intention to move the following motion:

Officers are to create a register for all major projects to monitor incremental loss or impact and replacement of environmental attributes. The register must record and also enable a red flag system on any of the elements listed below:

The register must record:

1. Loss of green space
2. Loss of vegetation
3. Increase of bitumen, which actively increases the heat bank effect
4. Replacement of any vegetation loss with an increase of canopy cover trees in car parks which must also:
 - 4a. take into account safety risks for pedestrians and vehicles in storm events
 - 4b. enhance the visual appeal of an urban forest

COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	YES
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?	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?	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

14.6 2019/NOM30 - Investigation of Major Projects

Question for Consideration	
10. Is the NoM consistent with Council's adopted strategic plan?	YES
11. Can the NoM be implemented without diversion of existing resources?	Operational work to capture information and report is still to be estimated. The increase in workload may have an impact which will require additional resources.
12. Can the NoM be implemented without diversion of allocated Council funds?	NO
13. Are funds available in the adopted budget to implement the NoM?	Not fully known at this point
14. What is the estimated cost of implementing the NoM?	YES / NO Year 1: \$ Recurring: \$ Comments: if applicable

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 Design Advisory Committee - Recommended Appointments

Agenda Item C.1 Design Advisory Committee - Recommended Appointments is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.2 Award of Contract for the provision of Internal Audit Services

Agenda Item C.2 Award of Contract for the provision of Internal Audit Services is designated confidential as it relates to contractual matters (s89 2d)

C.3 Belvedere Precinct Update

Agenda Item C.3 Belvedere Precinct Update is designated confidential as it relates to contractual matters (s89 2d)

C.4 Community Grants Program 2019/2020

Agenda Item C.4 Community Grants Program 2019/2020 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.5 2019/NOM31 - Lease Agreement of Linen House

Agenda Item C.5 2019/NOM31 - Lease Agreement of Linen House is designated confidential as it relates to contractual matters (s89 2d), and legal advice (s89 2f):

C.6 Confidential – Personnel Matters

Agenda Item C.6 Confidential Personnel Matters is designated confidential as it relates to personnel matters and contractual matters (s89 2a & S89 2d):



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Signed by the CEO