

## COUNCIL MEETING AGENDA 2020/OM3 Tuesday 10 March 2020

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# COUNCIL CHAMBERS

<b>Phil Cantillon</b> Chief Executive Officer	<b>Cr Sandra Mayer</b> Mayor	Governance
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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 Aitken

EMT

Cr O'Reilly

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](http://www.frankston.vic.gov.au). It is not possible for any visitor to participate in any Council debate unless specifically requested by the Chairperson to do so.

If you would like to have contact with Councillors or Officers, arrangements can be made for you to do so separately to the meeting. Call 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](http://www.frankston.vic.gov.au).

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

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

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

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

*must not be accepted by the Chair.*

**88. Chair May Remove**

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

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

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

## **Live Streaming of Council Meetings**

Frankston City Council 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](mailto:councillors.office@frankston.vic.gov.au) to discuss alternative options prior to the meeting.

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

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

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

- **Items Brought Forward**

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

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

Question Time forms are available from the Civic Centre and our website, [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au).

“Questions 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](mailto: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](mailto: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](http://www.frankston.vic.gov.au).

- **Presentation of Petitions and Joint Letters**

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

- **Presentation of Reports**

Matters requiring a Council decision are dealt with through officer reports brought before the Council for consideration. When dealing with each item, as with all formal meeting procedures, one Councillor will propose a motion and another Councillor will second the motion before a vote is taken. If the members of the public wish to clarify any of the items on the Agenda, please contact the relevant manager by phoning 1300 322 322.

- **Presentation of Delegate Reports**

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

- **Urgent Business**

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

- **Closed Meetings**

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

### **Opportunity to address Council**

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

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

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

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

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

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

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

### **Agenda Themes**

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

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

### **MAYOR**





## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that an Ordinary Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 10 March 2020 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. OM2 held on 17 February 2020.

### 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

### 8. PRESENTATIONS / AWARDS

### 9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

### 10. DELEGATES' REPORTS

Nil

### 11. CONSIDERATION OF TOWN PLANNING REPORTS

- |      |  |     |
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| 11.1 | Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve).....  | 4   |
| 11.2 | Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme ..... | 15  |
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Nil

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Nil

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Phil Cantillon

**CHIEF EXECUTIVE OFFICER**

4/03/2020





**Executive Summary****11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)**

*Enquiries: (Stuart Caldwell: Communities)*

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 that Frankston Planning Scheme Amendment C130 has been prepared to rezone inappropriately zoned public open space reserves on a municipal wide basis and to seek Council support to request the Minister for Planning to prepare, adopt and approve the amendment pursuant to Section 20(4) of the Planning and Environment Act 1987, which will exempt the amendment from the requirements of public notice.

**Recommendation (Director Communities)**

That Council resolves to:

1. Authorise officers to request the Minister for Planning to exempt himself from the public notification requirements of the *Planning and Environment Act 1987* for Frankston Planning Scheme Amendment C130 pursuant to Section 20(4) of the *Planning and Environment Act 1987*.
2. Authorise officers to request the Minister for Planning to prepare, adopt and approve Frankston Planning Scheme Amendment C130 pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to rezone inappropriately zoned public open space reserves within the Frankston Municipality to the Public Park and Recreation Zone (PPRZ), Public Conservation and Resource Zone (PPRZ), and the Public Use Zone Schedule 6 (PUZ6), including Evelyn Street Reserve.

**Key Points / Issues**

- Council resolved at the Ordinary Council Meeting of 12 August 2019 to:  
*“...authorise 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.”*
- The August 2019 Council report anticipated that two planning scheme amendments would be required to rezone public open space reserves given that it was anticipated that in the order of 400 separate parcels of land would require rezoning. As a result of further investigation, the final number of parcels to be rezoned is one hundred and seventeen (117). This number is practicable within a single amendment process.

**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Executive Summary**

- As Amendment C130 is a municipal wide amendment it includes a number of suburbs not expressed in the August 2019 Council resolution. It is also considered that the amendment should be exempt from public notice as there is no material change to the status of the public open space reserves other than to include them in the appropriate public use zone.
- Amendment C130 proposes to rezone inappropriately zoned Council Reserve (public open space areas) land parcels on a municipal wide basis which includes the suburbs of Seaford, Frankston, Frankston North and Frankston South (including Evelyn Street Reserve); and Carrum Downs, Langwarrin, Langwarrin South and Skye. The public open space reserves are currently either zoned for industrial (Industrial 1 Zone) (IN1Z), residential (General Residential Zone) (GRZ), or commercial (Commercial 1 Zone) (C1Z) purposes. The amendment will seek to rezone the reserves to the Public Park and Recreation Zone (PPRZ) or where appropriate to the Public Conservation and Resource Zone (PPRZ). The amendment proposes to rezone Evelyn Street Reserve from the Mixed Use Zone (MUZ) to the Public Park and Recreation Zone.
- Amendment C130 can be considered a ‘tidy up amendment’ to correct historical defects in land use zoning. The Amendment seeks to match the reserves ‘public use’ with the correct public land use zone.
- Given Amendment C130 proposes to correct an anomaly in zoning provisions and that all the public open space reserves vest in Council, the Department of Environment, Water, Land and Planning (DELWP) have advised that they may support an exemption for the public notice requirements of the Act. It is considered appropriate to request the Minister for Planning to grant such an exemption pursuant to Section 20(4) of the Act.
- It has also been identified through the preparation of Amendment C130 that a small number (eighteen) of Council Reserve land parcels are either encumbered with easements in favour of Council assets such as stormwater facilities, or act as overland flow paths to allow for drainage. These land parcels are currently zoned GRZ or IN1Z. The appropriate zone for such land parcels is the Public Use Zone Schedule 6 (PUZ6). Schedule 6 to the PUZ is the specific schedule for Council owned land that contains Council assets, or allows for stormwater runoff. Amendment C130 will seek to rezone these parcels to the PUZ, Schedule 6.
- The public open space reserves to be rezoned have been identified in Attachment A.
- Council could seek the consolidation of the four (4) titles that make up Evelyn Street Reserve into one (1) lot and formally apply ‘reserve’ status to that lot on title. Additional costs would be incurred to consolidate the land under the Subdivision Act 1988. While this may be desirable in the longer term it is not essential in the short term. Consolidation of the land would be a separate process and cannot form part of Amendment C130.

**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.



**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Executive Summary**

The rate cap over the past four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 Frankston C130 can be accommodated within the existing Strategic Planning budget. The costs associated with preparing a Plan of Consolidation and applying a reserve status to the land (Evelyn Street Reserve) is anticipated to cost approximately \$10,000.

**Consultation****1. External Stakeholders**

No public consultation will be required subject to the Minister for Planning supporting a Section 20(4) amendment under the Act.

**2. Other Stakeholders**

Council's Property Services, Capital Works and Environment Departments have been consulted in the amendment preparation process.

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

The rezoning of the public open space reserves to the appropriate zone will clearly identify the use of the land as public open space and preserve its future use as such for the benefit of the community. Environment qualities of public open space will be protected by including the land in the Public Park and Conservation Zone.

**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

Formalising Council Reserve land parcels to the appropriate public/park zoning has no particular legal impacts.

Policy Impacts

Planning Scheme Amendment C130 will rezone public open space reserves to the correct zoning.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Executive Summary****Risk Mitigation**

Retaining the inappropriate land use zoning over the identified Council reserve land parcels could allow for unsuitable land use and development applications or potential land sales. Appropriate public zoning will mitigate against this.

**Conclusion**

A municipal wide planning scheme amendment has been prepared to rezone 117 public open space reserves to either the PPRZ or PCRZ or the PUZ6. Evelyn Street Park reserve is included in this amendment and will be rezoned to PPRZ.

Authorisation to request the Minister for Planning to prepare, adopt and approve the amendment under s20(4), is required as the Council resolution of 12 August 2019 did not include the suburbs of Carrum Downs, Langwarrin, Langwarrin South and Skye.

Given the Amendment seeks to correct anomalies in the zoning of existing public open space reserves, authorisation is sought to request an exemption from the public notice process via a 'Ministerial' amendment pursuant to Section 20(4) of the Act.

The public notice exemption is considered appropriate as the amendment is to apply the relevant public land use zones to Council public reserves.

Finally, in relation to the rezoning of Evelyn Street Reserve to the PPRZ, the option of consolidating the existing 4 lots and placing a 'reserve' status on the land title is desirable but not essential. Additional costs would be incurred in consolidating the titles. There is no pressing need to consolidate land in Council ownership as the land will clearly be identified in the planning scheme as a public park by the rezoning of the land and its primary use for recreation and related open space activities.

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**ATTACHMENTS**

Attachment A: [↓](#) List of Council Reserves

**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Officers' Assessment****Background**

Council resolved at the Ordinary Council Meeting of 12 August 2019 to:

*“...authorise 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.”*

The August 2019 Council report anticipated that two planning scheme amendments would be required to rezone public open space reserves given that it was anticipated that in the order of 400 separate parcels of land would require rezoning. It was anticipated that a planning scheme amendment could be exhibited by December 2019. However, as a result of the investigative work undertaken, the final number of parcels to be rezoned is one hundred and seventeen (117). This number is practicable within a single amendment process and can be facilitated without the need for public exhibition as the rezoning is to correct anomalies of an historical nature.

As Frankston Planning Scheme Amendment C130 is a municipal wide amendment it includes all suburbs in Frankston. The August 2019 Council resolution only referred to Seaford, Frankston, Frankston North and Frankston South. The resolution was drafted in this way as it was expected the amendment would be a two stage process (with the remaining suburbs to be included in the second stage). As stated above it was anticipated that the overall number of land parcels to be rezoned was greatly over estimated and it is now considered practicable to undertake a single amendment process.

Amendment C130 can be considered a ‘tidy up amendment’ to correct historical defects in land use zoning. The Amendment seeks to match the reserves ‘public use’ with the correct public land use zone.

As such, it is considered appropriate to request the Minister for Planning to exempt the amendment from the public notice requirements of the Act.

**Issues and Discussion**

Amendment C130 proposes to rezone inappropriately zoned Council Reserve (public open space areas) land parcels on a municipal wide basis including all suburbs. The public open space reserves are currently either zoned for industrial (Industrial 1 Zone) (IN1Z), residential (General Residential Zone) (GRZ), or commercial (Commercial 1 Zone) (C1Z) purposes. The amendment will seek to rezone the reserves to the Public Park and Recreation Zone (PPRZ) or where appropriate to the Public Conservation and Resource Zone (PPRZ). The amendment proposes to rezone Evelyn Street Reserve from Mixed Use Zone (MUZ) to Public Park and Recreation Zone (PPRZ).

It has also been identified through the preparation of Amendment C130 that a small number (eighteen) of Council Reserve land parcels are either encumbered with easements in favour of Council assets such as stormwater facilities, or act as overland flow paths to allow for drainage. These land parcels are currently zoned GRZ or IN1Z. The appropriate zone for such land parcels is the Public Use Zone Schedule 6 (PUZ6). Schedule 6 to the PUZ is the specific schedule for Council owned land that contains Council assets, or allows for stormwater runoff. Amendment C130 will seek to rezone these parcels to the PUZ, Schedule 6.

**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Officers' Assessment**

The Department of Environment, Land, Water and Planning (DELWP) have advised that they may support an exemption from the public notice requirements of the *Planning and Environment Act 1987* (the Act) for Amendment C130. DELWP have advised that the appropriate mechanism to exempt the amendment from the public notice requirements is Section 20(4) of the Act.

A Section 20(4) planning scheme amendment is commonly referred to as a 'Ministerial' amendment. When undertaking such an amendment, Council is required to prepare the amendment documentation, submit the documentation to the Minister, and to justify the request for exemption from public notice. Ministerial amendments are not uncommon with over one hundred and thirty municipal amendments approved by the Minister pursuant to Section 20(4) of the Act in 2019.

The Minister may exempt himself from any of the public notice requirements of the Act, if the Minister considers that compliance with any of those notice requirements is not warranted and exemption is justified. It is considered that a Ministerial amendment and public notice exemption is justified for the following reasons.

The Amendment proposes to correct historical anomalies in zoning provisions; the public open space reserves proposed for rezoning vest in Council; and the rezoning of the reserves to the appropriate public use zone will not change the future purpose or use of the reserve and as a consequence will not materially affect any adjoining owners or occupiers of privately owned land.

A Ministerial amendment will reduce Council officer time and Council expense as officers will not have to process the approximate 5,000 – 6,000 letters required to notify affected owners and occupiers of private land. If the amendment is exempt from public notice then there will be no submissions or the need for a Panel Hearing. This is expected to save Council a minimum of \$10,000.

It is therefore considered warranted to request that the Minister for Planning exempt himself from the public notice requirements of the Act, and to prepare, adopt and approve Frankston Planning Scheme Amendment C130 pursuant to Section 20(4) of the Act.

**Options Available including Financial Implications**

There are financial costs, however, the costs associated with Frankston C130 can be accommodated within the existing Strategic Planning budget.

Council could seek the consolidation of the four (4) titles that make up Evelyn Street Reserve into one (1) lot and formally apply 'reserve' status to that lot on title. Additional costs would be incurred to consolidate the land under the Subdivision Act 1988. While this may be desirable in the longer term it is not essential in the short term. Consolidation of the land would be a separate process and cannot form part of Frankston Planning Scheme Amendment C130.

**Conclusion**

Council has previously authorised the preparation of a planning scheme amendment to rezone inappropriately zoned public open space reserves to the appropriate public use zone.

As the amendment proposes to correct historical anomalies and there is no material detriment to other parties, an exemption to the public notice requirements under the Act is sought.

**11.1 Planning Scheme Amendment C130 - Rezone inappropriately zoned public open space reserves within Frankston municipality to Public Park and Recreation Zone, Public Conservation and Resource Zone and Public Use Zone (including Evelyn Street Reserve)****Officers' Assessment**

It is recommended that a request be made to the Minister for Planning for an exemption for public exhibition under s20(4) of the Act.

**Recommendation (Director Communities)**

That Council resolves to:

1. Authorise officers to request the Minister for Planning to exempt himself from the public notification requirements of the *Planning and Environment Act 1987* for Frankston Planning Scheme Amendment C130 pursuant to Section 20(4) of the *Planning and Environment Act 1987*.
2. Authorise officers to request the Minister for Planning to prepare, adopt and approve Frankston Planning Scheme Amendment C130 pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to rezone inappropriately zoned public open space reserves within the Frankston Municipality to the Public Park and Recreation Zone (PPRZ), Public Conservation and Resource Zone (PPRZ), and the Public Use Zone Schedule 6 (PUZ6), including Evelyn Street Reserve.

## APPENDIX A

### List of Council Reserves affected by Amendment C130

#### Current Zones

**GRZ:** General Residential Zone

**LDRZ:** Low Density Residential Zone

**GWZ:** Green Wedge Zone

**IN1Z:** Industrial Zone Schedule 1

**C1Z:** Commercial Zone Schedule 1

**MUZ:** Mixed Use Zone

#### Proposed Zones

**PPRZ:** Public Park and Recreation Zone

**PCRZ:** Public Conservation and Resource Zone

**PUZ6:** Public Use Zone Schedule 6

#### Carrum Downs

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Sandfield Reserve: 49R Sandfield Drive.	18,975	GRZ	PPRZ
Rotary Reserve: 43R Greenwood Drive.	111	GRZ	PPRZ
Banjo Rise Reserve: 38R Banjo Boulevard.	9,850	GRZ	PCRZ
Clifton Reserve: 6R Clifton Park Drive.	3,970	GRZ	PPRZ
Herbert Reserve: 44R Herbert Road.	7,380	GRZ & C1Z	PPRZ
Lakewood North Reserve: 40R Lakewood Blvd.	5,750	IN1Z	PPRZ
Lakewood South Reserve: 10R Lakewood Blvd.	7,840	IN1Z	PPRZ
Laurel Reserve: 20R-24R Laurel Crescent.	9,660	GRZ	PPRZ
Orama Reserve: 45R Orama Avenue.	9,760	GRZ	PPRZ
Paddington Reserve: 60R Paddington Avenue.	4,840	GRZ	PPRZ
Paras Reserve: 15R Paras Drive.	7,760	GRZ	PPRZ
Cadles Lane: 173R Cadles Road.	250	GRZ	PPRZ
Clifton Park Link: 39R Clifton Park Drive.	1,460	GRZ & IN1Z	PPRZ
Earnshaw Link: 18R Earnshaw Drive.	915	GRZ	PPRZ
Elstar Lane: 47R Brunnings Road.	155	GRZ	PPRZ
Fernwren Lane: 21R Fernwren Place.	60	GRZ	PPRZ
Fernwren Link: 11R Fernwren Place.	100	GRZ	PPRZ
Kieran Link: 18R Kieran Court.	170	GRZ	PPRZ
Kingfisher Link: 12R Kingfisher Court.	1,290	GRZ	PPRZ
Lakewood Lane: 27R Lakewood Boulevard.	2,750	IN1Z	PUZ6
Oberon Link South: 46R Oberon Drive.	260	GRZ	PPRZ
Oberon Link North: 43R Oberon Drive.	180	GRZ	PPRZ
Orama Lane: 37R Orama Avenue.	195	GRZ	PPRZ
Balmain Reserve: 15R Balmain Drive.	930	GRZ	PPRZ
Unnamed Reserve: 1R Industry Boulevard.	1,215	IN1Z	PPRZ
Unnamed Reserve: 51R Clifton Grove.	6,080	GRZ	PPRZ
Unnamed Reserve: 110R Colemans Road.	19,950	IN1Z	PUZ6
Unnamed Reserve (Malibu Link): 4 Malibu Circuit.	1,815	GRZ & IN1Z	PUZ6
Unnamed Reserve: 61R William Road.	18,640	GRZ	PPRZ
Unnamed Reserve: 19R Marwick Street.	1,370	GRZ	PPRZ

Unnamed Reserve: 15R Barnett Avenue.	6,080	GRZ	PPRZ
<b>Total</b>	210,065		

**Frankston**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Evelyn Reserve: 17R Evelyn Street.	960	MUZ	PPRZ
Evelyn Reserve: 19R-21R Evelyn Street.	1,330	MUZ	PPRZ
Wingham Park Link: 101R-103R Ashleigh Ave.	100	GRZ	PPRZ
Dalpura Reserve: 92R Dalpura Circuit.	3,865	GRZ	PPRZ
Ebdale Reserve (retarding basin): 22R Ebdale Street.	8,855	C1Z	PUZ6
Peninsula Reserve (part): 67R Frank Street.	5,580	GRZ	PPRZ
Raphael Reserve (part): 119R Franciscan Avenue.	2,890	GRZ	PUZ6
Sandgate Basin Reserve Link: 12R Sandgate Ave.	245	GRZ	PUZ6
Gairloch Link: 50R Skye Road.	4,030	GRZ	PUZ6
Kooluna Reserve: 9R Naroo Place.	2,235	GRZ	PPRZ
Lee Link: 10R Lee Street.	945	GRZ	PUZ6
Manorwoods Link: 51R Manorwoods Drive.	485	GRZ	PPRZ
Melanda Reserve Access: 11R Chatterley Court.	95	GRZ	PPRZ
Unnamed Reserve: 21R Olympic Avenue.	585	GRZ	PPRZ
Pines Flora and Fauna Link: 85R Warrawee Cct.	290	GRZ	PCRZ
Robinsons Link: 1R Franciscan Avenue.	1,550	GRZ	PPRZ
Unnamed Reserve: 19R Wallace Avenue.	750	GRZ	PPRZ
Ballam Park Access: 17R Liardet Crescent.	785	GRZ	PPRZ
Jubilee Park (part): 83R-85R Hillcrest Road.	46,260	GRZ	PPRZ
Hunter Reserve: 10R Hunter Court.	515	GRZ	PPRZ
Wolsley Reserve: 4R Wolsley Avenue.	1,210	GRZ	PPRZ
Unnamed Reserve: 185R Heatherhill Road.	320	GRZ	PUZ6
Tertulian Link: 7R Tertulian Court.	2,700	GRZ	PUZ6
<b>Total</b>	86,580		

**Frankston North**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Adib Link: 9R Adib Court.	65	GRZ	PCRZ
Silvertop Reserve: 70R Silvertop Crescent.	2,140	GRZ	PPRZ
<b>Total</b>	2,205		

**Frankston South**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Unnamed Reserve (St Ives Link): 159R Overport Road.	3,855	GRZ	PPRZ
Overport Park (Chetwyn Link): 33R Chetwyn Court.	7,155	GRZ	PPRZ
Albany Reserve: 8R Albany Place.	1,140	GRZ	PPRZ
Escarpment Bushland Reserve: 65R Stotts Lane.	26,785	GRZ	PCRZ
Stotts Link: 79R Stotts Lane.	1,000	GRZ	PPRZ

Pratt Reserve: 88R Yuille Street.	3,320	GRZ	PPRZ
William Hovell Reserve: 49R Mount Erin Crescent.	13,010	GRZ	PPRZ
Frankston Flinders Link: 243R Frankston-Flinders Road.	5,720	GRZ	PPRZ
Frankston Flinders Link: 241R - 245R Frankston Flinders Road.	4,240	GRZ	PPRZ
Frankston Flinders Link: 149R Frankston-Flinders Road.	2,680	GRZ	PPRZ
Frankston Flinders Link: 1R Escarpment Drive.	3,760	GRZ	PPRZ
Sweetwater Creek Lower (parts): 28R Fenton Crescent.	3,165	GRZ	PCRZ
Golf Links Trail: 4R Golf Links Road.	1,040	GRZ	PPRZ
Woolston Reserve: 70R Woolston Drive.	1,600	GRZ	PPRZ
Pauline Lane: 13R Pauline Court.	605	GRZ	PUZ6
Settlers Lane: 32R Settlers Way.	370	GRZ	PPRZ
Unnamed Reserve: 3R St Mirins Close.	655	GRZ	PPRZ
Unnamed Reserve: 1R St Mirins Close.	485	GRZ	PPRZ
Stansfield Link: 18R Stansfield Court.	625	GRZ	PUZ6
<b>Total</b>	<b>81,210</b>		

### Langwarrin

<b>Property Name &amp; Address</b>	<b>Area m2</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
Studio Park (parts): 29R Poplar Grove.	7,830	GRZ	PCRZ
Flame Robin Reserve: 2R North Road.	31,420	GRZ	PPRZ
Unnamed Reserve: 21R Black Wallaby Drive.	9,975	GRZ	PPRZ
Burgess Reserve (Cranbourne Link South): 250R Cranbourne-Frankston Road.	1,185	GRZ	PPRZ
Burgess Reserve (Cranbourne Link South): 55R Burgess Drive.	4,145	GRZ	PPRZ
Cranbourne Link South: 300R Cranbourne-Frankston Road.	7,165	GRZ	PPRZ
Cranbourne Link North: 401R Cranbourne-Frankston Road.	2,835	GRZ	PPRZ
Cranbourne Link North: 2R Potts Road.	710	GRZ	PPRZ
Cranbourne Link North: 1R Allington Place.	2,805	GRZ	PPRZ
Cranbourne Link North: 2R Allington Place.	800	GRZ	PPRZ
Cranbourne Link North: 1R Leonard Drive.	1,035	GRZ	PPRZ
Cranbourne Link North: 1R Raneen Drive.	670	GRZ	PPRZ
Cranbourne Link North: 2R Raneen Drive.	600	GRZ	PPRZ
Dandenong Hastings Link: 1461R Dandenong-Hastings Road.	1,760	GRZ	PPRZ
Myrtle Reserve: 8R Myrtle Street.	1,795	GRZ	PPRZ
Centre Tree Reserve: 265R Centre Road.	940	GRZ	PPRZ
Burgess Link: 23R Burgess Drive.	760	GRZ	PPRZ
Stringybark Bushland Reserve (part): 315R North Road.	1,020	GRZ	PPRZ
Hedgely Lane: 11R Hedgely Court.	340	GRZ	PPRZ
Tweed Lane: 12R Tweed Court.	105	GRZ	PPRZ



Wade Link: 12R Impressa Close.	55	GRZ	PPRZ
<b>Total</b>	77,950		

**Langwarrin South**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Garden Brae Reserve: 489R Golf Links Road.	1,600	LDRZ	PUZ6
<b>Total</b>	1,600		

**Seaford**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Bruce Aitken Reserve: 1R Holroyd Street.	4,110	GRZ & IN1Z	PPRZ
Broughton Reserve (part): 6R Broughton Street.	5,365	PUZ6	PPRZ & PUZ6
Kananook Reserve (part): 36R McCulloch Avenue.	6,310	IN1Z	PUZ6
Cumberland Reserve (retarding basin): 20R Cumberland Drive.	5,905	IN1Z	PUZ6
Peninsula Boulevard Reserve (retarding basin): 24R Peninsula Boulevard.	2,580	IN1Z	PUZ6
Weatherston Reserve: 35R Erwin Drive.	6,940	GRZ	PPRZ
Unnamed Reserve (Lyster Link): 49R Boonong Avenue.	1,105	GRZ	PPRZ
Maple Link (part): 1R Maple Street.	575	GRZ	PPRZ
Coates Walk: 219R Nepean Highway.	770	GRZ	PPRZ
<b>Total</b>	33,660		

**Skye**

Property Name & Address	Area m2	Current Zoning	Proposed Zoning
Lisa Beth Mews Reserve: 4R Lisa Beth Mews.	41,325	GRZ & GWZ	PPRZ
Lisa Beth Mews Link: 7R Andrea Claire Court.	3,735	GRZ	PPRZ
Heritage Reserve: 38R Edinburgh Drive.	10,010	GRZ	PPRZ
Coco Link: 3R Alpha Mews.	130	GRZ	PPRZ
Rangeview Link: 97R Rangeview Drive.	125	GRZ	PPRZ
Santa Clara Link: 62R Diamond Parade.	3,085	GRZ	PPRZ
Santa Clara Link: 98R Diamond Parade.	3,550	GRZ	PPRZ
Kerrie Anne Link: 43R Rangeview Drive.	895	GRZ	PPRZ
Dairy Link: 14R Dairy Place.	70	GRZ	PPRZ
<b>Total</b>	62,925		
<b>Total all suburbs</b>	556,195		

**Executive Summary****11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

*Enquiries: (Stuart Caldwell: Communities)*

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 use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme at 16 – 22 Playne Street, Frankston.

**Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit be issued, subject to the conditions contained in the officer's assessment.

**Key Points / Issues**

- The proposal is to use the existing building (formerly occupied by Savers) for a place of assembly (amusement parlour and indoor bowling facility), food and drink premises, sale and consumption of liquor (On Premises licence) and associated buildings and works. This proposal is modelled on an existing facility at Dingley also known as "General Public" which seeks to offer an entertainment facility for families.
- The proposal also includes an upgrade to the Playne Street façade including new windows and door at ground floor and recladding of the first storey with a mesh cladding to add a contemporary finish to the building. New signage is also proposed to the Playne Street elevation.
- The hours of operation including the serving of liquor is proposed to be
  - ❖ Sunday to Thursday: 10am to 11pm
  - ❖ Friday to Saturday: 10am to 12 midnight
- A maximum capacity of 350 patrons are proposed. In accordance with Clause 52.06 of the Frankston Planning Scheme, 0.3 car spaces per patron is generated requiring 105 car spaces. The site contains fifty car spaces on the roof of the building. Based on the location within the Frankston Activity Centre and the proximity to public car parks, it is considered that the provision of 50 car parks is satisfactory.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Executive Summary**

- The proposal is consistent with the planning controls and policy as it provides for an entertainment use in a commercial area which is part of the Frankston Metropolitan Activity Centre and is identified as being an area where entertainment and dining uses are encouraged.
- The application is being reported to Council as it is an application associated with liquor.

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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 \$2206.75. The average cost to process a planning permit application is \$2,264 which represents a difference of \$57.25.

**Consultation**

Internal Referrals

The application was referred internally to Community Strengthening, Waste Management and Engineering Services (traffic) who offer no objections to the proposal.

Notification of Proposal

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

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- One(1) sign erected on the site frontage

As a result of the public notification, one (1) objection was received. The grounds of objection are summarised in the officer's assessment contained within this report.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

## **Executive Summary**

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

The proposal will have no material impact on the environment given its location and nature. The proposed mix of uses economic growth and employment opportunities in the area and promote the vibrancy of the city centre. The proposal will add another use associated with the selling and consumption of liquor in the Frankston Central Activities Area. However appropriate management of the facility as would be required under a Liquor Licence approval issued by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) would mitigate impacts in this area and provide mechanism for enforcement.

### **Legal / Policy / Council Plan Impact**

#### Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

#### Legal

The proposal requires a planning permit under the following provision of the Frankston Planning Scheme:

- Clause 34.01-1 – Commercial 1 Zone for use of land for a Place of Assembly.
- Clause 34.01-4 (Commercial 1 Zone) to undertake buildings and works.
- Clause 52.05 (Signs) to display internally illuminated business identification signage that exceeds 1.5 square metres.
- Clause 52.06-6 (Car Parking) before a new use commences, car parking spaces must be provided to the satisfaction of the Responsible Authority.
- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor as a new licence is required under the *Liquor Control Reform Act 1998*.
- Clause 52.34-3 for a reduction of the number of bicycle parking spaces.

#### Policy Impacts

- Clause 11 – Settlement
- Clause 17 – Economic Development

#### Officer's Declaration of Interests

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

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

### **Risk Mitigation**

There are no particular risks associated with this application.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Executive Summary**

#### **Conclusion**

Overall, it is considered that the proposal is satisfactory subject to conditions and should be supported as discussed throughout this report.

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#### **ATTACHMENTS**

- Attachment A: [↓](#) Locality Map
- Attachment B: [↓](#) Locality Map (Aerial)
- Attachment C: [↓](#) Development Plans
- Attachment D: [↓](#) Planning and Traffic Reports

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### Officers' Assessment

#### Summary

<b>Existing Use</b>	Vacant
<b>Site Area</b>	2118 square metres
<b>Proposal</b>	To use land for a Place of Assembly (amusement parlour and bowling facility). To undertake associated buildings and works To use the land to sell and consume liquor (On premises Licence). To display internally illuminated business identification signs. To reduce the car parking requirements of Clause 52.06 and a reduction of the number of bicycle parking spaces under Clause 52.34-3.
<b>Zoning</b>	Commercial 1 Zone
<b>Overlays</b>	Parking Overlay Schedule 1
<b>Neighbourhood Character Precinct</b>	Not applicable
<b>Reason for Reporting to Council</b>	Application associated with Liquor

#### Background

##### **Subject Site**

The subject site is irregular in shape and is located on the southern side of Playne Street in Frankston with a secondary frontage to Davey Street.

The site has a northern boundary width to Playne Street of 28.35 metres, a southern boundary width to Davey Street of 14.02 metres, a side/west boundary width to Plaza lane of 48.08 metres and a maximum depth of 96.0 metres with an overall area of 2,118 square metres.

The subject site currently contains the existing two (2) storey brick building which fronts Playne Street. The building is currently vacant. The building was previously tenanted by Savers and used for retail purposes on the ground and first floor. Fifty (50) car spaces are provided on the roof accessed from a ramp on Davey Street. A ramp to a loading bay is also located on the Davey Street site frontage.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

#### ***Locality***

Surrounding development is characterised by a mix of commercial and retail uses as part of the Frankston Metropolitan Activity Centre.

#### ***Site History***

Previous planning permit applications for the site include:

- Planning Permit 450/2016/P was issued on 21 February 2017 to undertake buildings and works, to alter access to a Road Zone Category 1 and a reduction in the car parking and loading and unloading requirements of Clauses 52.06 and 52.07 of the Frankston Planning Scheme. The Planning Permit has expired.

#### ***Proposal***

It is proposed to use the land for a Place of Assembly (amusement parlour and indoor bowling facility) and food and drink premises. This proposal is modelled on an existing facility at Dingley also known as "General Public" which seeks to offer an entertainment facility for families.

The building has an overall floor area of 3270 sqm with the ground floor 1675 sqm and the first floor area 1595 sqm. 1210 sqm of the ground floor will be predominately associated with the food drink use of the land. The remainder of the floor area, 1990 sqm, is considered to be associated with the Place of Assembly use.

The ground floor will comprise three food and drink premises with 7 celebration rooms and an entertainment area at the rear comprising of pool tables and entertainment arcade ie pinball machines. The two small tenancies are proposed to offer coffee and dessert and bubble tea and icecream. These tenancies will retain their existing separate entrances to Playne Street but will be provided with bifold doors to enable access internally.

The main kitchen producing the food is on ground floor level, but would serve dining patrons on both levels. Food and drinks will be available on both levels, including in the entertainment areas.

Access to the first floor will be via the existing escalators towards the front of the building. The activities proposed for the first floor include 2 ten-pin bowling areas, table tennis tables and a games space.

At peak periods a maximum of thirteen (13) staff would be on-site.

The maximum number of patrons will be 350.

Hours of operation are proposed as follows:

- Sunday to Thursday: 10am to 11pm
- Friday to Saturday: 10am to 12 midnight

The liquor licence hours are proposed to be in line with the hours of operation.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

Buildings and works:

- New facade to Playne Street incorporating new glazing and entry at the ground level and mesh cladding to the upper level.
- Internal rearrangements to the first floor to create the indoor recreation facility.

Car Parking

- The existing fifty (50) car spaces are proposed to be retained on the roof.
- No alterations are proposed to the existing layout and access arrangements.

Signage

The following signs are proposed:

- Internally illuminated business identification sign located above the parapet on the Playne Street façade. The sign will be 6.2 metres by 3.99 metres and contain the name of the business "General Public".
- Three internally illuminated signs located on the fascia of the verandah with a total area of 0.24 square metres. The signs are to identify the three retail premises at ground level.

### **State and Local Planning Policy Frameworks**

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

- Clause 11 – Settlement
- Clause 15.01 – Urban Environment
- Clause 17 – Economic Development

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

- Clause 21.04 – Settlement
- Clause 21.08 – Economic Development

### **Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 34.01-1 – Commercial 1 Zone for use of land for a Place of Assembly.
- Clause 34.01-4 (Commercial 1 Zone) to undertake buildings and works.
- Clause 52.05 (Signs) to display internally illuminated business identification signage that exceeds 1.5 square metres.
- Clause 52.06-6 (Car Parking) before a new use commences, car parking spaces must be provided to the satisfaction of the Responsible Authority.



**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor as a new licence is required under the *Liquor Control Reform Act 1998*.
- Clause 52.34-3 for a reduction of the number of bicycle parking spaces.

Note: A planning permit is not required for the use of land as a food and drink premises in a Commercial 1 Zone

***Notification of Proposal***

Notification was given in the form of:

- Mail to adjoining and nearby owners and occupiers; and
- One (1) sign erected on the site frontage

As a result of the public notification, one (1) objection was received.

The grounds of objection are summarised as follows:

- The application has not accurately described the proposed land uses. The proposed food and drink premises are not ancillary or subordinate uses to the indoor recreation facility.
- The application has not appropriately considered the potential amenity and environmental impacts associated with the proposed food and drink premises.
- The application has not appropriately applied and considered the prescribed parking rates under the Frankston Planning Scheme
- There are two existing indoor recreation facilities located in close proximity to the site. The site is located between existing venues and the provision of an additional indoor recreation facility with liquor licence is considered to result in an oversupply

**Internal Referrals**

A summary of internal referral comments regarding the proposal are provided below.

Community Strengthening Department

- The application was referred internally to Community Strengthening Department who have advised that they have no concerns with the proposal.

Traffic Engineer

- The proposed change of use is located within the FMAC area and the parking rates within Parking Overlay at Clause 45.09 are to be applied.
- The car parking rate for Place of Assembly should be applied for the entire site. The Frankston Planning Scheme has a specified rate for the use of land as a Place of Assembly of 0.3 car spaces to each patron. 350 patrons are proposed in total which equates to 105 car spaces. The provision of fifty car spaces is acceptable.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

- In accordance with in 'Frankston Metropolitan Activity Centre Parking Precinct Plan' under Parking Provision Rate; if no increase in commercial floor space is proposed, no additional car parking provision will be required. There is no increase in the floor area of the building.
- Rooftop car park must be in accordance with Australian Standard; AS2890.1:2004 and dimensions of car parking spaces, Circulation roadway, parking aisle, passing area must be detailed on carpark plan.
- As detailed in the planning report, the proposed 'General Public' sign and its location do not obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property and do not obstructs a driver's view of a traffic control device. It was noted that sign will be flush-mounted and internally illuminated and would not intrude on any established landscape elements around the site.

**Discussion**

***State and Local Planning Policy***

It is considered that the proposal meets the objectives of the relevant State and Local Planning Policies as the proposed licensed premises is located within an existing retail and commercial area where food and drink premises, including the use of the land for a food and drink premises are allowed as of right. Managed appropriately, the proposal should not reduce the public amenity of the area, and instead should add to the vibrancy of the area as it will assist to provide a destination which will bring customers to the city centre.

The proposal will provide an entertainment facility within the central activity area of Frankston where these uses are encouraged. This type of use is considered to be appropriate within metropolitan activity centres which seek to accommodate a broad range of uses

The proposal makes use of an existing building which has been vacant for several years and will assist to activate a street which has experienced a number of vacancies with the closure of various retail premises and the relocation of National Australia Bank and post office.

***Use***

The proposal is for the use of the existing building as a Place of Assembly and food and drink premises. The business model is based on a similar operation at Dingley whereby patrons will dine and then use the entertainment activities while on the premises. Alternatively patrons may use the entertainment facilities and have a meal. The two uses are proposed to be in conjunction with each other and operate as integral parts of the business. The applicant has argued that the food and drink component of the application is ancillary to the main use as an indoor recreation facility. However, it is considered that given the large floor area associated with the food and drink premises, that this is not ancillary but rather "in conjunction" as the two uses are entwined with each other due to the layout of the premises and the sharing of facilities and experiences.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

The ground floor is predominately used for the serving of food and drink with approximately 1210 sqm set aside for dining including the celebration rooms. The remainder of the floor area is either shared facilities such as the entrance, stairwell and lift, and other back of house areas, and an area for pool tables and amusement machines. The first floor is predominately used for the amusement with 2 ten-pin bowling alleys, table tennis tables and games space with some limited tables for spectators.

The proposal is considered to be acceptable in context with its location with the Frankston activity centre

The hours of operation are considered acceptable given the location and limited impacts on the amenity of nearby properties.

***Building and works***

It is proposed to alter the front façade to include a new entry into the building and new glazing opening the frontage to Playne Street at ground level. Mesh cladding is proposed to the upper storey Playne Street façade.

It is considered that the proposed alterations to the existing building will contribute positively to the existing commercial nature of the area and will achieve the purpose of the zone. The alterations to the front façade will assist to activate the street frontage and create a sense of vibrancy to the street and to add a contemporary aspect to the building.

***Clause 52.06 Car Parking***

The premises will accommodate 350 patrons on site at any one time and the area of the existing building is approximately 3270m<sup>2</sup>.

In order to determine the car parking requirements under Clause 52.06 for the change of use of the land, the rate for Place of Assembly is considered to be the most appropriate as it is a more general land use term which includes entertainment and encompasses the serving of food and drink.

Use	Rate	No. of Patrons	No. Required
Food & Drink Premises	3	3270 sqm	98
Place of Assembly	0.3	350	105

Based on the land use category of Place of Assembly, the proposal is seeking a reduction of 55 car spaces as the site already provides 50 car spaces on the rooftop.

Historically the site has benefited from a reduction in car parking for a number of years. The previous use of the land for retail purposes would have required 98 car spaces under the current planning scheme requirements. The proposed change in use results in a small increase in the number of required spaces.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

The subject site is one of the few sites within the FMAC area which can provide a substantial number of onsite car parking spaces required by Clause 52.06. It is considered that the reduction of 55 car spaces is satisfactory given the site's location. The site is within the Principal Public Transport Network Area and is well served by public transport. It is also considered that the main hours of use are likely to be outside of standard business hours and will therefore result in efficiencies with the sharing of car parking.

**Parking Overlay**

The Frankston Metropolitan Activity Centre Parking Precinct Plans was adopted by Council on 8 August 2016 and forms the strategic justification for the introduction of the Parking Overlay into the Frankston Planning Scheme. The purpose of the Parking Precinct Plan was to establish a comprehensive strategy for facilitate the efficient provision of on-site and off-site car parking opportunities with the FMAC area. The plan also included a review of the carparking rates implementing a centre based approach acknowledging that in the context of a major activity centre with good access to public transport and public carparking, it would be more sensible to reduce the car parking requirement than to prevent the use or development.

In the review of the car parking rates for the FMAC, consideration was given to ensuring that changes to the use of existing buildings would not generate substantial additional car parking requirements where there was no increase in commercial floor area.

The Frankston Metropolitan Activity Centre Parking Precinct Plan states:

*"The Parking Provision Rates set out below are applied via Schedule 1 to the Parking Overlay at Clause 45.09 and Column B of Clause 52.06. The default rate is Column B of Clause 52.06 except for the following. These rates have been designed to allow flexibility where change of use is proposed in the FMAC area. To clarify, where a change of use occurs and no increase in commercial floor space is proposed, no additional car parking provision will be required."*

Notwithstanding that an increased parking reduction is sought, this proposal makes use of an existing building which has been vacant for several years and does not seek to increase the floor area. It also provides approximately 50% of the carparking required under Clause 52.06 onsite which is considered significant. It is also noted that the site has benefited from a reduction in carparking for many years when previously used as a retail premises. In this circumstance, Council must balance the potential to levy a financial requirement against the practical impact of the proposed new use of the existing building on parking supply and the potential impact of such a levy on the viability of the proposed land use (business). This is circumstance where the balance of this consideration should be in favour of not imposing a levy.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

#### ***Bicycle Facilities (Clause 52.34)***

<b>Use</b>	<b>Employee</b>	<b>Patron</b>	<b>Net Leasesable Area</b>	<b>No Required</b>
Place of Assembly	1 to each 1500 sqm of net floor area	2 plus 1 to each 1500 sqm of net floor area	3270sqm	6

A total of 6 bicycle spaces are required. Given the location of the site for bicycle access, it is considered a reduction of the requirements is not acceptable and 6 bicycle spaces should be provided. There is sufficient area in the rooftop carparking to be able to provide bicycle spaces. A condition of any permit issued will required amending plans to show 6 bicycle spaces.

#### ***Clause 52.27 Licence Premises***

The site is considered appropriately located for a use involving consumption of liquor, as it is within the existing Frankston Central Activities area, which is the focus for commercial and entertainment type uses as sought by planning policies.

As the land is located in a commercial area and does not have abutting residential neighbours, the consumption of liquor will not likely impact upon the amenity of the area. The mix of uses with the serving of food should ensure that the proposal will not cause any significant offsite amenity impacts. Council's Community Strengthening Department has not objected to the proposal.

The applicant has sought approval for the liquor licence hours to be consistent with the proposed hours of operation as follows:

Sunday to Thursday: 10am to 11pm and

Friday to Saturday: 10am to 12 midnight.

In line with Council's general position on the serving of liquor and other liquor licences within the area, it is considered that the hours for the serving of liquor should be reduced and that the serving of liquor be permitted from 11am each day. This can be included as a condition of any permit issued.

A management plan has not been submitted by the applicant. This can be resolved by requiring the submission of a venue management plan prior to commencing the use which considers the impact of consumption of liquor, hours of operation and patron numbers on the amenity of the surrounding properties. The plan should include measures to mitigate any adverse impact from noise generation, lighting, waste generation, footpath trading, patron management, venue shut down procedures, use of signage to avoid anti-social behaviour and encourage responsible off site patron behaviour etc. Thus, a condition is recommended to be included on any permit issued to ensure the Management plan will be submitted to cover all the above matters accordingly.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

***Cumulative Impact***

The State Government has prepared Practice Note 61 ('Licensed premises: Assessing cumulative impact') which provides guidance for assessing the cumulative impact of licensed premises as part of a planning permit application under Clause 52.27 of the planning scheme. According to the practice note, 'Cumulative Impact' refers to both the positive and negative impacts that can result from the clustering of licensed premises. It is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate these venues.

The Practice Note states that it should be used for new or expanded licensed premises that will trade past 11 pm and are located in a 'cluster' of licensed premises, i.e. where there are three or more licensed premises within a radius of 100m from the subject land; or, 15 or more licensed premises within a radius of 500m from the subject land.

Since, there are 50 licensed premises within 500m radius (as per the submitted cumulative impact assessment) and it is proposing to serve liquor until 12am on Fridays and Saturdays, a Cumulative Impact Assessment of the proposal is required as follows:

- *Is the proposal consistent with the planning outcomes encouraged in the policy, zoning and other planning controls in the area?*

The site is located within FMAC area and among already established commercial sites and close to all the transport facilities. It is considered that the site is appropriately located for an entertainment premises together with the serving of food and drink including liquor which would meet the objective of FMAC to promote vibrant hospitality premises within the area.

- *Will the proposal significantly increase the number of patrons near sensitive uses at any time? Will the proposal generate amenity impacts beyond what is reasonable?*

The site is not located near to any sensitive land uses. The impact of the patron numbers will have minimal impacts on the surrounding commercial properties. The extent of hours beyond 11 pm is limited to Friday and Saturday nights only which is standard for these types of uses.

- *Does the proposal contribute to the diversity of activities and vibrancy of the area?*

The proposal will add an entertainment and food and drink premises in an area where activities are generally limited to offices and small cafes which operate mainly during daytime hours. It will therefore add to the diversity and vibrancy of the area.

- *Is the proposed licensed premises' location or characteristics likely to contribute to any problems for patron dispersal?*

Given the good availability of public transport, proximity to a number of taxi ranks and the location adjacent to an arterial road it is unlikely patron dispersal will be an issue.

*Will the proposal reinforce any existing or create any new impacts arising from licensed premises closing times and patron dispersal in the area?*

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

**Officers' Assessment**

The closing times of the licensed premises is to be 12am Friday to Saturday. This is consistent with the other similar businesses in the area and it is therefore unlikely patrons will remain in the area to consume liquor elsewhere.

Overall, it is unlikely there will be a negative cumulative impact resulting from the proposal, given the nature of the licence sought and the hours of operation similar to other licensed venues in the area.

**Advertising Signs**

Clause 34.04-5 stipulates that Advertising Signs in this zone are in Category 1 of Clause 52.05.

The proposed signs are appropriate in a commercial setting. The signs do not create clutter or visual disorder as the signs are fixed to the building façade and are in scale with the size of the building frontage.

**Response to Grounds of Objection**

Most of the concerns raised within the objections have been addressed in the planning assessment above. However, the following matters require further discussion:

*Objection: The application has not accurately described the proposed land uses. The proposed food and drink premises are not ancillary or subordinate uses to the indoor recreation facility.*

Response: The application was lodged as an indoor recreation facility based on permits which had been issued for other similar uses such as "General Public" in Dingley and "Strike Bowling" in Wells Street Frankston. Since those permits were issued, land use categories have been revised and it is agreed that the term "indoor recreation facility" is incorrect and the proposal would best be categorised as a "Place of Assembly". The food and drink component of this application occupies approximately 1200sqm of the total floor area, however it is considered that the mix of entertainment and the serving of food and drink complement each other and provides a facility to offer a range of experiences for their patrons. It is also noted food and drink premises do not require a planning permit in a Commercial 1 Zone.

The application has been amended to Place of Assembly (Amusement parlour and indoor bowling facility) and public notice has been given again to reflect the correct land use terms.

*Objection: There are two existing indoor recreation facilities located in close proximity to the site. The site is located between existing venues and the provision of an additional indoor recreation facility with liquor licence is considered to result in an oversupply.*

Response: Whether or not, the establishment of another facility may result in an increased supply of similar use types is a commercial decision which the applicant will need to make and is not a relevant planning consideration. As noted above, this is suitable location for these types of use.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

#### ***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.

#### ***Analysis (Economic and Social Implications)***

It is considered that the proposal will have positive economic development implications by providing an entertainment facility which provides for a wide range of people within the FMAC where entertainment is encouraged. Social impacts are considered to be positive, providing an area for patrons to consume liquor in a managed and clearly delineated area within the proposed premises.

#### **Conclusion**

On balance, it is considered that the proposal satisfies the requirements of the State and Local Planning Policy Framework and the purpose of the Commercial 1 Zone, Clause 52.27 (Licensed Premises) and other relevant provisions of the Frankston Planning Scheme and warrants support.

#### **Recommendation (Director Communities)**

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 396/2019/P to use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor, to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 of the Frankston Planning Scheme at 16 - 22 Playne Street Frankston, subject to the following conditions:

#### **Plans**

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) Provision of 6 bicycle spaces in the rooftop carpark in accordance with Clause 52.34 of the Frankston Planning Scheme.
  - (b) Sheet A101.3: Layout plan – rooftop car park to show dimensions of car parking spaces, circulation roadway, parking aisle and passing areas in accordance with Clause 52.06-9: Design standards for car parking.
  - (c) The Venue/Patron Management Plan in accordance with Condition 9.



**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

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

#### **Amenity**

4. The amenity of the area must not be detrimentally affected by the use and development through the:
  - a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin; others as appropriate; or
  - e) In any other way.
5. Noise levels emanating from the premises must not exceed those required to be met under State Environment protection Policy (Control of Music Noise from Public Premises), No. N-2.

#### **Liquor Licence Requirements**

6. The sale and consumption of alcohol must only take place at the premises during the following hours:

Sunday to Thursday 11am to 11pm

Friday to Saturday 11am to 12am midnight

Good Friday and Anzac day – 1pm to 10pm

#### **Patron Numbers**

7. Not more than 350 patrons may be present on the premises at any one time.

#### **Satisfactorily Completed**

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

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

9. Prior to the commencement of use, a Patron/Venue Management plan must be submitted, for approval to the satisfaction of the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must be generally in accordance with the Patron/Venue Management Plan including details as follows:
  - a) Hours of Operation (on the premises and off the premises);

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

- b) Venue shut down procedures to encourage the patrons to leave the premises sporadically.
- c) The number of patrons admitted on site at any one time;
- d) Signage to be used to encourage responsible off-site patron behaviour;
- e) The training of staff and the management of patron behaviour;
- f) Measures to control noise emissions from the premises and amenity control;
- g) Measures to prevent vandalism and antisocial behaviour;
- h) Details to address waste including bottles, rubbish and reduce generated by the use;

All to the satisfaction of a Responsible Authority.

### **Signage Requirements**

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

### **Permit Expiry**

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

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

### **Notes**

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.

**11.2 Planning Application 396/2019/P - 16-22 Playne Street Frankston - To use the land for a Place of Assembly (Amusement parlour and indoor bowling facility), the sale and consumption of liquor (on premises licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 and bicycle parking spaces under Clause 52.34 of the Frankston Planning Scheme**

### **Officers' Assessment**

- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
  - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Town Planning Application 396/2019/P – 16-22 Playne Street Frankston

Subject site ■ Objectors ★ - 1 objection received (not displayed)



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Projection: GDA94 / MGA zone 55

Scale: 1:1298

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Town Planning Application 396/2019/P – 16-22 Playne Street Frankston  
 Subject Site ■



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Projection: GDA94 / MGA zone 55

Scale: 1:1265

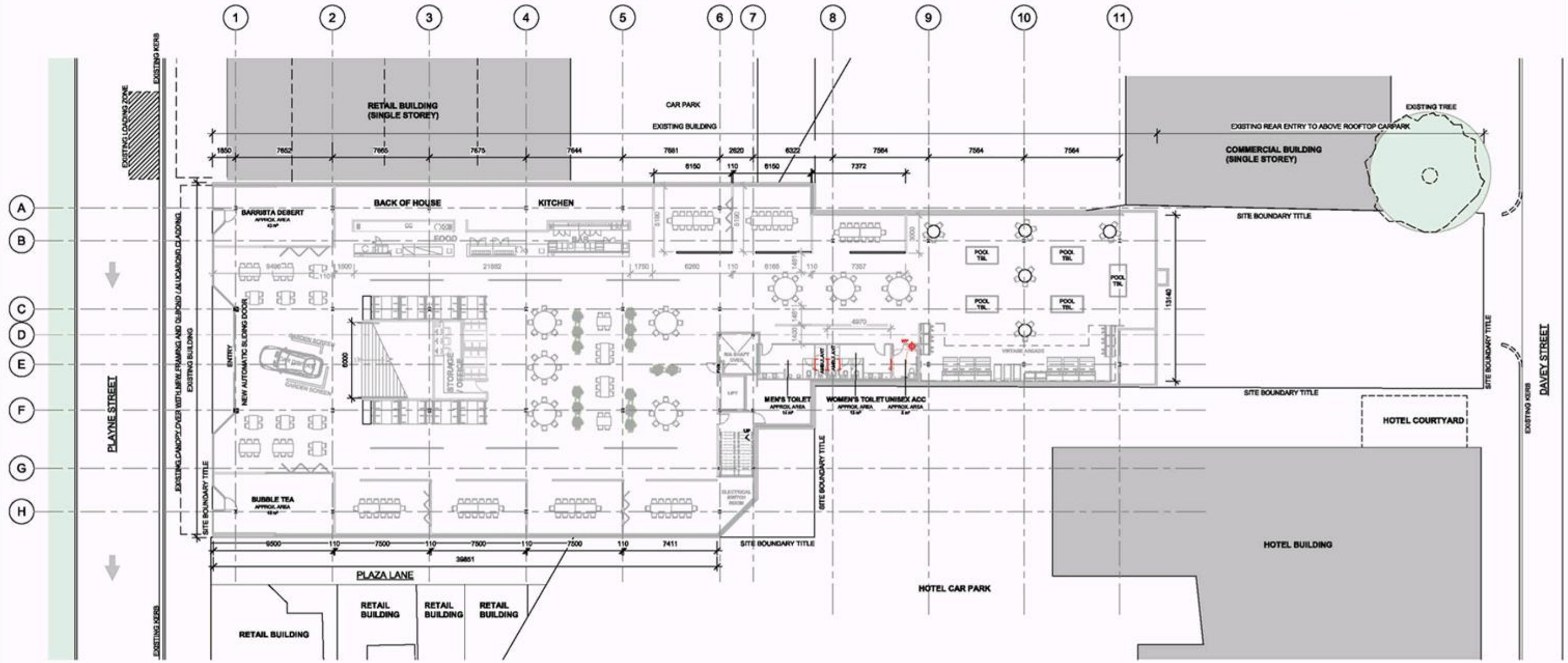
Date Printed: 17/12/2019

Time Printed: 10:59 AM

Issued by: Leah Horne



**ADVERTISED PLAN**

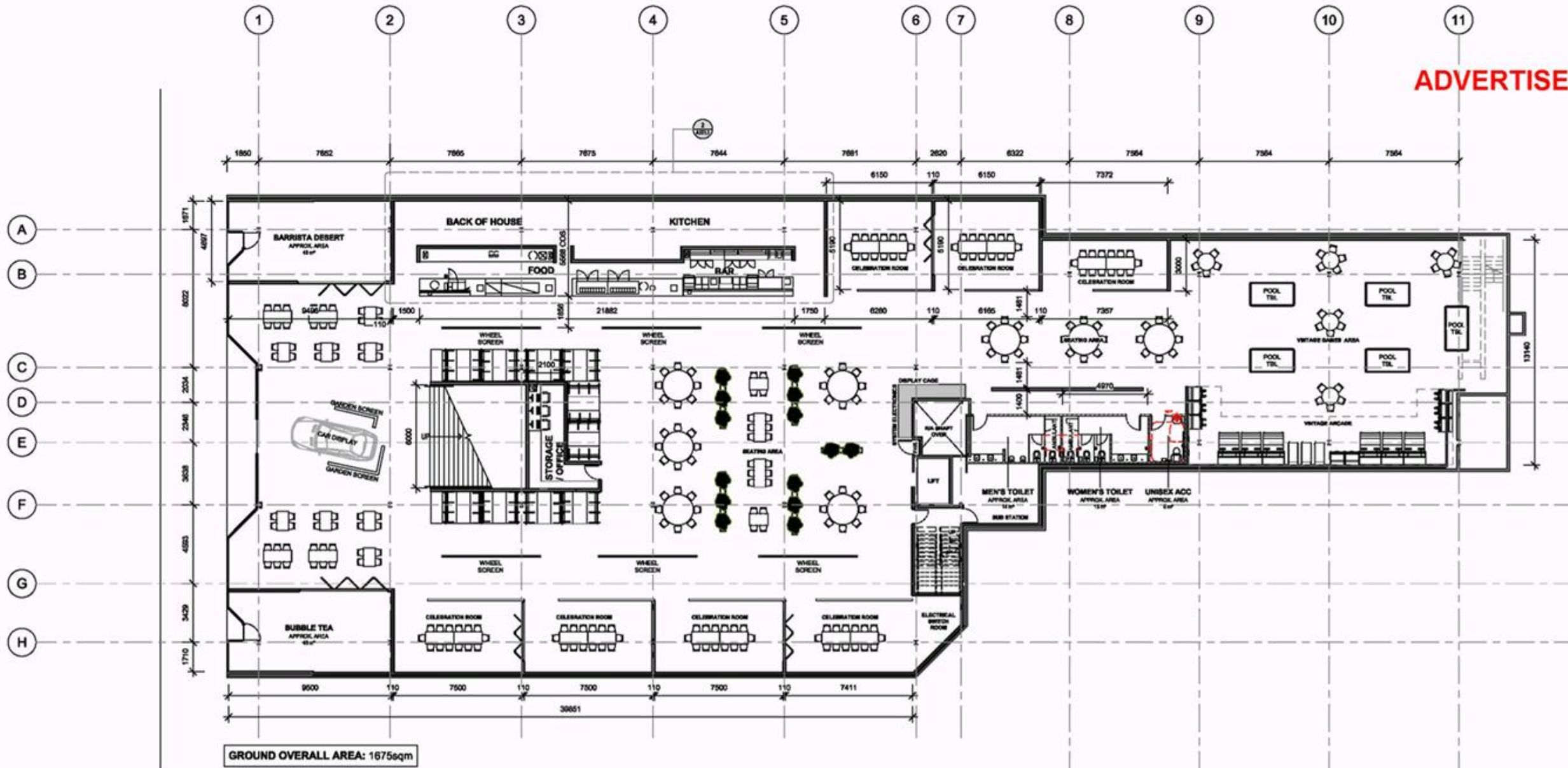


SITE AREA: 2085sqm

1 SITE PLAN - GP FRANKSTON  
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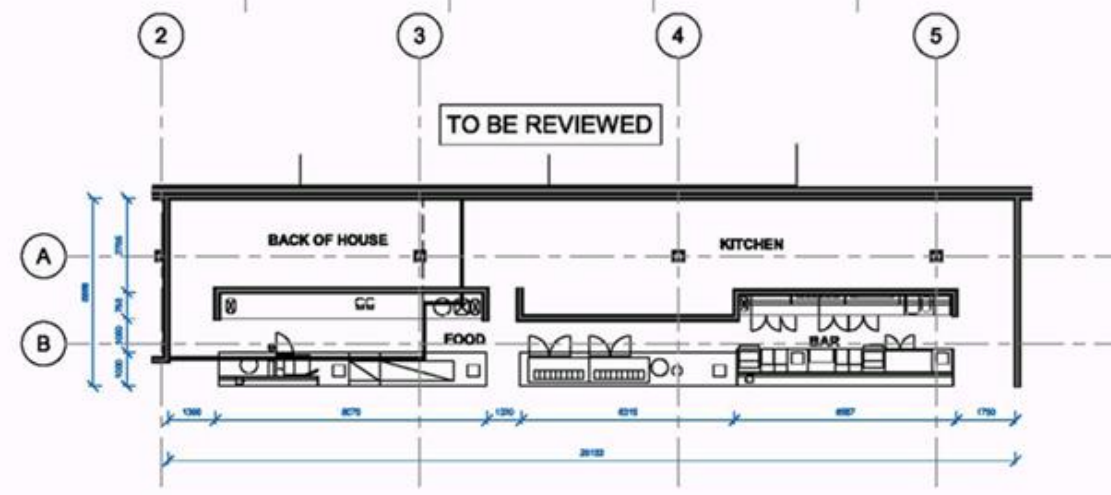
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	NO.	DESCRIPTION	DATE										
<p>DRAFT</p>	<p>DATE: 20/03/20</p>	<p>NO. 101.0</p>											

**ADVERTISED PLAN**



GROUND OVERALL AREA: 1675sqm

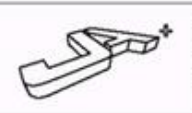
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 A101.1 1:125



2 LAYOUT PLAN GROUND - KITCHEN / BOH  
 A101.1 1:100

TO BE REVIEWED

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REV	DESCRIPTION	DATE

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 PROJECT: 22/0000000  
 DRAWING NO: A101.1  
 DATE: 10/03/2020

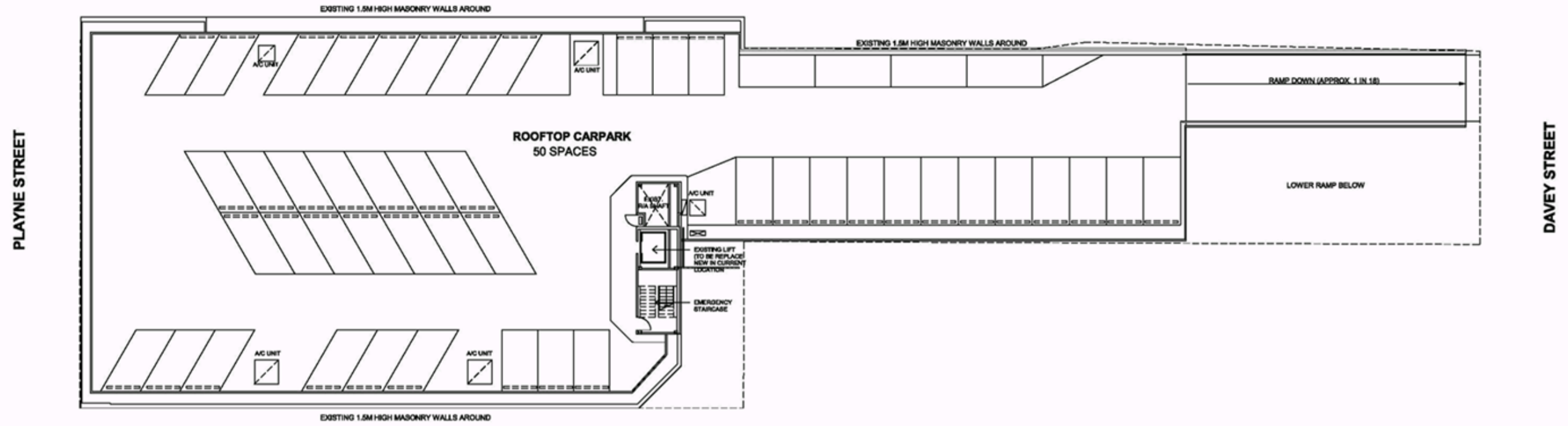
**GENERAL PUBLIC**

LAYOUT PLAN - GROUND	
SCALE: 1:125	DATE: 10/03/2020
DRAWING NO: A101.1	PROJECT: 22/0000000





**ADVERTISED PLAN**



ROOF TOP CARPARK OVERALL AREA: 1645sqm

1 LAYOUT PLAN - ROOF / CARPARK PLAN  
 A101.3 1:100



NO.	REVISION	DATE

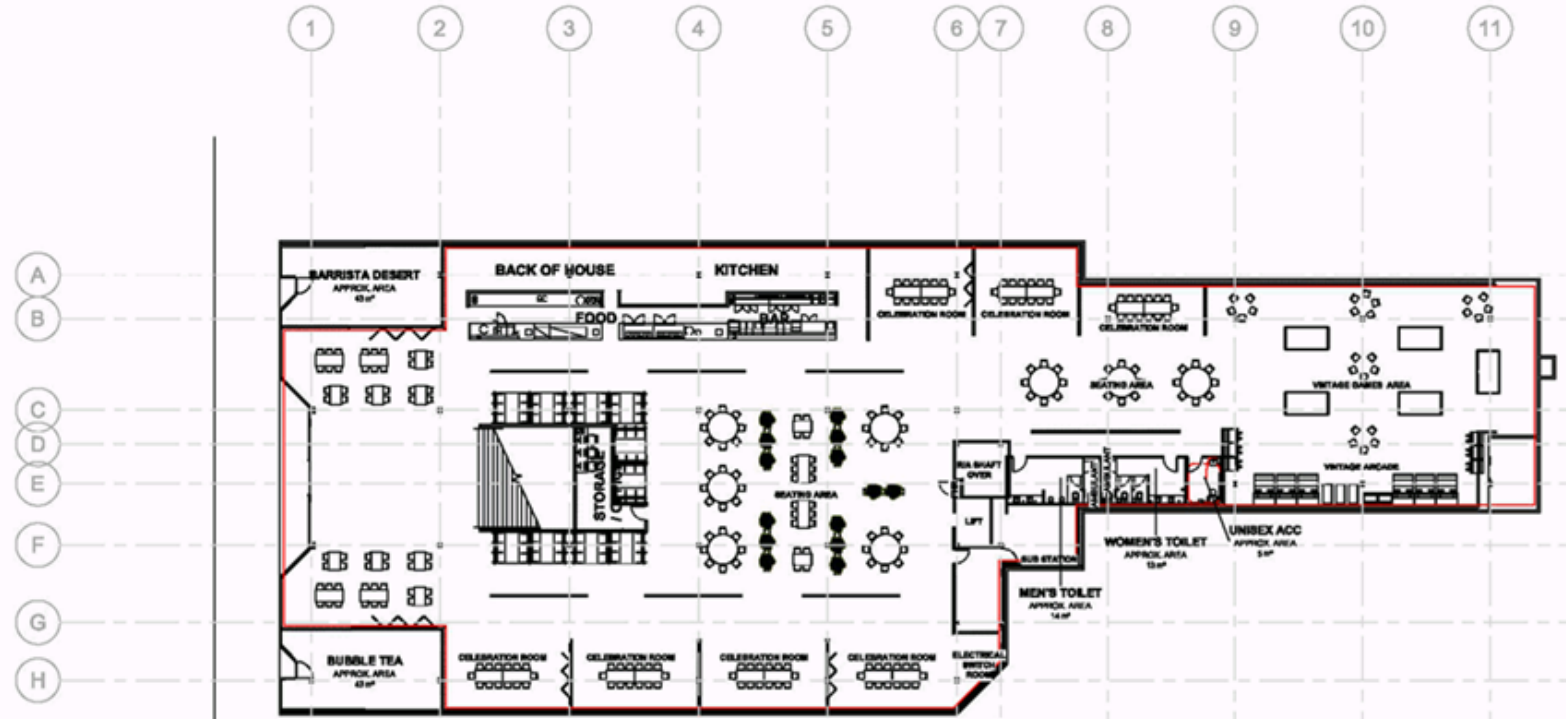
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CLIENT: DENHAM PUBLIC TRUSTEES
PROJECT: 22 Payne St, Traralgon VIC 3848



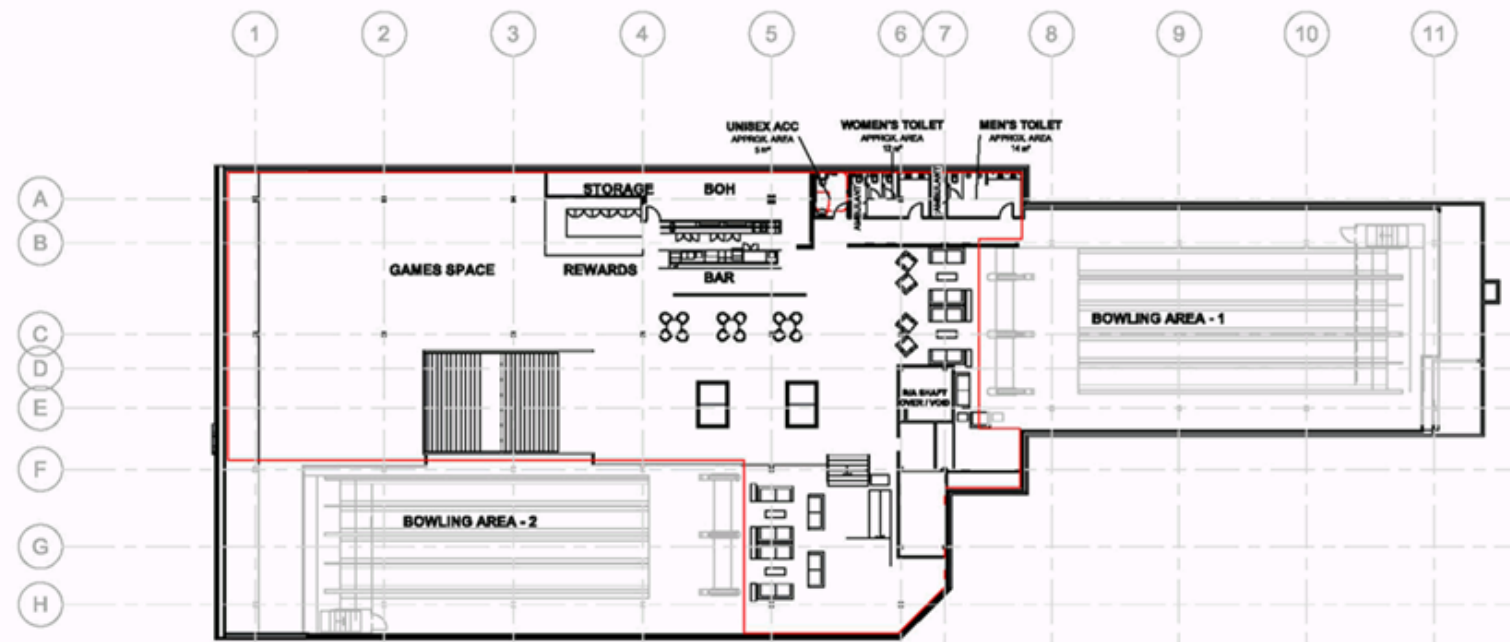
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PROJECT: A101.3			

**ADVERTISED PLAN**



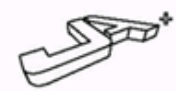
1 LIQUOR LICENCE FLOOR PLAN - GROUND  
 1:100

EXTENT OF LIQUOR LICENCE AREA SHOWN IN RED OUTLINE



2 LIQUOR LICENCE FLOOR PLAN - LEVEL 1  
 1:100

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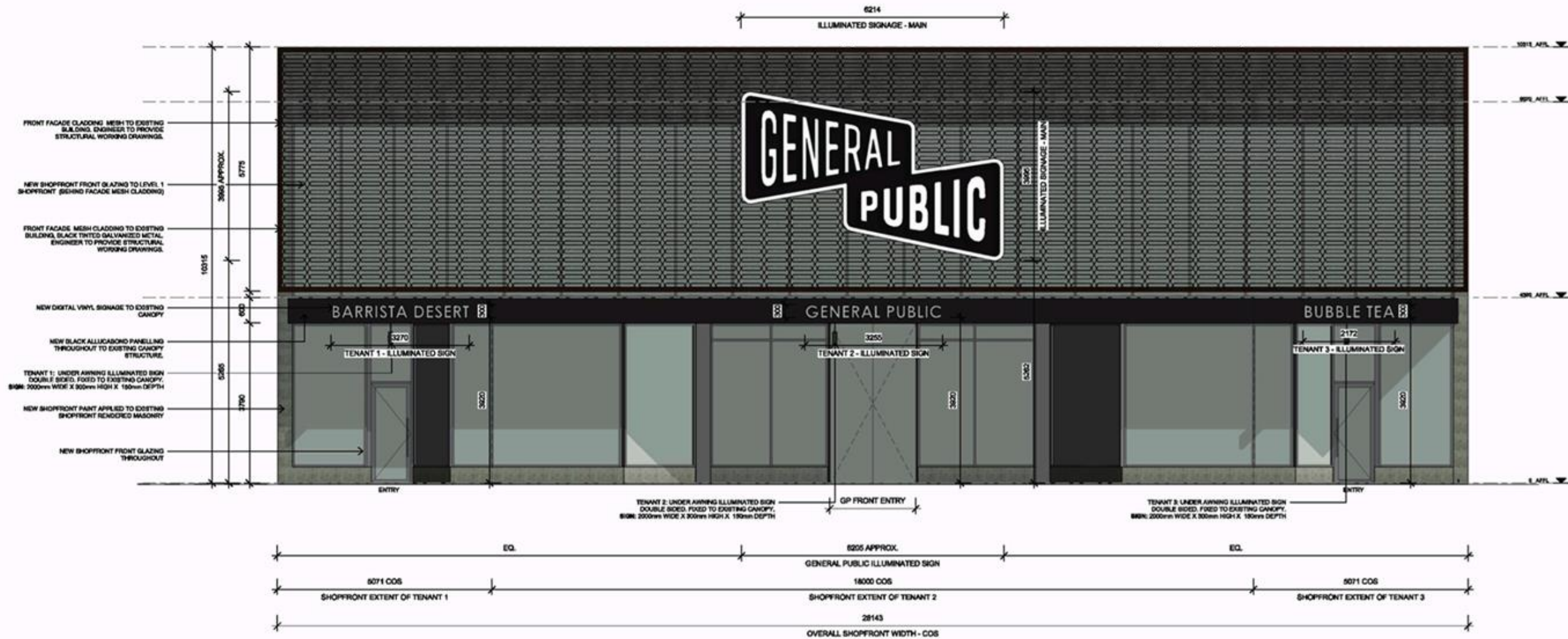
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DATE: 20/03/2020  
 PROJECT: 22/03/2020  
 DRAWING: 10/03/2020

**GENERAL PUBLIC**

LIQUOR LICENCE FLOOR PLAN			
NO.	REV.	DATE	BY

**ADVERTISED PLAN**



1 SHOPFRONT ELEVATION  
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NO.	DESCRIPTION	BY	DATE

CLIENT: GENERAL PUBLIC - FRANCHISE  
 PROJECT: 22/10/2019  
 DRAWING NO: 10/01



SHOPFRONT ELEVATION			
SCALE	DATE	DESIGNER	CHECKER
1:50	10/01/20	A200	

### 3d visual - shopfront

ADVERTISED PLAN



### 3d visual - shopfront

ADVERTISED PLAN



# 3d visual - shopfront

ADVERTISED PLAN



### 3d visual - shopfront

ADVERTISED PLAN



### 3d visual - shopfront





### 3d visual - shopfront

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## ADDENDUM REPORT

16-22 Playne Street, Frankston

Indoor Recreation Facility with Signage  
& Liquor Licence

November 2019



ST WISE PTY LTD | ABN 12 108 837 921

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### INTRODUCTION

A Planning Permit Application - No. 396/2019/P – has been submitted to Council seeking approval for the approval of an Indoor Recreation Facility at 16-22 Playne Street, Frankston. Council has provided a 'Further Information' (RFI) letter, dated 28 October 2019, by way of response.

This addendum report provides clarification of certain items raised in that letter. It should be read in conjunction with the original report.

Similarly, the plans have been amended to provide further information sought.

#### 1. Operation of Café and Bar

The Cafés and Bars at each level of General Public are not separate Food & Drink Premises. They operate as integral parts of the Indoor Recreation Facility and form a part of the overall offering of the facility, therefore being regarded as a subordinate offering. Relevantly, both the Food & Drink Premises and Indoor Recreation components of the offering will be operated by the same entity.

It is anticipated that patrons who are using the recreation facilities would also avail themselves of the food and beverage facilities. Patrons may also access the facility for the purpose of eating and drinking alone, however it is the intention of the applicant that the premises operates as a unified offering. Commonly, a family would come to eat at the facility and then access the recreation facilities. This is how General Public operates at Dingley.

The main kitchen producing the food is on ground floor level, but would serve dining patrons on both levels. Food and beverage service is available on both levels, including in recreation areas.

There is a clear functional integration of the Food & Drink premise and the Indoor Recreation Facility and, notwithstanding the extent of floor area dedicated for dining, it is the operational intention of the premises that the provision of food and beverages is an enhancement to the recreation offering.

Should Council regard the Food & Drink offering as being a separate purpose that is not subservient to the Indoor Recreation Facility, then we would consider the appropriate amendment to the permit preamble would be:

*'To use the land for an indoor recreation facility and food and drink premises...'*

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With respect to the trading hours of the premises and Council's 'note 1', we understand that in any permit to issue Council will place a condition permitting the supply of liquor only from 11:00am onwards on any particular day. For the avoidance of doubt, we would seek that Council separately permit the use of the premises as an Indoor Recreation Facility and Food & Drink Premises to commence at 10:00am, consistent with the application material lodged.

### 2. Operation of Barrista Desert and Bubble Tea

In addition to the Indoor Recreation Facility with associated Café and Bars, there will be two (2) smaller specialty tenancies at the site. These will be as follows:

#### Barrista Desert

*This will be a small shopfront to the northeast side of the building frontage. It will offer coffee and desserts.*

#### Bubble Tea

*This will be a small shopfront to the northwest side of the ground floor frontage. It will offer bubble tea and ice cream.*

These two (2) tenancies will be sub-leased from the operator of General Public. They will have traditional access from the Payne Street frontage, but will also be accessible from within the General Public tenancy.

The intention is to have coffee and bubble tea shopfronts that can serve passing foot trade, and local workers, and further activate the streetscape. However, they can also be accessed from inside the General Public facility. A patron buying food or drink from these facilities can still use the café seating within General Public.

The hours of operation for these specialty tenancies would be aligned to main store (GP) store operating hours. Both these tenancies will not be serving alcohol and, by virtue of being sub-leased, no liquor supplied within the General Public facility may be carried into these specialty tenancies.

Appropriate signage will be placed to ensure liquor is not carried into the specialty tenancies, and staff will be instructed to monitor carriage of liquor in the area.

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### 3. Car Display Area

The vehicle displayed on the plan is for display purpose only. General Public operates with many quirky and fun things to look at – points of interest. The car would serve to attract interest and attention. It would not be something to ride aboard, or for sale.

There is a vintage car at General Public's Dingley operation (see photo below). More than likely, it would also be a vintage car at the Frankston operation.



A handwritten signature in black ink that reads 'Mark Waldon'.

**Mark Waldon**

Director – St-wise Pty Ltd



## PLANNING REPORT

22 Playne Street  
Frankston

Indoor Recreation Facility with Signage  
& Liquor License

September 2019



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### INTRODUCTION

This is an application to use a vacant commercial site in the Frankston Activity Centre as an Indoor Recreation Facility – General Public. A similar facility has been approved and is operating in Dingley to the benefit of the local community (366 Boundary Road, Dingley Village).

This Planning Report explains the context of the site, the nature of the operation, and the planning considerations that apply.



Subject site

## 1. SITE & SURROUNDING AREA

### 1.1 Subject site

The subject site is on the southwest side of Playne Street and west of Nepean Highway, in Frankston. The site is irregular in shape being wider at the Playne Street frontage and narrower at the rear where the site has frontage to Davey Street. The site has a frontage to Playne Street of 27.44m, a maximum depth of around 100m, and a total site area of 2,085sqm. The site slopes down towards Playne Street.

The site is occupied by a vacant parapet style building of a 2-storey scale fronting Playne Street. The shopfront building is built to the front and side boundaries. The front façade is a series of solid surfaces and glazing, and with a verandah cantilevered over the footpath.



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At the rear the site has frontage to Davey Street with this area being a double crossover and driveway accessing the roof, and a ramped access (down) to the rear of the building. The roof is used for fifty (50) on-site parking spaces. There is no significant vegetation on-site.

### 1.2 The Surrounding Area



The subject site is within the Frankston Activity Centre. Playne Street runs (roughly) east-west through the Centre and links Nepean Highway to Cranbourne Road. The street carries moderate traffic in the centre and supports parallel parking on both sides of the street.

The street has a mix of active shopfront buildings and offices, but also some rundown vacant buildings - the subject site is one of these.

Buildings are generally built to front and side boundaries and are a mix of single and 2-storey scale. One site to the southeast has been developed with a multi-storey apartment building. On-site parking is generally off side or rear laneways, and behind buildings.

The site has relatively non-sensitive interfaces. To the southeast are commercial sites with buildings of a single storey scale and built to the common boundary.

To the northwest is a laneway (Plaza Lane) then solid brick walls to the laneway. Towards the rear the site interfaces the side and rear of a Hotel including parking areas and a courtyard.

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### 2. PROPOSAL

The proposal involves establishing an Indoor Recreation Facility (Coordinated Recreation/Celebration Centre with Dining Facilities) at the subject site. The main details of the proposal are as follows:

- The Indoor Recreation Facility would contain indoor ten-pin bowling facilities, amusement machines, pool tables, and party rooms.
- The Facility would have strong food and beverage component including restaurant, bar and café facilities.
- The Facility would provide for up to 350 patrons.
- The hours of operation would be as follows:

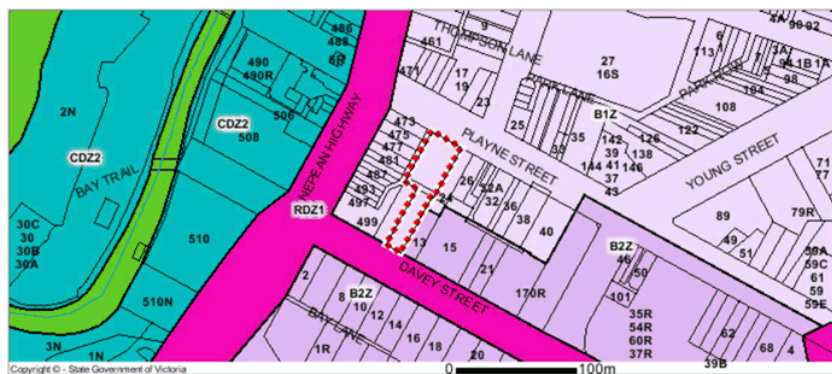
Sunday - Thursday: 10am - 11pm

Friday – Saturday: 10am – 12 midnight

- The Liquor License hours would be the same as the hours of operation above.
- At peak periods a maximum of thirteen (13) staff would be on-site.
- On-site parking would consist of the fifty (50) spaces currently on the roof, and accessed via Davey Street.
- The front façade would be renovated to provide for new glazing and painting at both levels, and with mesh cladding to the upper level.
- There will be new signage to the front facade.

### 3. PLANNING SCHEME & POLICIES

#### 3.1 Zoning



The subject site is in an area zoned Commercial 1 Zone under the Frankston Planning Scheme. Clause 34.01 governs use and development within this zone.

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The table of uses at Clause 34.01-1 does not specify the use of 'Indoor Recreation Facility'. However, the use is nested with 'Leisure & Recreation' - a section 2 use. A planning permit is required.

Under Clause 34.01-4 buildings and works generally require a permit. It is noted that no structural modifications are proposed; however, there would be internal partitioning, the creation and modifications to kitchen and toilet facilities.

### 3.2 Overlays



The site is within a Parking Overlay – PO1. Clause 45.09 governs the provision of parking in the overlay area, and includes the following purposes:

- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking.

Schedule 1 to the overlay is titled Frankston Metropolitan Activity Centre. It includes parking requirements for certain land uses, but not for an Indoor Recreation Facility. For uses other than those listed parking rates default to the requirements of Clause 52.06 (Parking) of the Scheme. More particularly the parking requirements at Table 1, Column B apply. This is discussed further in Section 5.3 below.

An Aboriginal Cultural Heritage Sensitivity area applies to the site. However, there is no change to the external building and/or building footprint. Therefore, this is not considered to affect this application.

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### 3.3 State Planning Policy

The following clauses and policies continue to have relevance to this amendment application.

#### Clause 11 - Settlement

This clause emphasises the opportunities for the “consolidation, redevelopment and intensification of existing urban areas”.

Settlement also seeks the provision and accessibility of social and physical infrastructure around activity centres and public transport across the metropolitan area.

#### Clause 17 – Economic Development

This clause seeks a strong economy. This includes the appropriate provision of business facilities mainly within existing activity centres. At Clause 17.01-1 it states:

*To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.*

### 3.4 Local Planning Policy

Council's planning policies are generally contained within Clauses 21 and 22 of the Frankston Planning Scheme. The following are the *main* clauses relevant to the consideration of this proposal.

#### Clause 21.02 – Key Issues

This Clause provides Council's broader objectives for the City. It includes sections on health and well-being, and economic development. Both have a relevance to this application.

#### Clause 21.04 – Settlement

This Clause is focused on population and housing growth and the necessary services for which Council will need to provide. Recreation facilities are part of the necessary community infrastructure. One objective of this Clause states:

*Provide a wide range of active and passive recreation and leisure opportunities*

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### Clause 21.08 – Economic Development

This Clause acknowledges the need for the ongoing growth of a diversity of business sectors to facilitate employment opportunities in the municipality. Further, it acknowledges the need to maximise tourism opportunities.

### 3.5 Other

Clause 52.06 (Parking) is relevant to this application. This is addressed in Section 4.3 below.

Clause 52.05 (Signs) is also relevant to this application. This clause provides the Scheme's policies concerning the provision of signage. It specifies categories of signage that apply to various planning scheme zonings.

The site is within a Commercial 1 zoned area. Signage in this zoning is identified as being within Category 1, which applies to commercial areas (Clause 52.05-11). The purpose of Category 1 is:

*To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.*

Within Clause 52.05-11, business identification signs are listed under Section 1 of Category 1. They do not require planning permission if (generally) they are cumulatively under 8sqm in area. In this instance, the extent of new signage will be more than 8sqm. In addition, these signs will be internally-illuminated. Therefore, a permit is required for this signage.

This is addressed in Section 4.5 below.

### Clause 52.27 (Licensed premises)

This Clause includes the following purposes:

- *To ensure that licensed premises are situated in appropriate locations.*
- *To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.*

The permit triggers include the following:

*A permit is required to use land to sell or consume liquor if any of the following apply: A licence is required under the Liquor Control Reform Act 1998.*

The facility intends to operate with an On-Premises License. This is further discussed in Section 4.4 below.

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Subject site and neighbouring shopfronts

### 4. IN SUPPORT OF THE PROPOSAL

#### 4.1 General

General Public is a sophisticated indoor recreation facility providing for play areas for adults, teenagers and smaller children – effectively, an entertainment space suited to families and all ages. The first of these was opened in Dingley Village around 2 years ago, and was an instant success. Similarly, this facility is expected to fulfil a particular recreation niche in the Frankston area.

While the Dingley Village facility has been popular for the bowling lanes, amusement machines and party rooms, it is observed that many customers just stay around in the café to socialize and enjoy the atmosphere. There is an expectation for ongoing employment at the facility, and that much of this employment would be for local people.

The proposal is consistent with Clause 11.03-1S (Activity Centres), which states the following objectives for activity centres:

- Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.
- Encourage economic activity and business synergies.
- Improve the social, economic and environmental performance and amenity of activity centres.

One of the formative statements within Clause 11 (Settlement) is as follows:

*Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

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Similarly, Council's policies for Settlement at Clause 21.04 of the Scheme seek to provide a wide range of active and passive recreation and leisure opportunities. It is clear there is a net community benefit in having such recreational facilities well distributed and proximate to residential areas, thereby increasing accessibility for local people.

However, it is also noted that these facilities attract people from further afield. As such, they are tourism opportunities for the City. As an indoor facility there would be year-round benefits to the activity centre.

Playne Street is within part of the Frankston AC that exhibits with several vacancies and lacks vigour. This Facility would be a big attractor and anchor for the area. As such, it would be part of a revitalisation of the Activity Centre, and would likely stimulate further development.



*The site is well-buffered from sensitive land uses*

### 4.2 Requirements for Commercial 1 zone

The purposes of the Commercial 1 Zone include:

- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Clause 34.01-2 states the following about the use of land:

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

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

The proposal is a good fit with these purposes and with these requirements for usage. The scale and appearance of the building will remain similar but will be substantially renovated. Any emissions, like noise and lighting, will generally be contained within the facility. Notably, there will be no music above the level of background music.

Clause 34.01-8 outlines decision guidelines under this zoning. It states the following guidelines, both *General*, and for *Use*.

### General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The interface with adjoining zones, especially the relationship with residential areas.*

### Use

- *The effect that existing uses may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

The subject site does not have a direct interface with a residential area or sensitive land uses. The existing uses nearby include offices and retail premises. An apartment development is several lots removed to the southeast. None of these uses would impact the operation of the recreation facility.

Matters of drainage and service connections were resolved at the time of building approval at the site. The main potential impacts of the intended use would be traffic and parking related. These are addressed below.

The proposal is supported by State and local planning policies, particularly those that support business and economic development. A popular Indoor Recreation Facility will add vitality to a Centre that is struggling to fill vacancies and find attractors. The café will also help to serve the needs of patrons, but also nearby businesses – both customers and staff.



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*Streetscape opposite the subject site*

### 4.3 Parking

The proposed use of Indoor Recreation Facility is nested with the land-use category of 'Leisure & Recreation' under Clause 73.04 of the Planning Scheme. There is no car parking rate specified for this use under Clause 52.06-5 of the Planning Scheme.

Accordingly, car parking spaces must be provided for this use to the satisfaction of the Responsible Authority as outlined under Clause 52.06-6 of the Planning Scheme. Such assessment would be a performance based assessment based on past usage, the current parking provision at the site, and the available parking within the streets around the site.

However, the consideration of parking in shopping centres is underpinned by 'centre-based theory' including *Practice Note 22 (Using the Car Parking Provisions, June, 2015)*. This states:

*'In an Activity Centre, car parking issues have a part to play, but should not dominate when assessing an application for a use or development.'*

*'Where a change of use or relatively small extension is consistent with the strategic plan for the centre and car parking cannot easily be provided, it will often be more sensible to reduce the car parking requirement, rather than prevent the use or development. Some activity centres will have excellent public transport access, ample car parking or mainly serve local customers who arrive on foot. In such circumstances, an increase in business and activity would increase the overall viability of the centre, and the reduced number of car trips would have a positive impact.'*

This is the origin of 'centre-based' approaches to parking provision. It acknowledges that in the context of a commercial activity centre it is not appropriate nor strategically preferable for each site to individually provide for the maximum demand of spaces.

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This theory also acknowledges different 'peaks' in activity centre use; for example, the offices proximate to the site will experience higher demand during business hours, while the subject site will have higher demand in evenings and on weekends when the offices are not in use. This is a strategically more efficient use of resources.

The adequacy of the existing car parking provision is also underpinned by the fact that the floor area of the building is not being expanded (notwithstanding the use is changing).

This theory has originated from equitable considerations by the Tribunal, most concisely stated by Member Liston in *Hubbard & Ors v Boroondara CC (1996/46940 7 Ors)*:

*At the level of the individual site where there is a change of use or an extension to an existing building in most circumstances car parking shortfalls should be waived if it is consistent with the strategic plan for the centre, firstly because the most equitable solution is to deal with car parking on a centre wide basis, and secondly because even in saturated car parking conditions a balance will occur between the level of activity and the car parking supply.*

*I consider it quite reasonable to suggest a third reason, and that is the physical impracticality of requiring individual sites to provide anything approaching the required number of car parks on site. Many sites in strip centres are so small that if required car parking were to be provided entirely or substantially on site then the majority of a site would be devoted to car parking with little space remaining for retail activities. Past provision of public off-street car parks demonstrates that municipalities recognised both the impracticality and undesirability of such an outcome and of the common sense in coordinating the provision of required parking spaces.*



Roof top parking at the site provides for 50 spaces

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With the above centre-based theory in mind, the following are also key considerations about the provision of parking for the site.

The total patronage for the site at any one time would be 350 persons, served by a maximum 13 staff. Fifty (50) parking spaces currently serve the site, being provided on the roof (see *photo below*). These would continue to be provided for the sole use of the Indoor Recreation Facility.

It is noted that the former use of site was 'Shop' with a parking rate of 4 spaces per 100sqm floor area. The site has a combined floor area of 3,270sqm. This would have generated a parking requirement of 130.8 spaces for the site.

Therefore, much of the site's demand was being met on-street. This is similar to many tenancies nearby, some of which have no on-site parking (see *aerial view above – page 10*).

It is submitted that the on-site parking provided will continue to be adequate for the site. The following are noted:

- Many arrivals will be families using 1 vehicle.
- Many arrivals will be from people local to the area and arriving on foot, by taxi or Uber, or by public transport.
- Current staffing at the site is a maximum of thirteen (13) persons. Most are expected to live locally and not rely on their vehicles to access the site;
- The maximum patronage times are on the weekend and outside normal retail hours. At these times there will be more vacant on-street parking for patrons of the Facility.
- As stated above many site visits will be at night when on-street parking is less restricted, and other businesses are closed.

On the basis of the above there is adequate parking provision for the site's intended use as an Indoor Recreation Facility.

### 4.4 Liquor License

This application includes an application for a Liquor License – specifically, an On-Premises License.

The decision guidelines at Clause 52.27 (Licensed premises) are as follows:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The impact of the sale or consumption of liquor permitted by the liquor license on the amenity of the surrounding area.*
- *The impact of the hours of operation on the amenity of the surrounding area.*
- *The impact of the number of patrons on the amenity of the surrounding area.*

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- *The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*

The recreation facility has good separation from sensitive uses. In the context of an activity centre the hours of operation are modest for such a facility finishing operation at 11pm on weeknights, and 12 midnight on Friday and Saturday. It is noted that nearby hotels (e.g. Pier and Grand Hotels) operate for longer.

The number of patrons for the Facility is manageable for both the Playne Street entry where patrons on foot would enter/exit, and to Davey Street for patrons in vehicles.

Please note the 'Cumulative Impact Assessment' provided by BSP Lawyers accompanying this application.



Entry to car park from Davey Street

### 4.5 Signage

Part of this application concerns the provision of business signage at the site. This is to consist of the following signs:

- The main 'General Public' sign will occupy an area 6.2m x 3.99m in size above parapet level, and will be a flush-mounted and internally-illuminated sign;
- The secondary signage would be 3 signs at the fascia level of the ground floor - also flush mounted and internally illuminated. These would have a cumulative area of around 0.24sqm.

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*Indicative façade and signage layout*

A permit requirement for signage is triggered by the cumulative size of signage being over 8sqm, and the internally illuminated nature of the signs. Clause 52.05-3 lists a series of decision guidelines to be considered where applications involve advertising signage. These are now listed (*in italics*) with a response to each.

*The character of the area including:*

- *The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.*
- *The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.*
- *The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.*
- *The consistency with any identifiable outdoor advertising theme in the area.*

The subject site is part of the Frankston AC, and concomitantly, a robust shopping centre environment. It is an area where parapet mounted signage is already evident around the Centre, and where some illuminated signage will bring colour and vitality. The signage proposed is of an appropriate scale to fit comfortably in this context. The intended signage will identify both the recreation facility and the associated café offer. However, it is proportional to the building façade and will not result in any visual clutter.

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### Impacts on views and vistas

- The potential to obscure or compromise important views from the public realm.
- The potential to dominate the skyline.
- The potential to impact on the quality of significant public views.
- The potential to impede views to existing signs.

Each sign will be on the front facade of the building and will not protrude above the parapet. Therefore, the signs will not impact the skyline, block views to other signs, or interrupt views and vistas.

### The relationship to the streetscape, setting or landscape:

- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.
- The ability to reduce the number of signs by rationalising or simplifying signs.
- The ability to include landscaping to reduce the visual impact of parts of the sign structure.

As stated above, the signs will not protrude beyond or above the building. The 4 signs will be flush-mounted on the building facade, and would not intrude on any established landscape elements around the site.

The signage is of an appropriate scale to identify the business, and will not be dominant to the building or streetscape. They will not need to be 'softened' by planting.

### The relationship to the site and building:

- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

There is no on-site landscaping to consider, while existing vegetation along Playne Street will not be affected. The new signage is proportionate to both the subject site and will occupy just 8.6% of the front facade at the building.

### The impact of structures associated with the sign:

- The extent to which associated structures integrate with the sign.

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- *The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.*

These will not be signs requiring significant frames, poles, or other, for their support. Each of the signs will be flush mounted on the upper parapet or fascia.

### The impact of any illumination:

- *The impact of glare and illumination on the safety of pedestrians and vehicles.*
- *The impact of illumination on the amenity of nearby residents and the amenity of the area.*
- *The potential to control illumination temporally or in terms of intensity.*

Each of the 4 signs is to be an internally lit lightbox sign flush mounted on the facade of the building. This will allow the signage to be seen at night along Playne Street, but not involve such glare as to become a distraction to pedestrians or drivers (see 3D renders submitted).

### The impact of any logo box associated with the sign:

- *The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.*
- *The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.*

See comments concerning illumination above.

### The need for identification and the opportunities for adequate identification on the site or locality.

The Indoor Recreation Facility and associated cafés are commercial facilities. As such, they need business identification through signage. This is a large and wide site. The scale of these signs is appropriate to the site frontage and, as previously stated, will occupy just 8.6% of the front façade.

### The impact on road safety. A sign is a safety hazard if the sign:

- *Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.*
- *Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device.*
- *Could dazzle or distract drivers due to its size, design or colouring, or if being illuminated, reflective, animated or flashing.*

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- *Is at a location where particular concentration is required, such as a high pedestrian volume intersection.*
- *Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.*
- *Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.*
- *Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.*
- *Is within 100 metres of a rural railway crossing.*
- *Has insufficient clearance from vehicles on the carriageway.*
- *Could mislead drivers or be mistaken as an instruction to drivers.*

The intended signage is simple in content, does not protrude into the public realm, and would not block the views of drivers. While the signage is to be illuminated, it would not be animated and would not compete with traffic signals. The intended signage will not impact road safety.



*An internal image from the Dingley facility*



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### Summary

The intended use of 'Indoor Recreation Facility' is ideal for the subject site. It will add vitality to a Centre that is struggling to fill vacancies and find attractors. The proposal is supported by State and local planning policies, and provides adequate on-site parking provision.

The design is well resolved and will reinvigorate a building that has fallen into decline.

This recreational use will have the following benefits:

- To provide more recreation options for people within the municipality and wider region.
- To provide greater local employment opportunities, particularly for young local people.
- To bring more people to Frankston AC as a destination Centre.



**Mark Waldon**

Director – St-wise Pty Ltd

## ADVERTISED PLAN

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# Cumulative Impact Assessment

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**Property: 'Frankston General Public', 16-22 Playne Street, Frankston**

September 2019



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Our Ref: KG 194323

1. Introduction

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BSP Lawyers has been engaged to prepare a Cumulative Impact Assessment (**the Assessment**) of the likely impacts of the supply and consumption of liquor for the following proposed tenancy at 16-22 Playne Street, Frankston:

Tenancy	Patron Capacity	Trading hours
General Public Frankston	350	Sunday to Thursday between 10:00am and 11:00pm; Friday and Saturday between 10:00am and 12 midnight

Pursuant to Clause 52.27 of the Frankston Planning Scheme, a permit is required to use land to sell or consume liquor where a licence is required under the *Liquor Control Reform Act 1998*.

This Assessment responds to the decision guidelines of Clause 52.27, which require the Responsible Authority to, amongst other things, consider *'the cumulative impact of any existing and the proposed liquor licence, the hours of operation and patron numbers, on the amenity of the area.'*

In particular, this Assessment considers the matters raised in Practice Note 61 *'Licensed Premises - Assessing Community Impact'* March, 2011 (**the Practice Note**) (**enclosed at Annexure 1**).

2. Assessing cumulative impact

The Practice Note defines cumulative impact as being, *'both positive and negative impacts that can result from clustering a particular land use or type of land use'*. Rather than focussing on the direct impacts associated with each individual site, cumulative impact is *'a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate those venues'*.

Cumulative impact potential will depend on the locational characteristics of each area, as well as the number and mix of venues.

Negative cumulative impacts can include increased occurrences of:

- nuisance including noise and anti-social behaviour from intoxicated persons;
- infrastructure capacity problems including limited availability of transport and car; parking for patrons and local residents;
- violence and perceived threats to safety; and
- crime including vandalism, trespass and property damage.

Positive cumulative impact can include:

- the creation of a local 'identity' or status as an entertainment or tourism destination;

- enhanced vitality of an area;
- economic benefits;
- increase in consumer choice; and
- increased ability to manage impacts, for example by concentrating venues around transport to aid dispersal of patrons.

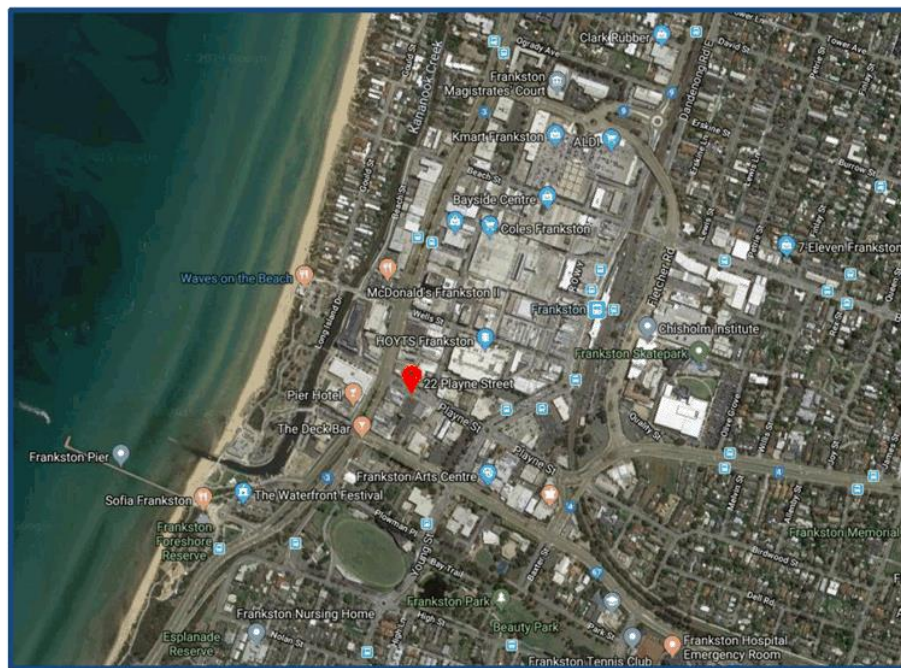
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Generally, the Practice Note suggests that a cumulative impact assessment should consider all licences within a 500m radius of the proposed premises with respect to the impacts of 'clustering' and 'saturation' of venues within a particular assessment radius. We have adopted this radii in our assessment below.

The Practice Note is applied in circumstances where there will be new/expanded licensed premises that are open after 11:00pm and will be in an area where there is a 'cluster' of licensed premises.

3. Site context

The premises is located in a Commercial 1 Zone (**B1Z**). The use of land for an Indoor Recreation Facility is a section 2 – permit required use within the B1Z. The premises is also located within the Frankston Metropolitan Activity Centre (**Frankston MAC**). Please refer to the satellite image below depicting the premises' location in red.



Source: Google Maps

Enclosed at Annexure 2 is a copy of the Planning Property Report in respect of the site.

The premises is located on the south-west side of Playne Street, which is generally in the southern portion of the Frankston MAC at the border of the B1Z and B2Z areas (representing the periphery of the commercial 'core').

The street within which the premises are located currently include a mix of commercial shopfront buildings and offices, consistent with the purposes of land within the B1Z.

To the north and east of the premises the land is zoned either B1Z or B2Z and consists primarily of commercial tenancies. The Frankston Arts Centre is to the south-east of the site, separated by car parking and roads for local traffic.

To the west of the premises is a strip-shopping area with a number of licensed food and drink premises. The Nepean Highway is also west of the site and separates the same from the Frankston Foreshore.

The subject site does not have a direct interface with residential or sensitive land uses. There is an apartment development to the south-east sufficiently separated by other commercial lots. The next closest residential premises are located north-west of the site. These are sufficiently separated from the premises by the Nepean Highway and various other commercial tenancies.

The main concentration of entertainment and hospitality uses for the Frankston MAC are located west of the site (along the Nepean Highway) or to the north within the Bayside Entertainment Centre.

#### 4. Car Parking

The premises are located within an area with ample on-street car parking, including parallel on street parking and to the east of the intersection with Young Street are angled parking. The subject site also contains 50 on-site car spaces located on the roof of the premises.

Street parking includes 1 hour parking restrictions between 9:00am and 6:00pm Monday to Friday, and is unrestricted thereafter and on weekends. The Playne Street parking lot is also located less than 100 metres east of the site bounded by Playne Street, Young Street and Davey Street. There is additional public parking east of the site adjoining the Frankston Railway Station and to the north within the Bayside Entertainment Centre.

The site is within the *Principal Public Transport Network Area* and is affected by Parking Overlay (PO1), however the relevant Schedule does not specify parking requirements for an Indoor Recreation Facility. Accordingly, clause 52.06 will apply.

Please refer to paragraph 4.3 of the Planning Report prepared by St-Wise (**Planning Report**) for a detailed assessment of car-parking in accordance with clause 52.06.

#### 5. Existing and proposed licences

A map depicting the location of the licensed premises within an approximate 500 metre radius of the premises is **enclosed** as **Annexure 3**. At the date of this assessment there were total of 54 existing licensed premises within this radius.

The annexure includes an index of the relevant conditions of the existing licensed premises in the surrounding area.

In respect of the existing licensed premises and the proposed, we have made the following findings: **ADVERTISED PLAN**

- Of the 54 licences within a 500m radius, four (4) licences relate to the sale of packaged liquor only and therefore do not create an impact in respect of the consumption of liquor on the premises. There are therefore 50 licensed premises relevant to this Assessment;
- In respect of the licences located within the 500m catchment, the latest trading premises is the Grand Hotel which is authorised to supply liquor until 5:00am. This premises is located west of the premises on the corner of Playne Street and Nepean Highway
- Twenty-nine (29) of the licensed premises within the catchment are restaurant and café premises;
- There are (9) on-premises licences within the catchment area.

#### 6. Assessment

This Assessment addresses the likely cumulative impacts (both positive and negative) resulting from the introduction the proposed Indoor Recreation Facility.

It is accepted that the premises will be located within an existing cluster for the purposes of the Practice Note, due to a concentration of licensed premises within the Frankston MAC (the assessment area).

In accordance with the Practice Note, the following matters are relevant when assessing the cumulative impact of licensed premises:

- (a) *Planning policy context*
- (b) *Surrounding land use mix and amenity*
- (c) *The mix of licensed premises*
- (d) *Transport and dispersal*
- (e) *Impact mitigation*

These matters will be considered and addressed in turn:

##### *Planning policy context*

The Premises will be located within an existing commercial area within the B1Z and a major metropolitan activity centre. One of the purposes of the B1Z is to create vibrant mixed use commercial centres for retail, office business, entertainment and community uses.

The premises will create positive impacts, including but not limited to:

- The fulfilment of a particular niche within the Frankston area by introducing a family focussed recreation facility and dining experience to Frankston;

- Appropriately locating a new and varied entertainment venue within an existing activity centre and economic hub, with significant parking facilities; and
- Increasing consumer choice within the entertainment precinct of Frankston.

Please refer to the Planning Report for an in-depth assessment of the proposal against the planning policy framework as per the Frankston Planning Scheme.

#### *Surrounding land use mix and amenity*

The amenity impacts that can arise from the introduction of licensed premises include increased noise and traffic from an increased congregation of patrons, including those under the influence of alcohol. The cumulative amenity impacts of a concentration of licensed premises can amplify those issues beyond the direct impacts of a particular venue.

The premises is located within the entertainment precinct of Frankston. The surrounding sites in the area are predominantly commercial in nature, the directly interfacing sites are of a daytime commercial nature (i.e. offices rather than entertainment and hospitality uses).

The peak operational periods for recreation centres and hospitality premises are accepted to be weekends and some weeknights; therefore the anticipated incidences of increased traffic and patron attendance are unlikely to coincide with surrounding uses. On this basis it is submitted that the proposed use is harmonious with the existing land use mix.

The proposed hours of operation of the premises are modest, noting that other licensed premises in the area, for example the Pier and Grand Hotels, are authorised to trade in liquor in certain areas of the premises until 3:00am and 5:00am respectively. This will ensure that the Premises does not contribute to a saturation of patrons departing multiple licensed premises late in the evening.

It is submitted that the premises will pose a lower-risk in respect of alcohol-related harms given the nature of the venue as a family-friendly venue, the strong focus on the provision of food, the ratio of seating and the modest trading hours.

The impacts arising from the proposal are therefore considered to be acceptable in accordance with the reasonable amenity and community expectations of the B1Z and an active entertainment precinct.

#### *The mix of licensed premises*

It is a consideration under the Practice Note that the clustering and saturation of a particular area of one type of licensed premises can have a negative impact on the amenity of an area. We note that the Tribunal in *Swancom Pty Ltd v Yarra CC (includes Summary) (Red Dot) [2009] VCAT 923 (Swancom)* considered the concept of 'saturation', and found that it requires a more sophisticated assessment than purely one of 'density'.

It is submitted that in this situation, the proposal is markedly different from the 'saturation' acknowledged in the example of the Swan Street late-night entertainment precinct in Swancom in 2009.

In this instance, the nature of the proposal is not that of a late-night vertical drinking establishment, there is no evidence of existing levels of poor amenity, vandalism, public safety concerns, loitering, or impacts on sensitive uses. As such, it is submitted the proposal will not create a 'saturation' of licensed premises in the Frankston MAC.

The supply of liquor will be ancillary to the predominant activity of indoor recreation and the provision of food for consumption on the premises. Accordingly, it is considered that the impacts generated by the proposal will be less than a premises where the supply of liquor is the dominant activity on the premises (i.e. a bar or tavern).

In fact, it is submitted that the proposal will increase the offering of family-friendly forms of entertainment within Frankston. The premises therefore represent an expansion and diversification of the existing entertainment offering, which is a positive impact on the Frankston MAC.

#### *Transport and dispersal*

The premises has sufficient car parking available in immediate proximity to that can adequately cater for the additional patronage of the precinct, including the 50 car-parking spaces to be provided by the Premises.

With respect to the cumulative impact of the premises on transport and dispersal, we note the following:

- The premises will be largely patronised by families, which are anticipated to travel to and from the premises together in one (1) vehicle, and there is ample parking in the surrounding area to accommodate this use;
- The location of the premises is convenient to a variety of public transport options (including trains and buses), and the modest closing hours mean there is less risk of loitering or impacts associated with patrons waiting for public transport or ride-sharing late at night;
- It is anticipated that there will be a constant and gradual dispersal of patrons from the premises, given that different groups of people will patronise the different forms of entertainment to be offered at the premises at different times;
- The closure of the premises does not coincide with significant patron dispersals of nearby premises, which ensures the gradual dispersal of patrons from the area.

#### *Impact Mitigation*

The Practice Note acknowledges that internal venue management procedures can have an impact on cumulative impact for a particular precinct. Management initiatives that address potential patron noise, anti-social behaviour and public disturbances from patrons and patron dispersal are commonly addressed in management plans.

It is our submission that the proposal is suitable as the impacts associated with patron conduct are considered to be less-prevalent in family focussed and dining-focussed establishments with modest trading hours, as opposed to vertical drinking establishments with large patron capacities and hours exceeding 12:00 midnight.

It is submitted that the following characteristics of the proposal mitigate and reduce potential negative cumulative impacts with the proposed and existing licensed premises:



- Existing parking facilities at the premises and within close proximity to the premises;
- The Premises is appropriately located within the Entertainment Precinct of the Frankston MAC;
- Adequate toilet and rubbish facilities will be available at the premises;
- The trading hours are modest in respect of the type and nature of premises proposed, and in comparison with other licensed premises within the catchment area and beyond;
- Convenient public transport opportunities proximate to the premises;
- Lack of sensitive interfaces in the immediate surrounding area; and
- The Frankston MAC represents an established activity centre and as such the impact on the amenity of the area is less 'tangible'.

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7. Conclusion

The premises are located in an area that is strategically designated as a dining and entertainment precinct and within the Frankston MAC that has been developed in full consideration of the impacts associated with commercial and entertainment uses.

In the context of the guidelines under the Practice Note, the premises are a low-risk categories of licensed premises (due to high seating ratios, modest trading hours and dining focus).

The premises will contribute to the economic vitality and the diversity of the Frankston MAC and it is submitted will create a net positive cumulative impact. Any negative cumulative impacts associated with the supply of liquor are submitted to be reasonable on balance.

It is submitted that the proposal is suitable in the context of the site and that any negative cumulative impacts associated with the proposal are reasonable in accordance with the context of the site and appropriately mitigated.

KG:194323

This version of **Planning Practice Note 61: Licensed premises: Assessing cumulative impact** has been prepared for use with screen reader software. The printed publication contains various photographs, captions and design features that have been necessarily omitted from this version. In other respects this document contains identical text to that in the PDF version of the document which is available at [www.delwp.vic.gov.au/planning](http://www.delwp.vic.gov.au/planning).

## Planning Practice Note 61

June 2015

# Licensed premises: Assessing cumulative impact

The purpose of this practice note is to:

1. Explain cumulative impact in relation to licensed premises in the planning system.
2. Provide guidelines that:
  - assist a permit applicant when considering and responding to the potential cumulative impact of their proposal
  - support a council when assessing the cumulative impact of licensed premises as part of a planning permit application.

This practice note provides guidance on preparing and assessing an application under Clause 52.27 of the planning scheme. Land uses likely to require a permit under Clause 52.27 include a Bottle shop, Nightclub, Restricted place of assembly, Food and drink premises, Restricted recreation facility and certain other premises that may be licensed to sell or consume liquor. Food and drink premises include Tavern, Hotel, Restaurant, Convenience restaurant and Take-away food premises.

## Cumulative impact

Cumulative impact refers to both positive and negative impacts that can result from clustering a particular land use or type of land use. Potential cumulative impact from a cluster of licensed premises will vary between locations, depending on the mix and number of venues and whether the area is a destination for activities associated with the supply of alcohol. Cumulative impact is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate those venues.

Negative cumulative impacts can include increased occurrences of:

- nuisance including noise and anti-social behaviour from intoxicated persons
- infrastructure capacity problems including limited availability of transport and car parking for patrons and local residents
- violence and perceived threats to safety
- crime including vandalism, trespass and property damage.

Positive cumulative impact can include:

- the creation of a local 'identity' or status as an entertainment or tourism destination
- enhanced vitality of an area
- economic benefits
- increase in consumer choice

- increased ability to manage impacts, for example by concentrating venues around transport to aid dispersal of patrons.

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The clustering of licensed premises may lead to a negative impact even though any given venue in the cluster may be well run and have minimal impact. An area might reach a 'saturation point' where an additional licensed premises or a particular type of licensed premises is likely to impact negatively on the surrounding area. Alternatively, there may be a positive cumulative impact where an additional premises will enhance the character or vibrancy of an area.

### **Cumulative impact of licensed premises**

The cumulative impact of licensed premises is referenced in the *Victoria Planning Provisions* at the decision guidelines of Clause 52.27 Licensed Premises. The relevant decision guideline requires a council to consider:

*The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*

Although this decision guideline needs to be considered for any application required under Clause 52.27, the extent of the assessment should be proportional to the likely impact of the proposal. A modest proposal would not require a detailed analysis, but there are instances where a more robust assessment of cumulative impact is required.

The following guidelines can assist a council when assessing the extent that a proposed licensed premises will contribute to an overall cumulative impact within an area. A permit applicant should use the guidelines so that a proposal includes appropriate measures to address and manage any identified negative cumulative impact.

### **When to use the guidelines**

These guidelines can assist a council and a permit applicant to identify and address the extent to which a proposal for a new or modified licensed premises is likely to contribute to a cumulative impact within an area. A permit applicant should check if the relevant council has an alternative or an additional set of guidelines or requirements to consider.

The guidelines may be used for any planning application that would benefit from their use; however they should be used for all applications for a new or expanded licensed premises that:

1. will be licensed and open after 11pm; and
2. is in an area where there is a cluster of licensed premises.

### **What is a cluster?**

Determining whether a cluster of licensed premises exists is a matter of common sense that should take into account the number and type of licensed premises in an area, their distance from the subject land, and whether they can be easily accessed from the subject land. As a general guide, a cluster would occur where there are:

- three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or
- 15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land.

The following diagram provides an example of how to determine whether a cluster exists.

### **What is the relevant cumulative impact assessment area?**

The area to be included in a cumulative impact assessment should be all land within a 500 metre radius of the proposed venue, unless there is another logical boundary that takes into account relevant features – these might include a major impassable physical barrier (for example, a freeway or watercourse) or another nearby cluster of licensed premises.

*ILLUSTRATION – Map showing examples of impassable physical barriers, cumulative impact assessment area; cluster.*

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### **IMPASSABLE PHYSICAL BARRIERS**

These licensed premises are separated from the subject land by an impassable river, so should not be used when determining the cumulative impact assessment area.

### **CUMULATIVE IMPACT ASSESSMENT AREA**

The area to be included in a cumulative impact assessment would normally be all land within a 500m radius of the subject land, however in this example the area has been modified to take into account:

1. an impassable river
2. a nearby cluster of licensed premises that are clearly relevant when assessing cumulative impact.

### **CLUSTER**

In this example there is a cluster because:

1. there are three licensed premises (including the proposed premises) within a 100m radius of the subject land, and
2. there are 20 licensed premises (including the proposed premises) in the cumulative impact assessment area.

## **Preparing the application**

*This section is for permit applicants.*

An applicant should consult with the relevant council for a full list of information to be submitted with a planning application. The information required by council may include most or all of the items described in the checklist below and the cumulative impact assessment in the following section.

The checklist is a guide and should not be considered a rigid set of requirements. The information required to be submitted with an application will vary depending on the individual characteristics of the proposed licensed premises and the area in which it is proposed to operate. Individual characteristics include the type of use, operating hours and venue capacity.

An applicant should consult with council early in the process of preparing an application to seek information about local policy, planning and zoning controls and the level of detail that should be provided in the application.

### **Checklist of information to be submitted with an application for planning permit**

#### **Seating ratios: What is the ratio of seating to standing?**

Premises that provide little or no seating are associated with excessive alcohol consumption and potential for increased violence. Patrons from these venues are therefore more likely to have an adverse impact on the surrounding area.

#### **Meals: Are meals served or is food available?**

Venues that serve food or meals are shown to be less at risk of excessive alcohol consumption. This does not include venues that only serve basic snacks.

#### **Management: How will the venue manage patrons entering and leaving the venue, including security and queuing?**

Management of patrons entering and leaving a venue can have a significant impact on the amenity of the area due to potential patron noise, anti-social behaviour and public disturbance. Other management issues are assessed as part of an application for a liquor licence rather than the planning permit process.

#### **Music: Will the proposal feature background, live or recorded music?**

The way music is played and the hours it is played can influence the type and number of patrons attending the venue, the level and type of alcohol consumption, and the potential impacts on local amenity.

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**Capacity and hours: What is the proposed capacity and what are the operating hours?**

Proposed capacity levels and operating hours may add to existing cumulative impact problems in the area, due to the release of a large number of patrons onto the street at closing time.

**Transport and car parking: What type of transport and car parking is provided?**

The availability of transport for use by patrons to and from the venue can impact on the amenity of the surrounding area. There may be additional amenity issues resulting from patrons waiting for a taxi or travelling on foot.

The location and availability of car parking can impact the dispersal patterns and behaviour of patrons. Car parks with poor lighting or natural surveillance may place patrons at a high risk of violence.

## **Assessing the cumulative impact**

*This section is for councils and permit applicants.*

The following matters should be considered when assessing the cumulative impact of licensed premises:

1. Planning policy context
2. Surrounding land use mix and amenity
3. The mix of licensed premises
4. Transport and dispersal
5. Impact mitigation

Each element is covered in detail in the following sections. They include background information explaining how the topic is relevant and a series of questions to guide the assessment of a planning application.

An applicant should answer each question as part of the application to demonstrate that a proposed cumulative impact is either reasonable or can be appropriately managed. A council should also answer each question as part of their assessment process.

A response against each question may not always be necessary where a matter is not relevant to an application. If a question is not relevant, a brief explanation should be provided.

The level of detail required for each response should be proportional to the potential impact and cumulative impact the proposed venue may have. For example, an application for a smaller venue with limited or no potential to contribute to a cumulative impact will not require a detailed response. Conversely, a permit application for a larger venue that has potential for greater impact should be accompanied with a detailed study or report prepared by a suitably qualified person that explains how any cumulative impact will be managed or mitigated. An applicant can consult with the relevant council for a full list of information to be submitted with a planning application.

### **1. Planning policy context**

State and local policy, zoning and other planning controls can provide guidance about appropriate and preferred amenity and land use outcomes for an area. These controls may relate to the role of an activity centre, mix of uses in an area, and appropriate locations for entertainment uses, or may inform assessments about reasonable amenity for a particular area.

#### **Existing context**

- What are the policy, zoning and other planning controls that are relevant to the surrounding area?
- What amenity, land use and other planning outcomes do these controls encourage?

**Assessment**

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Is the proposal consistent with the planning outcomes encouraged in the policy, zoning and other planning controls for the area?

**2. Surrounding land use mix and amenity**

Existing amenity levels provide a basis to assess the potential cumulative impact of a proposal, but the assessment should also weigh this against the planning policy context.

The mix of land uses is important in determining the existing amenity level of an area. For example, a mix of entertainment and other uses can lead to an area being perceived as an entertainment or tourism destination. However, the location of sensitive uses, such as houses, schools or community and medical facilities, can increase amenity expectations for an area.

A diversity of uses and activities can add to the vibrancy and amenity of an area. This may help mitigate potential harms and reduce the potential for unreasonable negative cumulative impact. Late night uses that do not focus on serving alcohol provide alternative activities for visitors, resulting in better patron behaviour in an area.

Data to determine existing licensed premises' impacts can be sourced from the council complaints database and site observations.

**Existing context**

- Does the subject land adjoin sensitive uses?
- What is the relationship between licensed premises and other uses in the area?
- What are the local crime statistics related to licensed premises?
- Are there other premises open after 11pm?
- What is the existing level of amenity in the area?
- What are the reasonable amenity expectations in the area?

**Assessment**

Will the proposal significantly increase the number of patrons near sensitive uses at any time?

Given the location and planning policy context, will the proposal generate amenity impacts beyond what is reasonable?

**3. The mix of licensed premises**

The mix of licensed premises in an area can influence potential cumulative impacts. For example, an area with a mix of restaurants, cinemas and small bars may have fewer impacts than an area with primarily large bars and nightclubs.

Late-night trading hours for licensed premises have been associated with increased harm including violence. Licensed premises open after 11pm are considered a greater risk to the surrounding area. Reduced trading hours may therefore reduce the risks of late-night alcohol-related harm.

Licensed premises with a patron capacity over 200 may pose a greater risk of alcohol-related harm and result in a negative cumulative impact.

A packaged liquor outlet located within the surrounding area provides an opportunity for patrons to purchase and consume alcohol before, in between, or after entering licensed premises. These activities, particularly in excessive quantities, can increase the likelihood of anti-social behaviour and public disturbances in some areas.

**Existing context**

- What is the mix of licensed premises in the area?

- Do any licensed premises cater for more than 200 patrons? **ADVERTISED PLAN**
- How many and what type of licensed premises (especially high capacity venues and packaged liquor outlets) operate after 11pm?
- Do licensed premises commonly operate at capacity and is queuing outside common?
- Do many licensed premises in the area show a high ratio of standing to seating?
- Are there any local laws regulating consumption of liquor in public spaces?
- Is there any evidence of problems apparent in the area, such as property damage or littering, that may be attributed to alcohol related incidences?
- Are complaints (for example, to council or Victoria Police) about licensed premises already being generated in the area?
- Are there any known enforcement proceedings against licensed premises in the surrounding area?

#### **Assessment**

- Does the proposal contribute to the diversity of activities and vibrancy in the area?
- Will the proposal reinforce any existing or create any new impacts arising from the mix of uses in the area?

#### **4. Transport and dispersal**

Whether patrons leaving or moving between licensed premises are likely to pass through areas with sensitive uses is an important consideration.

How patrons leave the licensed premises at closing time can have a significant impact on the amenity of an area. Consider how patrons will leave the area and the routes they will take, including the location and availability of taxi ranks, car parks and public transport services. The quality and frequency of services is a factor because it will influence the length and time that patrons spend in an area. Patrons generally maintain better behaviour when they are not delayed in travelling home.

A concentration of high risk licensed premises closing at similar times may lead to difficulties in safe and orderly patron dispersal. This can be addressed by staggering the operating hours because there will be fewer people on the street trying to leave the area at one time.

#### **Existing context**

- Do closing hours between venues coincide closely or is there a spread of closing hours?
- Is there a high number of patrons on the streets after 11pm?
- What public transport is available to patrons leaving the licensed premises at closing time?
- Are taxi ranks conveniently available to patrons leaving the licensed premises at closing time?
- Is there car parking available and where is it located?
- How do people disperse from the area after leaving a licensed premises?
- Is the movement of patrons through the area known to be an existing problem?
- Are there any identified issues with accessing public transport such as frequency or capacity of services?

#### **Assessment**

- Is the proposed licensed premises' location or characteristics such as operating hours likely to contribute to any problems for patron dispersal?

- Will the proposal reinforce any existing or create any new impacts arising from licensed premises closing times and patron dispersal within the area?

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### 5. Impact mitigation

A proposal may include impact mitigation measures to reduce a potential negative cumulative impact. Impact mitigation measures can include:

- Providing patron transport or parking.
- Layout and design of buildings and any new public space in accordance with good urban design and safe design principles.
- Involving licensed premises in a liquor accord or forum.
- Providing public toilets and rubbish facilities in the area.
- Reducing operating hours of the venue.
- Limiting outdoor seating and reducing patron numbers after 11pm.
- Improving venue management measures.

A venue incorporating good urban design and safe design principles is more likely to successfully manage potential amenity impacts from venue patrons on an area, improve perceptions of safety and provide a positive cumulative impact.

#### Existing context

- Are there sufficient public amenities available for patron use, including toilets and rubbish disposal?
- Are there any relevant public safety or enforcement initiatives in the area?
- Has the area been developed according to principles of good urban design and safe design?

#### Assessment

- Will the proposal provide mitigation measures to address any negative cumulative impacts?
- Can any identified negative cumulative impact be satisfactorily reduced by changes to the proposal?

### Final cumulative impact assessment

*This section is for councils.*

Having regard to the assessment elements in the previous section, use the following questions to complete your assessment:

#### QUESTION 1: Is the proposal likely to increase or create a cumulative impact in the area?

**YES:** The proposal is likely to increase or create a positive cumulative impact. Council is likely to consider a positive cumulative impact favourably.

**NO:** The proposal will not increase or create a cumulative impact.

**YES:** The proposal is likely to increase or create a negative cumulative impact.

#### QUESTION 2: Is the likely negative cumulative impact reasonable or unreasonable?

**REASONABLE:** Although the proposal creates a negative cumulative impact, the impact may still be reasonable if it is minor and balanced against:

- other planning considerations for the area, such as a local policy that identifies the area as a council's preferred location for night-time entertainment uses, or



- other positive aspects of the proposal, such as exceptional building design, exceptional use of mitigation measures, or if the proposal also creates a positive cumulative impact that outweighs a negative cumulative impact.

**UNREASONABLE: QUESTION 3: Can the negative cumulative impact be reduced and adequately managed through additional mitigation measures?**

**YES:** If the negative cumulative impact is unreasonable and if adequate additional mitigation measures are included as part of the application, the proposal may still be considered to be **acceptable**.

**NO:** If satisfactory mitigation measures cannot be incorporated as part of the proposal, the negative cumulative impact is likely to be considered as **unacceptable** because the area will not adequately cope with an additional licensed premises of this type.

### Other planning considerations

Cumulative impact is one of many planning matters that a council must consider when assessing a planning application. A positive or favourable cumulative impact does not guarantee that a planning permit will be issued.

### Further information

Information about individual liquor licences can be found on the Department of Justice and Regulation webpage: <https://liquor.justice.vic.gov.au/>. This information will include the number of patrons, operating hours and details about whether alcohol may be served for consumption on or off premises.

Data to determine the impacts of existing licensed premises impacts can be sourced from council complaints data bases and site observations.

Information about safe design principles can be found in the State government Safer design guidelines: [www.delwp.vic.gov.au/planning/urban-design-and-development](http://www.delwp.vic.gov.au/planning/urban-design-and-development)

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DOCUMENT ENDS

# PLANNING PROPERTY REPORT



**ADVERTISED PLAN**

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 23 September 2019 12:47 PM

## PROPERTY DETAILS

Address: **16-22 PLAYNE STREET FRANKSTON 3199**  
 Lot and Plan Number: **Lot 2 LP19339**  
 Standard Parcel Identifier (SPI): **2\LP19339**  
 Local Government Area (Council): **FRANKSTON** [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
 Council Property Number: **193638**  
 Planning Scheme: **Frankston** [planning-schemes.delwp.vic.gov.au/schemes/frankston](http://planning-schemes.delwp.vic.gov.au/schemes/frankston)  
 Directory Reference: **Melway 100A C7**  
 This property has 4 parcels. For full parcel details get the free Basic Property report at [Property Reports](#)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
 Melbourne Water Retailer: **South East Water**  
 Melbourne Water: **inside drainage boundary**  
 Power Distributor: **UNITED ENERGY**

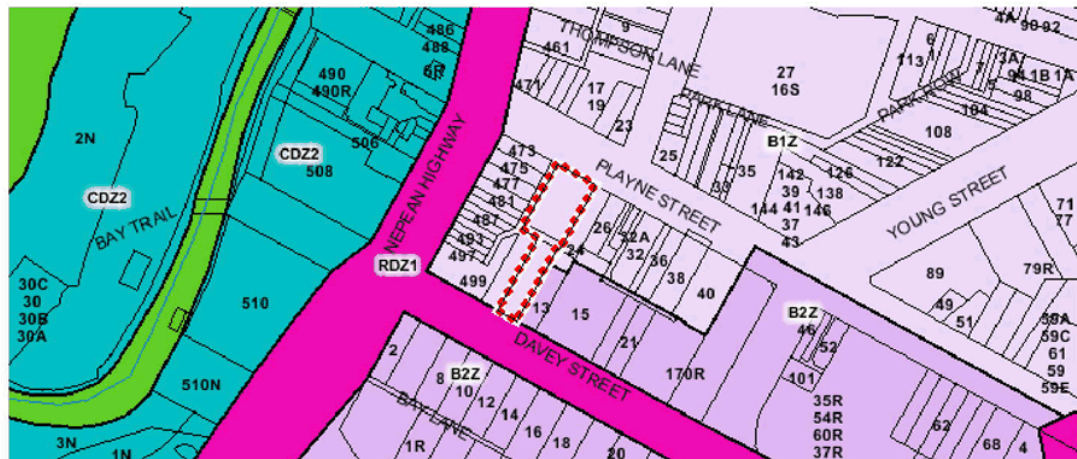
## STATE ELECTORATES

Legislative Council: **SOUTH-EASTERN METROPOLITAN**  
 Legislative Assembly: **FRANKSTON**

## Planning Zones

[COMMERCIAL 1 ZONE \(B1Z\)](#)

[SCHEDULE TO THE COMMERCIAL 1 ZONE \(B1Z\)](#)



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- B1Z - Commercial 1
- B2Z - Commercial 1
- CDZ - Comprehensive Development
- PCRZ - Public Conservation & Resource
- PUZ4 - Public Use - Transport
- RDZ1 - Road - Category 1

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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**Planning Overlay**

PARKING OVERLAY (PO)

PARKING OVERLAY - PRECINCT 1 SCHEDULE (PO1)



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0 100m

PO - Parking

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

**OTHER OVERLAYS**

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

HERITAGE OVERLAY (HO)

SPECIAL BUILDING OVERLAY (SBO)



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0 100m

ESO - Environmental Significance

HO - Heritage

SBO - Special Building

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

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**Areas of Aboriginal Cultural Heritage Sensitivity**

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

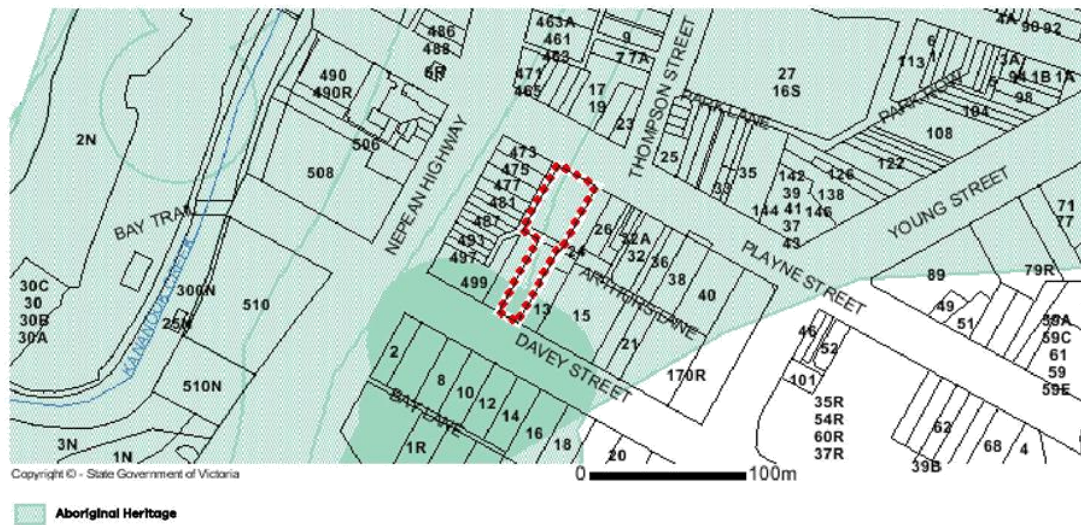
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.oav.nrms.net.au/oavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>



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## PLANNING PROPERTY REPORT



**ADVERTISED PLAN**

### Further Planning Information

Planning scheme data last updated on 19 September 2019.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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PLANNING PROPERTY REPORT: 16-22 PLAYNE STREET FRANKSTON 3199

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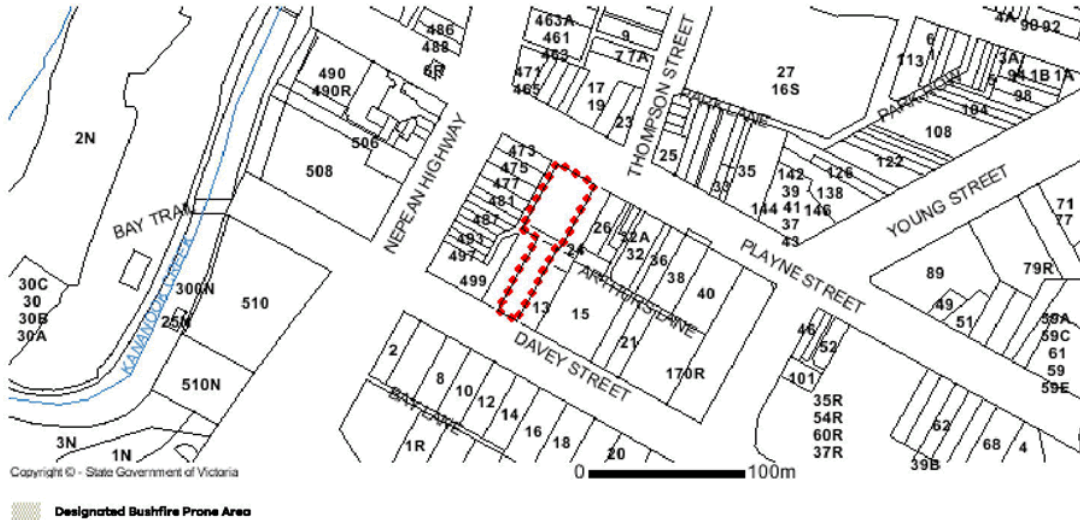
# PLANNING PROPERTY REPORT



## ADVERTISED PLAN

### Designated Bushfire Prone Area

**This property is not in a designated bushfire prone area.  
No special bushfire construction requirements apply. Planning provisions may apply.**



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

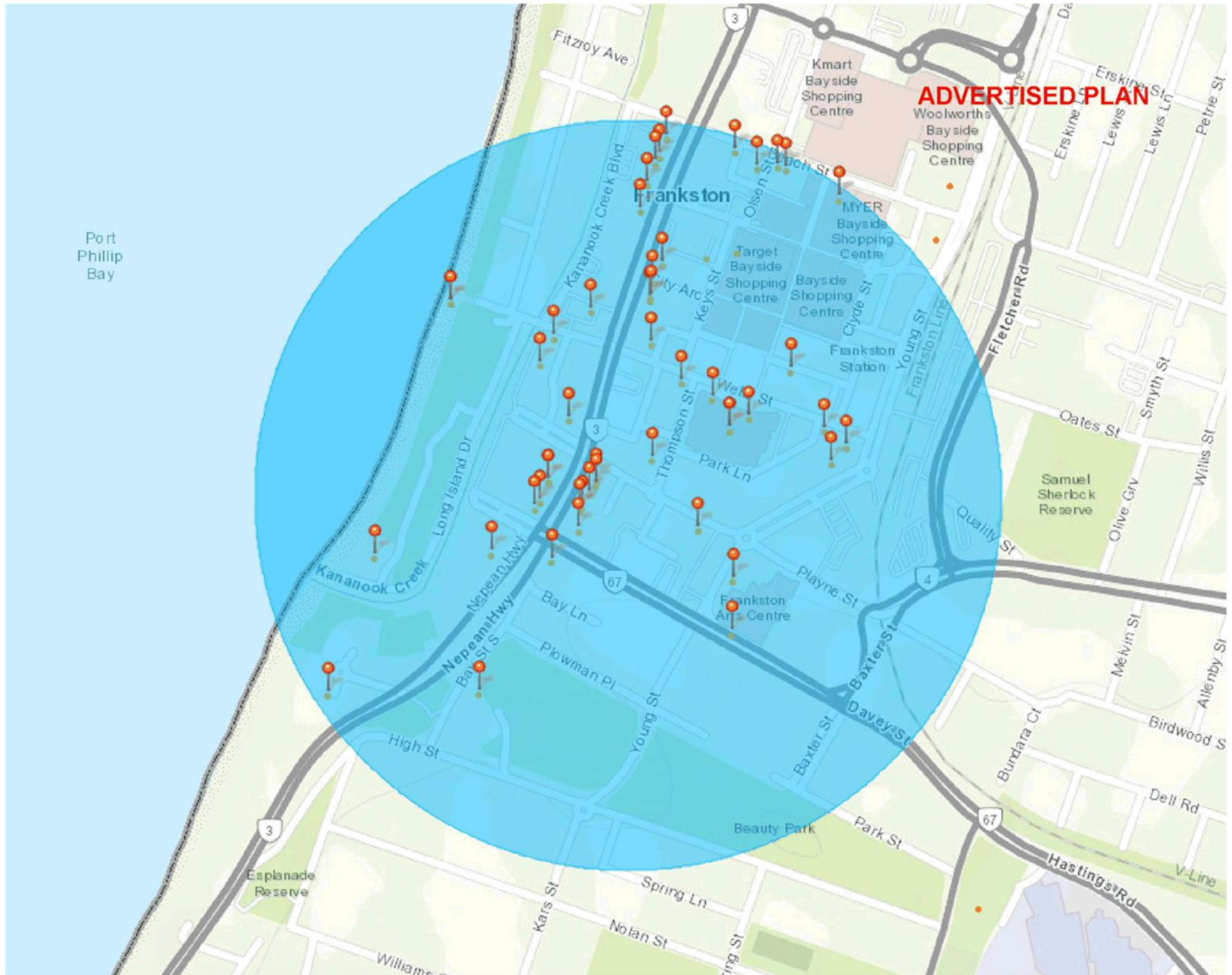
Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

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**FRANKSTON GENERAL PUBLIC  
Liquor Licence Index (500m Radius)**

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
1.	GINSENG MODERN ASIAN CUISINE	Restaurant and cafe	SHOP, 428-430 NEPEAN HIGHWAY	32253489	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	
2.	THE DECK EST. 2013	Late night (on-premises)	2-4 DAVEY STREET	31820217	<u>Internal</u> Sunday between 11am and 3am; Friday & Saturday between 11am and 4.30am; On any other day between 11am and 3am. <u>External</u> Sunday to Saturday between 11am and 2am.	Roof Top Deck (150 patrons) Overall (500 patrons)¶
3.	PARCHA RESTAURANT	Restaurant and cafe	36 WELLS STREET	32305406	On any day between 11am and 11pm.	84 patrons
4.	FRANKSTON WATERFRONT	Restaurant and cafe	2 KANANOOK CREEK BOULEVARD	32338768	Monday to Sunday between 11am and 11pm.	114 patrons
5.	THE SPICE CLUB INDIAN BRASSERIE	Restaurant and cafe	UNIT , 506 NEPEAN HIGHWAY	32243573	<u>Internal</u> Sunday between 10am and 11pm; On any other day between 7am and 11pm. <u>External</u> Sunday between 10am and 11pm; On any other day between 7am and 11pm	150 patrons
6.	FRANKSTON YACHT CLUB	Limited	30N LONG ISLAND DRIVE	36152465	<u>Internal</u> 3am (Mon - Sat) 1am (Sun)	Yacht club canteen (80 patrons) Function room (60 patrons) Multi -function / community room (133 patrons) Overall (273)
7.	HALONG 2	Restaurant and cafe	481 NEPEAN HIGHWAY	31906712	Sunday between 10am and 11pm; On any other day between 7am and 11pm¶	60 patrons



**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
8.	BOBO'S FRANKSTON	Restaurant and cafe	PART OF GROUND FLOOR, 435-437 NEPEAN HIGHWAY	32313263	On any other day between 11am and 12 midnight.	External area (6 patrons) Overall (100)
9.	GEONBAE	Restaurant and cafe	TENANCY 2, 101 WELLS STREET	32333962	On any day between 11am and 11pm.	120 patrons
10.	HOOKED ON THAI	Restaurant and cafe	106 YOUNG STREET	32334081	On any day between 11am and 11pm.	48 patrons
11.	21ST CENTURY DANCE CLUB	Late night (on-premises)	508 NEPEAN HIGHWAY	32206961	Sunday between 10am and 3am; Monday to Wednesday between 7am and 3am; Thursday to Saturday between 7am and 5am.	Pelican Bar (260 patrons) Dance Club (1340 patrons) Overall Maximum (1600 patrons)
12.	THE COFFEE CLUB, BAYSIDE FRANKSTON	On-Premises	SHOP G009 FRANKSTON ENT CENTRE, WELLS STREET	32276259	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	
13.	MARTINI & CO. BAYSIDE	Restaurant and cafe	SHOP U002, 21 WELLS STREET, BAYSIDE ENTERTAINMENT COMPLEX	32352495	Sunday between 10am and 1am; On any other day between 7am and 1am.	<u>Internal</u> 186 patrons <u>External</u> 118 patrons

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
14.	GRAND HOTEL	Late night (general)	499 NEPEAN HIGHWAY	31906372	<p><u>On premises</u>                      Gaming Room and Lounge:                      On any day at any time except for the period between 3am and 12 noon on the morning of ANZAC Day.</p> <p>Lounge Bar, outdoor seating area adjacent to the lounge bar, soft lounge area, TAB area:                      Sunday between 10am and 3am;                      On any other day between 7am and 3am.</p> <p>Remainder of the Ground Floor:                      Sunday between 10am and 5am;                      On any other day between 7am and 5am.</p> <p>First Floor                      Sunday between 10am and 5am;                      On any other day between 7am and 5am.</p>	First Floor (307 patrons) Ground Floor (833 patrons) Overall (1140).
15.	CHEEKY SQUIRE	Late night (general)	510 NEPEAN HIGHWAY	31905766	<p><u>On Premises</u>                      Cocktail bar                      Sunday between 10am and 5am;                      On any other day between 7am and 5am.</p> <p>Front deck/beer garden area                      Sunday to Thursday between 11am and 12 midnight;                      Friday &amp; Saturday between 11am and 1am.</p> <p>Remainder of premises                      Sunday between 10am and 3am;                      On any other day between 7am and 3am.</p>	514 patrons  Special Condition: Patrons are not permitted to enter or re-enter the premises after 2am on any day.

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
16.	KASHTURI TANDOORI INDIAN RESTAURANT	On-Premises	SHOP 5/20A BEACH STREET	32277970	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	90 patrons
17.	KWALITY TANDOORI INDIAN RESTAURANT	Restaurant and cafe	475 NEPEAN HIGHWAY	32221351	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	79 patrons
18.	NATURE CAFE BAR	Restaurant and cafe	1-3 THOMPSON STREET	32251445	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	Internal (54 patrons) External (15 patrons)
19.	FRANKSTON FOOTBALL CLUB	Full Club	CNR YOUNG STREET & PLOWMAN PLACE	32121608	At any time on any day other than Sunday, Good Friday or ANZAC Day; Sunday between 10am and 11pm.	Ground floor (350 patrons) First floor (250 patrons) Overall (600 patrons)  Special condition: There is to be no sale of packaged liquor. Liquor, sold at a match to spectators who are members, shall be in containers opened at the point of sale.
20.	SAMMONS TEPPANYAKI	Restaurant and cafe	486 NEPEAN HIGHWAY	32316481	On any day between 11am and 12 midnight.	40 patrons
21.	GRILL'D	Restaurant and cafe	27 WELLS STREET	32340676	On any day between 11am and 11pm.	132 patrons
22.	COSY & TASTY CHINESE DUMPLING RESTAURANT	Restaurant and cafe	489 NEPEAN HIGHWAY	32307369	Monday to Friday between 12 noon and 3pm & between 5pm and 10pm; Saturday & Sunday between 5pm and 10pm.	48 patrons

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
23.	FRANKSTON ARTS CENTRE	On-Premises	CNR DAVEY & YOUNG STREETS	32239168	Sunday between 10am and 11pm; On any other day between 7am and 1am.	Consent: Section 120 - Persons under the age of 18 years are permitted on the licensed premises other than in the company of a responsible adult during the trading hours specified below: Sunday between 10am and 12 midnight; On any other day between 7am and 12 midnight
24.	HUMDINGER BAR	Restaurant and cafe	101 YOUNG STREET	32228337	Sunday between 11am and 11pm; On any other day between 11am and 1am.	Internal (189 patrons) Bench Seating (14 patrons)
25.	SOFIA PIZZA HOUSE - FRANKSTON	Restaurant and cafe	FRANKSTON PIER	32279443	Sunday between 10am and 11pm; Monday & Tuesday between 7am and 11pm; Wednesday to Saturday between 7am and 1am.	Internal (225 patrons) External (210 patrons)
26.	SOUTHSIDE SOCIAL	Restaurant and cafe	1/433 NEPEAN HIGHWAY	32233285	On any day between 11am and 1am.	141 patrons
27.	JD'S 8 BALL ROOM	On-Premises	CORNER WELLS ROAD & NEPEAN HWY	32245761	Sunday between 12 noon and 11pm; On any other day between 12 noon and 1am.	Outdoor deck (39 patrons) Internal area (150 patrons) Overall (150 patrons)

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
28.	PIER HOTEL	Late night (general)	508 NEPEAN HIGHWAY	31910460	<p><u>Internal</u> Gaming Room On any day at any time except for between 3 am and 12 noon on Anzac Day. Saloon Bar On any day between 7am and 2.30am Public Bar On any day between 7am and 3am.</p> <p><u>External</u> Adjacent to Saloon Bar On any day between 7am and 2am. Adjacent to Public Bar On any day between 7am and 3am.</p>	<p><u>Internal</u> Public Bar (225 patrons) Saloon Bar (135 patrons) Gaming Room (300 patrons). <u>External</u> Adjacent to the Public Bar (15 patrons) Adjacent to the Saloon Bar (61 patrons) Adjacent to the Gaming Room (28 patrons). Overall (660 patrons.)</p> <p>Special condition: Patrons are not permitted to enter or re-enter the premises (except for the Gaming room) after 2 am on any day.</p>
29.	SEAGULL GREEK TAVERNA	Restaurant and cafe Limited	491 NEPEAN HIGHWAY	32233722	Sunday between 10am and 11pm; On any other day between 7am and 11pm	50 patrons
30.	NHA TRANG VIETNAMESE RESTAURANT	Restaurant and cafe	477-479A NEPEAN HIGHWAY	32256348	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	
31.	STRIKE BAYSIDE	Late night (on-premises)	SHOP G005, BAYSIDE ENTERTAINMENT CENTRE	32276673	<p><u>Internal</u> Sunday to Wednesday between 11am and 1am; Thursday to Saturday between 11am and 2am. <u>External</u> On any day between 12 noon and 11pm.</p>	<p>External (32 patrons) Overall (190 patrons)</p>
32.	NANDO'S BAYSIDE	On-Premises	TENANCY G12, BAYSIDE ENTERTAINMENT CENTRE	32276631	Sunday between 10am and 11pm; On any other day between 7am and 11pm	100 patrons
33.	TRIMS RESTAURANT	Restaurant and cafe	SHOP 3, 40-42 PLAYNE STREET	32334251	On any day between 11am and 11pm.	233 patrons

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
34.	FRANKSTON LIFE SAVING CLUB	Limited	FORESHORE	36068527	Wednesday & Thursday between 6pm and 9pm; Friday between 5pm and 11pm; Saturday between 3pm and 12midnight; Sunday between 3pm and 10pm.	Consent: Section 120 - Persons under the age of 18 years are permitted on the licensed club premises other than in the company of a responsible adult in relation to preparation for and participation in sporting events during the hours specified below: Wednesday & Thursday between 6 pm and 9pm; Friday between 5pm and 10pm; Saturday & Sunday between 3pm and 10pm.
35.	THE GROOVE TRAIN FRANKSTON	Restaurant and cafe	CRN WELLS & THOMPSON STREETS	32340024	<u>Internal</u> On any day between 10am and 1am. <u>External</u> On any day between 10am and 12 midnight.	400 patrons
36.	SIAM BAYSIDE THAI RESTAURANT	On-Premises	SHOP 4, 506 NEPEAN HIGHWAY	32269773	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	
37.	HOLEY MOLEY	On-Premises	SHOP U001, FRANKSTON ENT. CENTRE, WELLS STREET	32276160	Sunday to Thursday between 11am and 12midnight; Friday and Saturday between 11am and 1am.	175 patrons
38.	LOS ARGENTINOS	Restaurant and cafe	14 BEACH STREET	32303315	On any day between 12 noon and 11pm.	68 patrons
39.	BIG SWING GOLF FRANKSTON	Limited	424 NEPEAN HIGHWAY	36144802	Monday to Saturday between 12 noon and 11pm; Sunday between 12 noon and 8pm.	Consent: Section 120 - Persons under the age of 18 years are permitted on the licensed premises other than in the company of a responsible adult during the trading hours specified.
40.	LA CASA DE TITO	Restaurant and cafe	SUITE 16/431 NEPEAN HIGHWAY	32222789	Sunday between 10am and 11pm; On any other day between 7am and 11pm	100 patrons

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
41.	EENY MEENY	Restaurant and cafe Licence	96 YOUNG STREET	32325626	On any day Between 11am and 11pm.	50 patrons
42.	OLIVE & FERN	Restaurant and cafe	PART OF GROUND FLOOR, 435 NEPEAN HIGHWAY	32331863	On any day between 11am and 12 midnight.	External area (7 patrons) Overall (60 patrons)
43.	LING WAH	Restaurant and cafe	SHOP 1, 428 NEPEAN HIGHWAY	32321436	Sunday between 10am and 11 pm; On any other day between 7am and 11am.	100 patrons
44.	LA PORCHETTA PIZZA RESTAURANT	Restaurant and cafe	436 NEPEAN HIGHWAY	32234273	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	
45.	WAVES ON THE BEACH	Restaurant and cafe	LEVEL 2 FRANKSTON LIFE SAVING CLUB, FORESHORE, FRANKSTON BEACH	32272425	Sunday between 10am and 12 midnight; On any other between 7am and 12 midnight.	External (20 patrons) Overall (120 patrons)
46.	PISCES DUMPLINGS RESTAURANT	Restaurant and cafe	432 NEPEAN HIGHWAY	32247250	Sunday between 10am and 11pm; On any other day between 7am and 11pm.	100 patrons
47.	PHO KINGDOM	BYO Permit	7 OLSEN STREET	31285629	Monday to Sunday between 12 noon and 10pm.	Consent: Section 120 - Persons under the age of 18 years are permitted on the premises other than in the company of a responsible adult during the trading hours specified.

**ADVERTISED PLAN**

No.	Premises	Licence Category	Address	Licence Number	Trading Hours *	Conditions
48.	SOMJAI THAI	BYO Permit	7 WELLS STREET	31285823	Monday to Sunday between 11.30am and 9.30pm.	Consent: Section 120 - Persons under the age of 18 years are permitted on the premises other than in the company of a responsible adult during the trading hours specified.
49.	VERO PASTA	BYO Permit	4/ 18-22 BEACH STREET	31288457	Monday to Thursday between 5pm and 10pm; Friday to Saturday between 12 noon and 10pm.	Consent: Section 120 - Persons under the age of 18 years are permitted on the premises other than in the company of a responsible adult during the trading hours specified.
50.	THE SPICE CLUB INDIAN BRASSERIE	Restaurant and café Limited	1/ 506 NEPEAN HIGHWAY	32243573	<u>Internal and External</u> Sunday Between 10am and 11pm; On any other day between 7am and 11pm.	150 patrons



**Executive Summary****11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11**

*Enquiries: (Stuart Caldwell: Communities)*

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**

For Council to consider the available options for the implementation of the Frankston Activity Centre Structure Plan, May 2015 – City Centre – Precincts 1, 2, 3 and 11 that endorse Option 4.

**Recommendation (Director Communities)**

That Council:

1. Authorises officers to undertake a review and refresh of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 – Precincts 1, 2, 3 and 11 as outlined in Option 4.
2. Notes the indicative timeline of up to 1-2 years to refresh the structure plan, with subsequent Planning Scheme Amendment process of up to a further 12 months.
3. Commits a total an amount of \$120,000 funding for the project in the FY20-21 budget.

**Key Points / Issues**

- Planning Scheme Amendment C123 lapsed for the reasons outlined in the Tribunal order issued on 31 October 2019 (*Steller 250 Pty Ltd v Frankston City Council [P2368] VCAT 2018*).
- As Planning Scheme Amendment C123 has lapsed, Council will need to commence a new strategic planning process to enable planning controls to be implemented into the Frankston Planning Scheme.
- Council officers have met with Senior officers from the Department of Environment, Land, Water and Planning (DELWP) to discuss potential ways forward and to better understand the strategic work required to support a future amendment to introduce planning controls into the Frankston Planning Scheme.
- DELWP officers have advised that the Minister for Planning would not support a new planning scheme amendment without further strategic work being undertaken and would not exempt a new planning scheme amendment from the public notice requirements of the *Planning and Environment Act 1987*.
- A number of options have been prepared for Council consideration in relation to Frankston Metropolitan Activity Centre Structure Plan - Precincts 1, 2, 3 and 11 – City Centre Precinct.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Executive Summary**

- Based on advice from DELWP, the preferred option is Option 4 which involves a refresh of the Frankston MAC structure plan in respect of the City Centre which comprises of Precincts 1, 2, 3 and 11. It is anticipated that the findings of this review may assist in providing strategic justification for future building height controls and ultimately underpin a future planning scheme amendment to incorporate new planning controls into the Frankston Planning Scheme for this precinct.
- Whilst Council could also pursue interim planning controls simultaneously, this has not been recommended as the process may divert resources and attention from pursuit of other another option, and has a low prospect of success with the DELWP in respect of the specific height limit sought by Council for the Kananook Creek Precinct

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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.

It is expected that a review of the Frankston MAC Structure Plan – City Centre Precinct 1 may require the allocation of total funds in the order of \$200,000+ (\$120,000 in FY20-21 and \$80,000 in FY21-22) to undertake the review and the preparation of a subsequent planning scheme amendment. This will also involve considerable officer time. It is anticipated the process could take over 2 years to complete, and may require rescheduling of some other projects in the Strategic Planning work programme.

An additional item (bid) amount of \$50,000 has been noted for Councillor consideration in the draft FY2020-21 budget. Further project planning has identified that the initial stages for the project would require a total of \$120,000 in FY20-21 (ie. an additional \$70,000 above the current additional item listed for Councillor consideration in the draft FY20-21 budget).

**Consultation****1. External Stakeholders**

Consultation with key stakeholders will be required. This will include landowners, interested community groups/organisations, other interested parties. An engagement plan will be prepared.

**2. Other Stakeholders**

Council officers have met with senior officers of the DELWP to discuss potential ways forward to facilitate planning controls into the Frankston Planning Scheme.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

It is anticipated that there will be positive environmental, economic and social benefits coming out of the review process as it is anticipated that a revised structure plan will enable planning controls to be implemented into the planning scheme by way of a planning scheme amendment.

A review of the structure plan and implementation of planning controls should provide future certainty for the community, developers, investors and decision makers and should assist in the revitalisation of the City Centre in accordance with the findings of the revised structure plan.

**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

Procurement procedures and protocol are relevant to this matter.

Policy Impacts

A review of the structure plan will provide the basis for future planning policy and planning controls to be incorporated into the Frankston Planning Scheme by way of a Planning Scheme Amendment.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

If no action is taken there is a risk that development proposals may be made and ultimately approved which do not reflect Council's desired outcomes, due to an absence of planning controls.

If Council seeks planning controls in a manner which is unlikely to be supported by DELWP, there is a risk of ultimate failure of these efforts with lost time and financial cost.

A review of the city centre parts of the structure plan will facilitate the strategic basis for future planning controls across the City Centre and assist in managing risks associated with the future approval of a planning scheme amendment.

**Conclusion**

In light of the VCAT decision on Amendment C123 and advice from DELWP on what the Minister for Planning would support, there is a need for Council to consider the best way forward to enable planning controls to be implemented over the Frankston City Centre Precinct.

Of the options presented, the preferred option is to undertake a review and refresh of the Frankston MAC structure plan for precincts 1, 2, 3 and 11. This option has the support of DEWLP officers and considered to be the option that could provide the necessary strategic justification for design and height controls being implemented into the planning scheme via a future planning scheme amendment.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre  
Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11**

**Executive Summary**

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**ATTACHMENTS**

Attachment A: [↓](#) Assessment of options

Attachment B: [↓](#) Indicative timelines for FMAC Structure Plan Refresh and  
Amendment (Option 4)

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Officers' Assessment****Background**

At the 3 April 2018 Ordinary Meeting, Council made a number of resolutions in relation to the Frankston Planning Scheme Amendment C123, the Panel Report for Amendment C123 and the *FMAC Illustrative Guidelines – Neighbourhood Character & Urban Design Outcomes for Precincts 1A and 1B (2017)*. As part of the resolution a number of modifications were proposed including a mandatory maximum building height of 20 metres to apply to that part of Precinct 1(b) between the Nepean Highway and Kananook Creek.

Although the amendment was lodged with the Minister for Planning for approval, the validity of the amendment was challenged at VCAT. The outcome of that challenge was that VCAT determined that Planning Scheme Amendment C123 had lapsed for the reasons outlined in the Tribunal order issued on 31 October 2019 (*Steller 250 Pty Ltd v Frankston City Council [P2368] VCAT 2018*).

As VCAT has determined that Amendment C123 has lapsed, Council needs to consider what options are available to ensure the successful implementation of planning controls for the Frankston City Centre.

It should be noted that planning controls have been introduced into the Frankston Planning Scheme for Precincts 2-10 and 12 of the Frankston MAC structure plan, being the peripheral areas of the Frankston City Centre. These controls were implemented by the approval of the Frankston Planning Scheme Amendment C124 on 20 September 2019. The planning controls introduced into the planning scheme by Amendment C124 were consistent with the heights and setbacks of the FMAC structure plan.

**Issues and Discussion**

The lapsing of Planning Scheme Amendment C123 affects the way in which Council must consider applications within Precinct 1 of the FMAC area as there are no longer any proposed statutory height controls. Accordingly, assessment will need to be made as to the suitability of any proposed developments having regard to their site context and the general guidance provided by the FMAC structure plan.

Council officers have met with Senior officers from the Department of Environment, Land, Water and Planning (DELWP) to discuss potential options to enable the implementation of the FMAC structure plan as it related to the City Centre (Precinct 1).

DELWP officers advised that the Minister for Planning would not support a new planning scheme amendment that proposed the introduction of height controls that were not consistent with the adopted FMAC structure plan. Council officers were also advised that the Minister would not support an exemption of the public notice requirements under Section 20(4) for a new amendment.

DELWP officers advised that a review or refresh of the FMAC structure plan would be required for the City Centre Precinct given the age of the structure plan.

It will be necessary for any review of the structure plan to include built form modelling and an analysis of the capacity to maintain housing growth and population targets for the MAC if a 20 metre mandatory height was proposed for the Kananook sub-precinct.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Officers' Assessment**

DELWP could potentially consider a future amendment that seeks to apply a 20 metre height control along the Kananook Creek area, if it can be demonstrated that there is sufficient strategic justification coming out of the review of the structure plan and it meets the requirements of Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Scheme and Planning Practice Note 60 – Height and setback controls for activity centres.

**Options Available including Financial Implications**

A number of options have been prepared for Council consideration. A detailed analysis of each option is included as Attachment A.

*Option 1*

This option is to “do nothing”, meaning that no further action is taken. This option requires no financial funding however would mean that the Frankston MAC structure plan is only partially implemented, leaving the City Centre Precinct without design and height controls.

*Option 2*

Re-submit a new amendment with the same content as Amendment C123 (and request the Minister to exempt the amendment from public notice). This option requires minimal financial funding, however, DELWP officers have advised that such an amendment would not be supported. Accordingly pursuing this option would be likely only to further delay implementation of controls.

*Option 3*

Prepare a new planning scheme amendment for the City Centre precinct consistent with the FMAC structure plan but excluding the Kananook Creek Precinct.

At the same time, commence a review of the Frankston MAC structure plan for the Kananook Creek Precinct only with a view towards demonstrating the need for height limits as sought by Council.

Funding would be required to review part of the structure plan and would take a minimum of 12 months. Public consultation would be required and a subsequent planning scheme amendment prepared.

However, given only a small portion of the structure plan would be reviewed it may not be sufficient to adequately substantiate and provide sufficient strategic justification for the height controls desired by Council. If the outcome involves an overall reduction in development potential in the structure plan area there is a material risk that this approach would not ultimately be supported by Minister for Planning.

*Option 4*

Undertake a refresh focussed on the City Centre Precinct of the Frankston MAC structure plan. This will require substantial funding and potentially take between 1-2 years to complete. It would require public consultation with a range of stakeholders and a subsequent planning scheme amendment would be required to introduce planning controls into the planning scheme.

DELWP have indicated that this approach is supported and has a better chance of being able to provide the necessary strategic justification to support height controls.

An indicative timeline for refresh of the structure plan and a subsequent planning scheme amendment is included as Attachment B.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Officers' Assessment***Potential for Interim Controls*

Council could seek the Minister's approval for an interim Design and Development Overlay that introduces height controls for the City Centre. Any request for interim controls would need to be accompanied by strategic justification. At the same time, a refresh of the City Centre Precinct of the Frankston MAC structure plan is undertaken.

While there would be advantages to having interim controls in place, it is unlikely that the Minister would support a 20 metre height interim control for the Kananook Creek precinct. It is likely that the only height controls which the minister might consider supporting would be those that are consistent with the current FMAC structure plan, and even this is uncertain. Officer time and resources would be required to prepare an amendment for the introduction of interim controls which may slow work on a refresh of the structure plan.

**Preferred Option**

Based on the above, Option 4 presents the best chance of providing the necessary strategic justification to support height controls. It is the only option that has the support of DELWP.

It is recommended that Councillors support Option 4 as the preferred option going forward

**Financial Implications**

It is expected that a review of the Frankston MAC Structure Plan – City Centre Precinct 1 may require the allocation of funds in the order of approximately \$200,000 to undertake the review and the preparation of a subsequent planning scheme amendment. This will also involve considerable officer time. It is anticipated the process could take over 2 years to complete, and may require rescheduling of some other projects in the Strategic Planning work programme.

Currently funding for this project has not been allowed for in the FY2019-20 budget. An additional item (bid) amount of \$50,000 has been noted for Councillor consideration in the draft FY2020-21 budget. Further project planning has identified that the initial stages for the project would require a total of \$120,000 in FY20-21 (ie. an additional \$70,000 above the current additional item listed for Councillor consideration in the draft FY20-21 budget).

**Conclusion**

There is a need for Council to consider the best option to enable planning controls to be implemented in the Frankston City Centre.

Of the options presented, the preferred option is to undertake a review and refresh of the Frankston MAC structure plan. This option has the support of DELWP officers and is considered to be the option that could provide the necessary strategic justification for design and height controls being implemented into the planning scheme via a future planning scheme amendment.

**Recommendation**

That Council:

1. Authorises officers to undertake a review and refresh of the Frankston Metropolitan Activity Centre Structure Plan, May 2015 – Precincts 1, 2, 3 and 11 as outlined in Option 4.

**11.3 Options for the implementation of the Frankston Metropolitan Activity Centre  
Structure Plan, May 2015 - City Centre - Precincts 1, 2, 3 and 11****Officers' Assessment**

2. Notes the indicative timeline of up to 18 months to refresh the structure plan, with subsequent Planning Scheme Amendment process.
3. Commits a total amount of \$120,000 funding for the project in the FY20-21 budget.



ASSESSMENT OF OPTIONS

OPTION	PROPOSAL	TASKS	RISKS	COSTS
1	<ul style="list-style-type: none"> <li>No further actions taken</li> </ul>	<ul style="list-style-type: none"> <li>No actions required</li> </ul>	<ul style="list-style-type: none"> <li>FMAC structure plan only partially implemented.</li> <li>No design and height controls over the City Centre Precinct.</li> <li>FMAC structure plan can provide general guidance only in the assessment of development proposals.</li> </ul>	<ul style="list-style-type: none"> <li>No costs</li> </ul>
2	<ul style="list-style-type: none"> <li>Re-submit a duplicate amendment with no changes.</li> <li>Request the Minister to consider a part 20(4) amendment exempting public notice</li> </ul>	<ul style="list-style-type: none"> <li>Council report seeking Council adoption of the amendment.</li> <li>Amendment documentation sent to DELWP for approval.</li> </ul>	<ul style="list-style-type: none"> <li>DELWP have advised that approval would not be supported</li> </ul>	<ul style="list-style-type: none"> <li>Costs involved in Amendment \$1,000-\$1500.</li> </ul>
3	<ul style="list-style-type: none"> <li>Prepare a new planning scheme amendment for the City Centre excluding the Kananook Creek sub-precinct, being the area to the east of Nepean Highway only.</li> <li>Request the Minister to consider a part 20(4) amendment exempting public notice.</li> <li>Propose a review of the Frankston MAC structure plan for the Kananook Creek Precinct, that part</li> </ul>	<ul style="list-style-type: none"> <li>Council report seeking Council adoption of the amendment and support of the review of the Kananook Creek precinct being part of precinct 1 of FMAC structure plan.</li> <li>Engage a consultant to undertake a review of the Kananook Creek precinct of FMAC structure plan and</li> </ul>	<ul style="list-style-type: none"> <li>DELWP have advised that approval would not be supported.</li> <li>DELWP have advised that support would not be given for public notice exemption.</li> <li>DELWP have advised that a comprehensive review of the City Centre precinct would be required. Such a review is more likely to be able to provide the necessary strategic justification for design and</li> </ul>	<ul style="list-style-type: none"> <li>Costs involved in Amendment \$1,000-\$1500.</li> <li>Costs involved in a part review of the FMAC structure plan \$150,000.</li> <li>Timeframe 1-2 years</li> </ul>

**ASSESSMENT OF OPTIONS**

OPTION	PROPOSAL	TASKS	RISKS	COSTS
	<p>of the precinct on the west side of Nepean Highway.</p>	<p>prepare a draft report.</p> <ul style="list-style-type: none"> <li>• Further research and studies required. May include:                             <ul style="list-style-type: none"> <li>• Urban design and built form analysis</li> <li>• Economic and retail analysis</li> <li>• Demographic analysis including population projections</li> <li>• Transport, services and infrastructure analysis</li> </ul> </li> <li>• The review will involve consultation with affected property owners, tenants and other interest groups.</li> <li>• Report the review and consultation outcomes to Council. Seek Council resolution to prepare a planning scheme amendment.</li> </ul>	<p>height controls.</p> <ul style="list-style-type: none"> <li>• DELWP are unlikely to be satisfied with a narrow review of the FMAC structure plan and unlikely to support a subsequent amendment.</li> <li>• It is likely that the process of review of the structure plan and preparation, exhibition, adoption of any amendment may take between 1-2 years.</li> </ul>	

ASSESSMENT OF OPTIONS

OPTION	PROPOSAL	TASKS	RISKS	COSTS
		<ul style="list-style-type: none"> <li>• Preparation of a planning scheme amendment which will require public consultation the outcome of which reported back to Council. A Panel may be required to be appointed to hear any submissions.</li> <li>• Report findings of any panel to Council and recommend adoption, with/without changes.</li> <li>• If adopted, submit amendment to DEWLP.</li> </ul>		
4	<ul style="list-style-type: none"> <li>• A comprehensive review of the Frankston MAC structure plan – City Centre Precinct – Precincts 1, 2, 3 and 11.</li> <li>• Subsequent planning scheme amendment.</li> </ul>	<ul style="list-style-type: none"> <li>• Council report seeking a resolution from Council.</li> <li>• Engage a Consultant to undertake a review and prepare a report.</li> <li>• Further research and studies required including:                             <ul style="list-style-type: none"> <li>• Urban design and built</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Less risk is associated with this approach as DELWP officers advised that a review of the City Centre could potentially provide the necessary strategic justification for design and height controls.</li> <li>• In the interim the FMAC structure plan can provide only general guidance for development proposals.</li> </ul>	<ul style="list-style-type: none"> <li>• A review of the FMAC is estimated to cost \$200,000.</li> <li>• Timeframe is likely to be a minimum of 2 years.</li> <li>• Further cost for amendment</li> <li>• \$1,000-3,000</li> </ul>

ASSESSMENT OF OPTIONS

OPTION	PROPOSAL	TASKS	RISKS	COSTS
		<p>form analysis</p> <ul style="list-style-type: none"> <li>• Economic and retail analysis</li> <li>• Demographic analysis including population projections</li> <li>• Transport, services and infrastructure analysis</li> </ul> <ul style="list-style-type: none"> <li>• Broad consultation would be required as part of the review process with affected property owners, interested parties, businesses, government agencies, servicing authorities, etc.</li> <li>• Further research and analysis could be required that included economic and built form analysis.</li> <li>• Draft report to Council seeking adoption and preparation of a planning scheme amendment.</li> <li>• Request authorisation from</li> </ul>	<ul style="list-style-type: none"> <li>• Development may continue to be supported by VCAT in the absence of planning controls in the scheme.</li> <li>• The time and cost involved in reviewing the structure plan and uncertainty of the findings.</li> <li>• DELWP may not support the structure plan if it includes mandatory height controls unless the review provides sound strategic justification.</li> </ul>	

**ASSESSMENT OF OPTIONS**

OPTION	PROPOSAL	TASKS	RISKS	COSTS
		<p>DEWLP to exhibit amendment.</p> <ul style="list-style-type: none"> <li>• Undertake public notice, consider submissions, hold panel.</li> <li>• Report findings of panel and consultation to Council seek adoption of the amendment.</li> <li>• Submit amendment to DELWP for approval</li> </ul>		



**Executive Summary****11.4 January 2020 Planning & Environment Progress Report**

*Enquiries: (Stuart Caldwell: Communities)*

**Council Plan**

Community Outcome:	4. A Well Managed City
Strategy:	4.2 Systems
Priority Action	4.2.2 Embed a culture of Business Improvement to improve processes, applications and utilisation

**Purpose**

To provide Council with an update on the exercise of planning delegations by Council officers for the month of November 2019.

**Recommendation (Director Communities)**

That Council receives and notes the January 2020 Planning and Environment Progress Report.

**Key Points / Issues**

- This report provides Council with an update on the exercise of planning delegations by Council officers on the following items:
  - Planning applications received;
  - Planning decisions;
  - Subdivision applications received;
  - Subdivision decisions;
  - Planning scheme amendments;
  - VCAT appeal register; and
  - VCAT decisions.
- In January 2020, 60 applications for planning permits or amendments to permits were received, and 48 applications determined. A total of 71% of permit decisions were made within 60 statutory days.
- As at the time of preparation of this report, there are 279 undecided planning permit, amendment to planning permit, and plan approval applications currently with Council.
- Seven decisions related to multi-dwelling applications. Six of these applications complied with the Multi-Dwelling Visitor Car Parking Guidelines.
- No VCAT decisions were handed down during the month.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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.

**11.4 January 2020 Planning & Environment Progress Report****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.

Where a party seeks review of Council's decision at the Victorian Civil and Administrative Tribunal, Council will incur representation costs. Often, Council is represented by its officers and these costs are managed within Council's adopted budget. However where a matter is complex or involves legal issues, or where Council decides an application at variance with the officers recommendation, an external representative will be engaged. The type and cost of the representative engaged will vary depending on the nature of the application and issues in contention.

Indicatively, costs to engage a planning consultant representative for a VCAT case typically range between \$4,000 and \$8,000 (depending on hearing length), and between \$10,000 and \$50,000+ for legal representation (again, depending on hearing length and potential engagement of expert witnesses).

**Consultation**

This report provides details of all planning applications and decisions that are required to be considered in accordance with the Frankston Planning Scheme and the Planning and Environment Act (1987).

Consultation occurs with the community as part of the planning process of each application that requires public advertising.

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

This report will not result in any identified environmental, economic or social impacts.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

There are no identified risks noted in relation to the preparation of this report.

**Conclusion**

This report provides Council with an overview of the activities and decisions made on planning applications in the month of January 2020.

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**ATTACHMENTS**

Attachment A: [↓](#) Planning and Environment Progress Report - January 2020



<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
2/2020/P	North-East	665 Dandenong-Hastings Road, Skye 3977	To use the land and construct buildings and works for a Veterinary Clinic	2/01/2020
7/2020/P	North-East	77 Paddington Avenue, Carrum Downs 3201	To construct a double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot in a General Residential Zone (GRZ)	5/01/2020
13/2020/P	North-East	28 Colemans Road, Carrum Downs 3201	Six (6) lot subdivision	7/01/2020
14/2020/P	North-East	15 Grassmere Road, Langwarrin 3910	To construct a habitable outbuilding in a Design and Development Overlay Schedule 4 (DDO4)	9/01/2020
3/2020/P/VS	North-East	170 Colemans Road, Carrum Downs 3201	To construct and display business identification signage	10/01/2020
19/2020/P	North-East	12 Goshawk Court, Carrum Downs 3201	To construct one (1) double storey dwelling to the rear of existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	10/01/2020
25/2020/P	North-East	435 North Road, Langwarrin 3910	To amend Section 173 Agreement AM 926223Q	13/01/2020
24/2020/P	North-East	27M Sunny Vale Drive, Langwarrin 3910	To remove reserve status of Reserve No. 3 on PS432187V and create as a lot.	13/01/2020
42/2020/P	North-East	155 Potts Road, Langwarrin 3910	Extension to an existing outbuilding in a Rural Conservation Zone Schedule 2 (RCZ2).	15/01/2020
30/2020/P	North-East	26 Kingston Road, Langwarrin 3910	To remove one native tree	16/01/2020
32/2020/P	North-East	1 Hall Road, Carrum Downs 3201	Creation of easement	21/01/2020
2/2020/P	North-East	26 Tucker Boulevard, Carrum Downs 3201	Satisfaction Matters	24/01/2020
35/2020/P	North-East	34 O'Gradys Road, Carrum Downs 3201	To construct one (1) single storey dwelling to the rear of an existing dwelling (two (2) of dwellings on a lot) in a General Residential Zone (GRZ)	24/01/2020
44/2020/P	North-East	29 Hall Road, Carrum Downs 3201	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ) and to alter access to a Road Zone Category 1	28/01/2020

Progress Report – Planning Applications Received For The Application Date: From 1/01/2020 To 31/01/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
6/2020/P/VS	North-East	103 Burgess Drive, Langwarrin 3910	Two (2) lot subdivision	28/01/2020
37/2020/P	North-East	27 William Road, Carrum Downs 3201	To construct buildings and works for one (1) double storey dwelling within the Tree Protection Zone of a tree listed in the Significant Landscape Overlay - Schedule 5 (SLO5)	29/01/2020
North-East Ward = 16				
1/2020/P/VS	North-West	Karingal Bowling Club 238-250 Skye Road, Frankston 3199	Buildings and works associated with a Section 2 use in a General Residential Zone (GRZ) and Special Building Overlay (SBO).	3/01/2020
5/2020/P	North-West	27 Havana Crescent, Frankston 3199	Three (3) lot subdivision	3/01/2020
26/2020/P	North-West	1 Tyrone Street, Seaford 3198	To construct three (3) single storey dwellings and to subdivide land into three (3) lots in a General Residential Zone	3/01/2020
9/2020/P	North-West	5 John Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	6/01/2020
2/2020/P/VS	North-West	14 Elsie Avenue, Seaford 3198	To construct extensions to an existing dwelling in a Special Building Overlay (SBO)	7/01/2020
12/2020/P	North-West	82 Centenary Street, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct buildings and construct and carry out works associated with the use of the land for accommodation in a Bushfire Management Overlay Schedule 1 (BMO1)	7/01/2020
17/2020/P	North-West	4 Reserve Road, Seaford 3198	Three (3) lot subdivision	10/01/2020
22/2020/P	North-West	140 Austin Road, Seaford 3198	To construct a dwelling on top of an existing shop	10/01/2020
4/2020/P/VS	North-West	9 Kirkwood Avenue, Seaford 3198	Two (2) lot subdivision	10/01/2020
27/2020/P	North-West	7 Luxton Terrace, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone	13/01/2020
28/2020/P	North-West	4 Raymond Avenue, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	15/01/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
5/2020/P/VS	North-West	2/36 Kirkwood Avenue, Seaford 3198	To construct buildings and works for a spa in a Special Building Overlay (SBO)	20/01/2020
31/2020/P	North-West	39 Bayside Grove, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ) and construct and carry out buildings or works in a Special Building Overlay (SBO)	20/01/2020
45/2020/P	North-West	51 Brunning Crescent, Frankston North 3200	To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) of dwellings on a lot) in a General Residential Zone (GRZ)	23/01/2020
34/2020/P	North-West	13 Curie Court, Seaford 3198	To subdivide the land into seventeen (17) lots in an Industrial 1 Zone (IN1Z)	24/01/2020
41/2020/P	North-West	Shop 61A/330 Cranbourne Road, Frankston 3199	Buildings and works to an existing supermarket in a Commercial 1 Zone (B1Z)	31/01/2020
8/2020/P/VS	North-West	83 McMahons Road, Frankston 3199	Two (2) lot subdivision	31/01/2020
<b>North-West Ward = 17</b>				
1/2020/P	South	53 Woodlands Grove, Frankston 3199	To construct two (2) double storey dwellings in a General Residential Zone (GRZ)	2/01/2020
6/2020/P	South	Level 1, 1 Balmoral Street, Frankston 3199	To reduce car parking requirements under Clause 52.06 and waive bicycle parking requirements under Clause 52.34	4/01/2020
10/2020/P	South	4 St Ives Avenue, Frankston South 3199	Buildings and works to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	6/01/2020
8/2020/P	South	4 Fleetwood Crescent, Frankston South 3199	To construct one (1) double storey dwelling on a lot in a General Residential Zone (GRZ1), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9)	6/01/2020
20/2020/P	South	55 McMahons Road, Frankston 3199	To erect and display business identification signage	6/01/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
11/2020/P	South	34 Grange Road, Frankston South 3199	To construct a double storey dwelling in a Bushfire Management Overlay Schedule 1 (BMO1), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9)	7/01/2020
1/2020/P	South	46A Bondi Avenue, Frankston 3199	Satisfaction Matters	8/01/2020
15/2020/P	South	142 Weeroona Road, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4)	9/01/2020
29/2020/P	South	65 Fleetwood Crescent, Frankston South 3199	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9), Significant Landscape Overlay Schedule 4 (SLO4) and a Bushfire Management Overlay (BMO)	13/01/2020
33/2020/P	South	19 Bergman Road, Langwarrin 3910	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4) and a Bushfire Management Overlay (BMO)	22/01/2020
7/2020/P/VS	South	19 Davey Street, Frankston 3199	To construct buildings and works (fence) in a Commercial 1 Zone (C1Z)	29/01/2020
38/2020/P	South	22 Yamala Drive, Frankston South 3199	Extension to an existing dwelling in a General Residential Zone (GRZ) and carry out buildings and works in a Design and Development Overlay Schedule 2 (DDO2)	30/01/2020
40/2020/P	South	16 Gould Street, Frankston 3199	To construct one (1) double storey dwelling and carry out buildings and works in a Design and Development Overlay Schedule 6 (DDO6)	31/01/2020
South Ward = 13				
Total = 46				

<b>Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/01/2020 To 31/01/2020</b>				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
330/1999/P/A	North-East	Centenary Park Golf Course 300N Centenary Park Drive, Frankston 3199	Section 72 - A Place of Assembly use and associated Licenced bar.  Amendment - vary and increase the red line area	3/01/2020
411/2019/P/A	North-East	88 Southgateway, Langwarrin 3910	Secondary Consent - Two (2) lot subdivision	10/01/2020
64/2011/P/A	North-East	22 McCormicks Road, Skye 3977	Secondary Consent - The construction of ten (10) dwellings (nine (9) double storey and one (1) single storey) and alterations to access to a Road Zone Category 1	14/01/2020
730/2015/P/D	North-East	724 Frankston-Dandenong Road, Carrum Downs 3201	Secondary Consent - To use and develop the land for a place of worship, one guest dwelling, one caretakers house and to alter access to a Road Zone	20/01/2020
730/2015/P/D	North-East	2 Boundary Road, Carrum Downs 3201	Secondary Consent - To use and develop the land for a place of worship, one guest dwelling, one caretakers house and to alter access to a Road Zone	20/01/2020
256/2016/P/F	North-East	1/55 Union Road, Langwarrin 3910	Section 72 - Use and development of the land for a childcare centre and removal of native vegetation	21/01/2020
433/2016/P/C	North-East	1 Kerry Street, Langwarrin 3910	Secondary consent - To construct an extension to the existing Dance School (Indoor Recreational Facility) and removal of Native Vegetation.	28/01/2020
818/2010/P/H	North-East	91 Aqueduct Road, Langwarrin 3910	Extension of Time - Two (2) lot subdivision	31/01/2020
<b>North-East Ward = 8</b>				
301/2016/P/B	North-West	200 Karingal Drive, Frankston 3199	Extension of Time - Building and works to modify the existing building for a Medical centre and reduction of car parking requirement	8/01/2020
391/2014/P/D	North-West	3 Kurong Avenue, Frankston 3199	Extension of Time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	15/01/2020

Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/01/2020 To 31/01/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
248/2013/P/B	North-West	75 Fortescue Avenue, Seaford 3198	Extension of Time - To construct a double storey dwelling to the front of the existing dwelling (two (2) dwellings) and a two lot subdivision	16/01/2020
286/2017/P/C	North-West	12 Raymond Avenue, Frankston 3199	Extension of Time - To construct three (3) double storey dwellings	22/01/2020
458/2017/P/C	North-West	28 Bainbridge Avenue, Seaford 3198	Extension of Time - The construction of two (2) double storey dwellings	29/01/2020
408/2017/P/A	North-West	1 Kananook Avenue, Seaford 3198	Extension of Time - Two (2) lot subdivision	29/01/2020
31/2014/P/D	North-West	1 Coolibar Avenue, Seaford 3198	Extension of Time - To construct two (2) double storey dwellings	30/01/2020
269/2017/P/C	North-West	5 Lorraine Street, Frankston 3199	Extension of Time - To construct three (3) double storey dwellings	30/01/2020
North-West Ward = 8				
755/2010/P/L	South	64 Baden Powell Drive, Frankston South 3199	Extension of Time - The construction of two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings) and the removal of vegetation	6/01/2020
207/2017/P/C	South	87 Frankston-Flinders Road, Frankston 3199	Section 72 - To construct two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings) and to create/alter access to a road in a Road Zone Category 1	13/01/2020
249/2017/P/B	South	24-32 Moorooduc Highway, Frankston South 3199	Section 72 - Use and development of a retirement village, alter access to a road in a Road Zone category 1, removal of substantial vegetation and to erect and display advertising signage.	16/01/2020
386/2019/P/A	South	435 Nepean Highway, Frankston 3199	Secondary Consent - The use of land for a telecommunications facility and to construct or carry out associated works.	17/01/2020

Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/01/2020 To 31/01/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
238/2019/P/B	South	23 Gulls Way, Frankston South 3199	Section 72 - To construct one (1) double storey dwelling in a Design and Development Overlay - Schedule 2 and construct buildings and works in an Erosion Management Overlay - Schedule 1	22/01/2020
59/2017/P/B	South	8 Idon Avenue, Frankston South 3199	Extension of Time - To construct a dwelling in addition to the existing dwelling on the lot (one double storey dwelling to the rear of an existing dwelling) and for a two lot subdivision	23/01/2020
666/2015/P/C	South	37 Williams Street, Frankston 3199	Secondary Consent - To construct five (5) double storey dwellings and the waiver of one visitor car parking space.	23/01/2020
561/2018/P/B	South	11 Helvetia Court, Frankston 3199	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	28/01/2020
South Ward = 8				
Total = 24				

Progress Report – Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
370/2019/P	North-East	5 Highview Road, Skye 3977	To use the land for and to undertake buildings and works in association with the use of the land for Agriculture in a Rural Conservation Zone Schedule 2 RCZ2	Application Lapsed	8/01/2020
160/2019/P/VS	North-East	3 Yarralumla Drive, Langwarrin 3910	Two (2) lot subdivision	Permit Approved	9/01/2020
159/2019/P/VS	North-East	2/22 McCormicks Road, Skye 3977	ePathway	Application Withdrawn	13/01/2020
13/2017/P	North-East	103 Burgess Drive, Langwarrin 3910	Two (2) lot subdivision	Permit Expired	13/01/2020
158/2019/P/VS	North-East	735 Dandenong-Hastings Road, Skye 3977	To construct an outbuilding associated with the use of the land for horticulture in a Green Wedge Zone	Permit Approved	14/01/2020
25/2020/P	North-East	435 North Road, Langwarrin 3910	To amend Section 173 Agreement AM 926223Q	Application Withdrawn	15/01/2020
349/2018/P	North-East	5-9 Edward Street, Langwarrin 3910	Eighteen (18) lot subdivision	Application Withdrawn	20/01/2020
295/2019/P	North-East	2/55 Union Road, Langwarrin 3910	Five lot (5) subdivision	Permit Approved	20/01/2020
3/2020/P/VS	North-East	170 Colemans Road, Carrum Downs 3201	To construct and display business identification signage	Permit Approved	21/01/2020
147/2019/P/VS	North-East	26 Kingston Road, Langwarrin 3910	To remove one native tree	Application Withdrawn	22/01/2020
478/2019/P	North-East	15A & 15B Broderick Road, Carrum Downs 3201	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	22/01/2020
494/2019/P	North-East	6 Larch Street, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	23/01/2020
449/2019/P	North-East	1M Rossiter Road, Carrum Downs 3201	To use land for a telecommunications facility and to construct building and works within a Public Use Zone (PUZ)	Permit Approved	31/01/2020
North-East = 13					



Progress Report – Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
574/2018/P	North-West	58-60 Hadley Street, Seaford 3198	To construct six (6) single storey dwellings	Permit Approved	7/01/2020
405/2019/P	North-West	Wingham Park 101R-103R Ashleigh Avenue, Frankston 3199	Removal of one (1) native tree (tree number 2)	Permit Approved	9/01/2020
424/2019/P	North-West	2 Omaroo Road, Frankston 3199	To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) of dwellings on a lot) in a General Residential Zone (GRZ)	Application Lapsed	9/01/2020
446/2019/P	North-West	5 Raymond Road, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct buildings and works in a Special Building Overlay (SBO)	Application Refused	9/01/2020
479/2019/P	North-West	84-100 Austin Road, Seaford 3198	Buildings and works in association with a Section 2 Use (Primary School) and in a Special Building Overlay (SBO)	Permit Approved	10/01/2020
421/2019/P	North-West	23-25 Longleaf Street, Frankston North 3200	To construct two (2) single storey dwellings to the rear of two (2) existing single storey dwellings (four (4) dwellings)	Application Withdrawn	10/01/2020
1/2020/P/VS	North-West	Karingal Bowling Club 238-250 Skye Road, Frankston 3199	Buildings and works associated with a Section 2 use in a General Residential Zone (GRZ) and Special Building Overlay (SBO).	Permit Approved	14/01/2020
13/2019/P	North-West	Seaford Reserve - R F Miles Recreation Reserve 22R Seaford R	To carry out works within tree protection zone of a native tree in an Environmental Significance Overlay Schedule 1 (ESO1), to construct a building and to carry out works within the Special Building Overlay (SBO), to carry out works within Land Subject to Inundation Overlay (LSIO) and removal of native vegetation.	Permit Approved	14/01/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
532/2017/P	North-West	286 Nepean Highway, Seaford 3198	To construct twenty-seven (27) dwellings, to construct a building and construct and carry out works in a Land Subject to Inundation Overlay (LSIO), to construct a building over 7.0 metres in height in a Design and Development Overlay Schedule 6 (DDO6) and to create/alter access to a road in a Road Zone	Permit Approved	14/01/2020
194/2019/P	North-West	44 Galway Street, Seaford 3198	To use the land for a child care centre, to construct a building or construct or carry out works for a Section 2 use (child care centre), to construct a building or construct or carry out works in a Special Building Overlay (SBO)	Permit Approved	14/01/2020
143/2019/P/VS	North-West	2/36 Kirkwood Avenue, Seaford 3198	To construct buildings and works ( Spa and fencing) within a Special Building Overlay (SBO)	Application Lapsed	20/01/2020
412/2019/P	North-West	4 Madden Street, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	20/01/2020
512/2019/P	North-West	1-3 Station Street, Seaford 3198	To construct and display business identification signs	Permit Approved	21/01/2020
511/2019/P	North-West	25 Longleaf Street, Frankston North 3200	To remove drainage and sewerage easement E1	Permit Approved	21/01/2020
473/2019/P	North-West	184 Old Wells Road, Seaford 3198	Two (2) Lot Subdivision	Permit Approved	21/01/2020
270/2019/P	North-West	2 Queen Street, Frankston 3199	To construct five (5) double storey dwellings	Permit Approved	22/01/2020
5/2020/P/VS	North-West	2/36 Kirkwood Avenue, Seaford 3198	To construct buildings and works for a spa in a Special Building Overlay (SBO)	Permit Approved	23/01/2020
4/2020/P/VS	North-West	9 Kirkwood Avenue, Seaford 3198	Two (2) lot subdivision	Permit Approved	24/01/2020
485/2019/P	North-West	6-8 Arabil Street, Frankston 3199	To subdivide the land into six (6) lots in a General Residential Zone (GRZ)	Permit Approved	28/01/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
314/2018/P	North-West	211-212 Nepean Highway, Seaford 3198	Nineteen (19) lot subdivision	Permit Approved	29/01/2020
502/2019/P	North-West	63A Armstrongs Road, Seaford 3198	To remove the restrictive covenant contained in the instrument of transfer PS413667N referred to in Certificate of Title, Volume 10388, Folio 088	Permit Approved	29/01/2020
North-West = 21					
468/2018/P	South	6 Blair Avenue, Frankston South 3199	To construct one (1) double storey dwellings to the rear of the existing dwelling (two (2) dwellings) and removal of trees.	Permit Approved	7/01/2020
443/2019/P	South	17/111 Cranbourne Road, Frankston 3199	To erect and display business identification signage	Application Lapsed	13/01/2020
145/2019/P/VS	South	8 Park Street, Frankston 3199	To construct a building (shed) and works in association with a Primary School	Permit Approved	15/01/2020
375/2019/P	South	22 Marcus Road, Frankston South 3199	To carry out works in the Tree Protection Zone of substantial native trees in a Significant Landscape Overlay Schedule 3 (SLO3) and an Environmental Significance Overlay (ESO1) and works in the Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	16/01/2020
260/2019/P	South	93 McComb Boulevard, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Application Lapsed	16/01/2020

<b>Progress Report – Planning Application Decisions            For The Application Date: From 1/01/2020 To 31/01/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
371/2019/P	South	85 McComb Boulevard, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings); to construct buildings and works exceeding 40% building coverage in a Design and Development Overlay Schedule 9; to construct buildings and works within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 4; to construct buildings and works associated with accommodation in a Bushfire Management Overlay - Schedule 1	Permit Approved	16/01/2020
480/2019/P	South	8 Cecil Street, Frankston 3199	To subdivide the land into four (4) lots in a General Residential Zone (GRZ)	Permit Approved	21/01/2020
415/2019/P	South	29 Baden Powell Drive, Frankston South 3199	To construct a building and carry out works associated with accommodation (Dependent Persons Unit) in a Bushfire Management Overlay	Permit Approved	22/01/2020
10/2020/P	South	4 St Ives Avenue, Frankston South 3199	Buildings and works to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	24/01/2020
363/2019/P	South	2 McLean Court, Frankston South 3199	To construct an outbuilding within a Design and Development Overlay Schedule 1 (DDO1) and a Bushfire Management Overlay (BMO)	Permit Approved	31/01/2020
365/2019/P	South	438-444 Nepean Highway, Frankston 3199	To construct buildings and carry out works in a Commercial 1 Zone; to use the land for a Section 2 Use (Child Care Centre and Function Centre) in a Commercial 1 Zone; to reduce the number of car parking spaces required under Clause 52.06-5 (Car Parking); to reduce the number of bicycle spaces required under Clause 52.34-5 (Bicycle Facilities)	Permit Approved	31/01/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
7/2020/P/VS	South	19 Davey Street, Frankston 3199	To construct buildings and works (fence) in a Commercial 1 Zone (C1Z)	No Permit Required	31/01/2020
South Ward = 12					
Total = 46					

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
408/2011/P/H	North-East	46 McCormicks Road, Skye 3977	<p>Section 72 Amendment - To construct ten (10) dwellings (nine (9) double storey and one (1) single storey) and alterations to access to a Road Zone Category 1</p> <p>The proposed changes include, but are not limited to:</p> <ul style="list-style-type: none"> <li>- Modifications to the finished floor levels and subsequent modifications to the overall building heights.</li> <li>- The deletion of windows for Dwellings 2, 3, 4 and 5.</li> <li>- Modifications to the parapet/roof heights.</li> <li>- Relocation of water tanks, clothes lines and storage sheds.</li> </ul>	Permit Approved	3/01/2020
542/2012/P/A	North-East	36 McCormicks Road, Skye 3977	Extension of time - Ten (10) lot subdivision	Extension of Time Approved	3/01/2020
643/2016/P/E	North-East	36 Lorraine Avenue, Langwarrin 3910	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	Extension of Time Approved	8/01/2020
436/2013/P/C	North-East	120 Union Road, Langwarrin 3910	Extension of time - A two (2) lot subdivision	Extension of Time Approved	16/01/2020
292/2019/P/A	North-East	42 Progress Drive, Carrum Downs 3201	Section 72 - To use the land for a Section 2 Use (Education Centre) in an Industrial 1 Zone	Permit Approved	16/01/2020
372/2012/P/E	North-East	28-40 Colemans Road, Carrum Downs 3201	Extension of time - A forty (40) lot staged subdivision, which includes the creation of easements and the removal of vegetation	Extension of Time Approved	21/01/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
64/2011/P/A	North-East	22 McCormicks Road, Skye 3977	Secondary Consent - The construction of ten (10) dwellings (nine (9) double storey and one (1) single storey) and alterations to access to a Road Zone Category 1	Secondary Consent Refused	24/01/2020
North-East Ward = 7					
399/2014/P/C	North-West	11-13 Leonard Street, Frankston 3199	Extension of time - To construct four (4) double storey dwellings & two (2) single storey dwellings (six (6) dwellings)	Extension of Time Approved	6/01/2020
724/2013/P/C	North-West	84 Brunel Road, Seaford 3198	Extension of time - To construct two (2) warehouses/factories with an associated office	Extension of Time Approved	6/01/2020
172/2019/P/C	North-West	10 Frawley Street, Frankston 3199	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) and to subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	7/01/2020
339/2018/P/B	North-West	121-123 Lindrum Road, Frankston 3199	Secondary consent - To construct eleven (11) double storey dwellings	Secondary Consent Approved	8/01/2020
588/2014/P/D	North-West	1 Glen Alvie Street, Seaford 3198	Secondary Consent - To construct five (5) double storey dwellings	Application Refused	8/01/2020
464/2004/P/B	North-West	5 Cricklewood Avenue, Frankston 3199	Secondary consent - To construct two (2) dwellings	Secondary Consent Approved	21/01/2020
262/2016/P/E	North-West	5-7 Bragge Street, Frankston 3199	Section 72 - The construction of a four (4) storey building containing twenty six (26) apartments	Permit Approved	21/01/2020
301/2016/P/B	North-West	200 Karingal Drive, Frankston 3199	Extension of Time - Building and works to modify the existing building for a Medical centre and reduction of car parking requirement	Extension of Time Approved	30/01/2020
286/2017/P/C	North-West	12 Raymond Avenue, Frankston 3199	Extension of Time - To construct three (3) double storey dwellings	Extension of Time Approved	30/01/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/01/2020 To 31/01/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
North-West Ward = 9					
436/2016/P/B	South	44 High Street, Frankston 3199	Extension of time - To construct one (1) dwelling over 7.0 metres in height	Extension of Time Approved	6/01/2020
620/2013/P/C	South	43 Denbigh Street, Frankston 3199	Extension of time - Four (4) lot subdivision	Extension of Time Approved	6/01/2020
205/2019/P/B	South	13 George Street, Frankston 3199	Section 72 - Five (5) Lot Subdivision	Permit Approved	9/01/2020
106/2019/P/A	South	15 Willora Court, Frankston South 3199	Section 72 - To construct extensions and additions to an existing dwelling in a Design and Development Overlay Schedule 1	Permit Approved	9/01/2020
209/2016/P/D	South	13 George Street, Frankston 3199	Secondary Consent - To construct one (1) double storey dwelling to the rear of the existing four (4) single storey dwellings	Secondary Consent Approved	10/01/2020
97/2011/P/I	South	108 Kars Street, Frankston South 3199	Secondary Consent - To construct four (4) double storey dwellings	Secondary Consent Approved	17/01/2020
386/2019/P/A	South	435 Nepean Highway, Frankston 3199	Secondary Consent - The use of land for a telecommunications facility and to construct or carry out associated works.	Secondary Consent Approved	24/01/2020
553/2014/P/G	South	21 Warrandyte Road, Langwarrin 3910	Secondary Consent - To construct twelve (12) single storey dwellings and seventeen (17) double storey dwellings (twenty nine (29) dwellings) and vegetation removal	Secondary Consent Approved	28/01/2020
South Ward = 8					
Total = 24					



<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
2/2020/S	North-East	28 Colemans Road, Carrum Downs 3201	Six (6) lot subdivision	7/01/2020
5/2020/S	North-East	27M Sunny Vale Drive, Langwarrin 3910	To remove reserve status of Reserve No. 3 on PS432187V and create as a lot.	13/01/2020
6/2020/S	North-East	1 Hall Road, Carrum Downs 3201	CREATION OF EASEMENT E-1 ON THIS PLAN & REMOVAL OF THE DRAINAGE EASEMENT ENCUMBERING VOL 10780 FOL 919 AND SHOWN E-1 & E-3 ON PS449961L, BOTH VIA PLANNING PERMIT	21/01/2020
8/2020/S	North-East	103 Burgess Drive, Langwarrin 3910	Two (2) lot subdivision	28/01/2020
1/2020/S	North-West	27 Havana Crescent, Frankston 3199	Three (3) lot subdivision	3/01/2020
3/2020/S	North-West	4 Reserve Road, Seaford 3198	Three (3) lot subdivision	10/01/2020
4/2020/S	North-West	9 Kirkwood Avenue, Seaford 3198	Two (2) lot subdivision	10/01/2020
7/2020/S	North-West	13 Curie Court, Seaford 3198	Seventeen (17) lot subdivision	24/01/2020
9/2020/S	North-West	83 McMahons Road, Frankston 3199	Two (2) lot subdivision	31/01/2020
<b>Total = 9</b>				

<b>Progress Report – Subdivision Decisions</b>					
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>					
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Status</u></b>	<b><u>Date</u></b>
151/2018/S	North-East	58 Luscombe Avenue, Carrum Downs 3201	Two (2) lot subdivision	SOC Issued (M)	6/01/2020
72/2018/S	North-East	76 O'Gradys Road, Carrum Downs 3201	Two (2) lot subdivision	SOC Issued (M)	6/01/2020
26/2018/S	North-East	16 Long Street, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	13/01/2020
1/2017/S	North-East	34 Richmond Avenue, Carrum Downs 3201	Boundary Realignment	Application Withdrawn (M)	17/01/2020
87/2012/S	North-East	28-40 Colemans Road, Carrum Downs 3201	Thirteen (13) lot subdivision	SOC Issued (M)	22/01/2020
137/2018/S	North-East	21 Edward Street, Langwarrin 3910	Six (6) lot subdivision	Certification and SOC Issued	29/01/2020
119/2018/S	North-West	184 Frankston-Dandenong Road, Seaford 3198	Four (4) lot subdivision	SOC Issued (M)	7/01/2020
127/2019/S	North-West	95 East Road, Seaford 3198	Seven (7) lot subdivision	Certified	8/01/2020
34/2019/S	North-West	34 Boonong Avenue, Seaford 3198	Certification of a Plan under the Subdivision Act - Six (6) Lot Subdivision	Certified	13/01/2020
50/2014/S	North-West	1/1, 2/1, 3/1 & 4/1 Martha Street, Seaford 3198	Four (4) lot subdivision	Certification Expired	15/01/2020
136/2016/S	North-West	26 Caley Street, Frankston North 3200	Two (2) lot subdivision	Application Withdrawn (M)	17/01/2020
128/2019/S	North-West	6 Jolly Street, Frankston 3199	Three (3) lot subdivision	Certified	30/01/2020
29/2016/S	South	17 Grosvenor Street, Frankston South 3199	Two (2) lot subdivision	SOC Issued (M)	2/01/2020
87/2017/S	South	9 Ronald Avenue, Frankston South 3199	Two (2) lot subdivision	Application Withdrawn (M)	2/01/2020
39/2016/S	South	78 Gould Street, Frankston 3199	Two (2) lot subdivision	Application Lapsed	3/01/2020
85/2019/S	South	3 Brooklyn Avenue, Frankston 3199	Three (3) lot subdivision	Certification and SOC Issued	6/01/2020

<b>Progress Report – Subdivision Decisions</b>					
<b>For The Application Date: From 1/01/2020 To 31/01/2020</b>					
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Status</u></b>	<b><u>Date</u></b>
2/2018/S	South	77 Humphries Road, Frankston South 3199	Three (3) lot subdivision	SOC Issued (M)	10/01/2020
57/2018/S	South	2 Diosma Court, Frankston South 3199	Two (2) lot subdivision	SOC Issued (M)	13/01/2020
154/2017/S	South	53 Nolan Street, Frankston 3199	Two (2) lot subdivision	SOC Issued (M)	21/01/2020
66/2019/S	South	37 Williams Street, Frankston 3199	Five (5) Lot subdivision	Certified	22/01/2020
147/2019/S	South	57 Bayview Road, Frankston 3199	Two (2) lot subdivision	Certified	23/01/2020
84/2013/S	South	25 Lloyd Street, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	23/01/2020
73/2019/S	South	4 Boronia Close, Frankston 3199	Two (2) lot subdivision	SOC Issued (M)	28/01/2020
<b>Total = 23</b>					

<b>Town Planning Applications – Direction To Advertise Issued January 2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Application Date</u></b>
486/2019/P	North-East	Shop 1/230 Cranbourne-Frankston Road, Langwarrin 3910	To use the land for a Restricted Recreation Facility(Gym) in a Commercial 1 Zone (C1Z)	5/12/2019
440/2019/P	North-East	75 Edward Street, Langwarrin 3910	To construct twelve (12) double storey dwellings	7/11/2019
99/2013/P/C	North-West	25 Oliphant Way, Seaford 3198	Section 72 - Use of the land for a restricted recreation facility, (trampolining), construction of a mezzanine floor, display of advertising signs and reduction of bicycle facilities.  Amendment is for - Increase number of patrons from 100 to 300, use the site for Sale and consumption of liquor with 60 patron numbers (cafe and restaurant licence) in association with ancillary cafe and vary hours of operation.	2/10/2019
502/2019/P	North-West	63A Armstrongs Road, Seaford 3198	To remove the restrictive covenant contained in the instrument of transfer PS413667N referred to in Certificate of Title, Volume 10388, Folio 088	10/12/2019
451/2019/P	North-West	41 Hartnett Drive, Seaford 3198	To use the land for Indoor Recreation facility (basketball training) and office in an Industrial 1 Zone (IN1Z) with associated signage.	12/11/2019
452/2019/P	North-West	3A Sir Laurence Drive, Seaford 3198	To use the land for a Medical Centre and Gym (Physio and fitness clinic) in an Industrial 1 Zone (IN1Z), To construct a building or construct or carry out works in an Industrial 1 Zone (IN1Z) and reduction in the number of car parking spaces under Clause 52.06.	12/11/2019
325/2019/P	South	10 Pratt Avenue, Frankston South 3199	To construct two (2) double storey dwellings	1/08/2019
25/2016/P/D	South	5 Holmes Street, Frankston 3199	Section 72 - To construct two (2) double storey dwellings	11/11/2019

Legend

10 or more dwellings:	Yellow
3 or more lot subdivisions:	Blue
3 or more storey development:	Green
Applications in the CAA:	Pink

Progress Report – Current VCAT Appeals January 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1570/2019	642/2018/P	35 Playne Street Frankston	The Construction of a 14 storey mixed use building for leisure and recreation facility (gym), accommodation (11 student rooms and 77 apartments), office, retail (cafe', hairdresser, restaurant and motor vehicle sales) and a reduction in car parking requirements of Clause 52.06	5/08/2019	Refusal	Refusal	4/02/2020		
P1566/2019	111/2019/P	66A Cliff Road Frankston South	To construct two (2) double storey dwellings on a lot and to construct and carry out buildings and works and a domestic swimming pool in a Design and Development Overlay Schedule 9	7/08/2019	Refusal	Refusal	11/02/2020		
P1106/2019	254/2018/P	475 Baxter-Tooradin Road Langwarrin South	Use of land for a poultry farm (production of free-range eggs) and consequential buildings and works.	06/06/2019	Refusal	Refusal	29/11/2019 new date 5 and 6 March 2020		
P1797/2019	41/2019/P	21 Barmah Court Frankston South	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.	1/10/2019	Refusal	Refusal	23/03/2020		

Progress Report – Current VCAT Appeals January 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1934/2019	100/2019/P	137 Overport Road Frankston South	To use and develop the land for a child care centre in a General Residential Zone, to construct a building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 and to construct a building in a Design and Development Overlay Schedule 1	7/10/2019	Refusal	Refusal	14/04/2020 (4 days)		
P2066/2019	324/2018/P	37 Nepean Highway Seaford	Construction of six (6) three storey dwellings and reduction of visitor car parking	8/11/2019	Refusal	Refusal	6/05/2020		
P2152/2019	229/2019/P	26 Brunnings Road Carrum Downs	To construct two hundred and eleven (211) dwellings, a staged subdivision and removal of native vegetation	15/11/2019		Failure	20/04/2020		
P2190/2019	99/2019/P	17 Railway Parade Seaford	To construct three (3) double storey dwellings on a lot	20/11/2019	NOD	Objector	21/05/2020		
P2257/2019	294/2019/P	1 Merrigal Court Frankston South	To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 1, buildings and works within the Tree Protection Zone of a substantial tree in a Significant Landscape Overlay Schedule 3	4/12/2019	NOD	Objector	5/06/2020		

Progress Report – Current VCAT Appeals January 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P2316/2019	268/2019/P	414-414A and 416-422 Nepean Hwy Frankston	Use and development of the land for a service station, convenience store and convenience restaurant. To carry out works within a TPZ of significant tree 271, display of internally illuminated business identification signage, to create and alter access to a road in a Road Zone Category 1 and a reduction in the provision of bicycle facilities under Clause 52.34 of the Frankston Planning Scheme.	29/11/2019	Refusal	Refusal	9/06/2020		
P2327/2918	86/2019/P	11 Reservoir Road Frankston	To construct five (5) double-storey dwellings in General Residential Zone Schedule 1	3/12/2019	Refusal	Refusal	11/06/2020		
P2347/2019	340/2019/P	35 Broderick Road Carrum Downs	To construct fourteen (14) dwellings on a lot	5/12/2019	Refusal	Refusal	17/06/2020		
P2288/2019	256/2019/P	1 Leith Court Frankston	Use and development of the site as a rooming house (internal works increasing the number of bedrooms to 12, with no change in occupancy numbers)	3/01/2020	Refusal	Refusal	1/06/2020		
P2309/2019	236/2019/P	69-71 Yuille Street Frankston	To construct eight dwellings (four (4) triple storey and four (4) double storey dwellings)	28/11/2019	Refusal	Refusal	12/05/2020		



Progress Report – Current VCAT Appeals January 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P2484/2019	537/2018/P	561 Nepean Highway Frankston	Construction of a dwelling over seven metres in height in a Design and Development Overlay Schedule 6 and Buildings and works associated with a dwelling and removal of vegetation in an Erosion Management Overlay Schedule 3	8/01/2020	Refusal	Refusal	1/07/2020		
P51/2020	296/2019/P	9 Spring Lane Frankston	To construct one (1) double storey dwelling over 7.0 metres in height in a Design and Development Overlay Schedule 6 (DDO6)	13/01/2020	NOD	Objector	14/7/2020		
P2091/2019	214/2019/P	5 Grange Road Frankston South	To construct two (2) dwellings - one (1) single storey dwelling and one (1) double storey dwelling	22/01/2020	Refusal	Refusal	15/6/2019		

<b>Progress Report – VCAT Determination – Policy Implications January 2020</b>			
<b><u>Appeal No</u></b>	<b><u>Application No</u></b>	<b><u>Address</u></b>	<b><u>VCAT Determination – Policy Implications</u></b>

<b>Strategic Unit - Planning Scheme Amendments – January 2020</b>				
<b><u>Amendment</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Status</u></b>	<b><u>Status Date</u></b>
C105	Frankston MAC	Implements a Student Accommodation Local Policy	Planning consultants have been appointed to the project to prepare a background document and review a draft local policy.	10 February 2020
C120	Frankston City Council Wide	Implements the recommendations of the Frankston Housing Strategy 2018	Council at its 4 June 2018 Ordinary meeting authorised the preparation and exhibition of the amendment. DELWP have advised that further time is required to review the amendment documentation. DEWLP advised in January 2020 that the Minister will be briefed in the near future.	10 February 2020
C122	300 Frankston-Dandenong Road, Seaford	Proposes a rezoning of the land to facilitate the development of a Coles supermarket, warehouses & some residential	Combined PSA & Permit application was lodged to Council in February 2019. A RFI letter was sent to the applicants in March 2019. The applicant responded late November 2019. Applicant has been advised that there are a number of issues still unresolved.	10 February 2020
C123	Frankston MAC	Introduce Activity Centre Zone and preferred height controls for Precinct 1 – FMAC structure plan	As the amendment has lapsed, officers are reviewing and preparing potential options to implement the FMAC structure plan for Precinct 1. Council will be briefed in February with a report to the March 2020 Council meeting.	10 February 2020
C126	Frankston City Council Wide	Tidy Up Amendment	Collecting and collating the information in relation to clerical errors identified in the planning scheme.	10 February 2020

C130	Frankston City Council Wide	Council Open Space Corrections Rezoning	Background research finalised. Amendment documentation prepared. DEWLP have advised that the amendment may be eligible for exemption of the public notice requirements. Officers to prepare a report to seek Council authorisation to prepare and adopt the amendment without public notice.	10 February 2020
C131	Frankston City Council Wide	Removal of Development Plan Overlays	Council at 18 November 2019 Council Meeting adopted the amendment. The Amendment has been submitted to the Minister for Planning for Approval.	10 February 2020
C138	Frankston City Council Wide	Implements a ESD Local Policy	Council at the 12 August 2019 authorised officers to prepare and exhibit the Amendment. The amendment documentation is currently being prepared which includes a local policy for submission to DEWLP in February/March 2020.	10 February 2020
C140	Frankston Green Wedge Areas	References the Green Wedge Management Plan in to the Planning Scheme	Council at the 14 October 2019 Council meeting authorised officers to prepare and exhibit a planning scheme amendment. The draft GWMP is being updated to reflect Council resolution of October 2019 and the amendment documentation is currently being prepared by officers. The amendment will be lodged with DEWLP in February 2020.	10 February 2020
C141	Frankston City Council Wide	Implements the recommendations of the Planning Scheme Review 2019	Adopted at 2 September 2019 Council Meeting. The Review report has been sent to the Minister as required in accordance with the relevant legislation.	10 January 2020

**Executive Summary****12.1 Council Resolution Status Update for 10 March 2020**

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 10 March 2020.
2. Receives the Urgent Business Status Update as at 10 March 2020.
3. Notes and accepts there is one Notice of Motion that has been reported as being complete:
  - o 2019/NOM29 – Public Art Murals
4. Notes the report listed below will not be presented back to Council by its advised date and a detailed explanation is provided in the body of the report:
  - o Accountability and Transparency Reform Update
5. Notes that, since 2020/OM2 on 17 February 2020, 29 resolutions have been completed, as listed in the body of the report.

**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:

*“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 10 March 2020 is attached and will continue to be updated and reported at each Ordinary Council Meeting. Note there are no items listed under confidential, as such this report has not been attached.

**12.1 Council Resolution Status Update for 10 March 2020****Executive Summary**

- The Urgent Business Status Update report is attachment (Attachment C) as at 10 March 2020, and will continue to be reported at each Ordinary Council Meeting.
- There is one Notice of Motion action that has been reported as complete:
  - 2019/NOM29 – Public Art Murals
- 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 one report listed as being delayed for this meeting. Progress updates have been supplied for the items set out below:
  - Accountability and Transparency Reform Update

As a result on a further meeting with Cr Bolam, where additional items were included, a report will now be presented to the April 2020 Ordinary Council Meeting for the ATR to be formally closed and allow time for officers to implement each of the items.
- Since 2020/OM2 on 17 February 2020, the following 29 resolution actions have been reported as 'complete'. A detailed report has been provided in Attachment D.
  - ANZAC Day future support
  - Evelyn Street - Public Open Space
  - Draft Roads Asset Management Plan - Public Consultation
  - Urgent Business - Community Engagement Policy and Framework
  - Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2020
  - Minutes of the Frankston Arts Board - 21 October 2019
  - Outcomes of the Audit and Risk Committee meetings
  - Urgent Business - Installation of Public Sculptures
  - Town Planning Application 224/2019/P - 16 Charlotte Court Frankston South - To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct a building or construct or carry out works inside the Tree Protection Zone of substantial trees and to remove substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4) and to construct buildings and carry out works associated with accommodation in a Bushfire Management Overlay (BMO)
  - Frankston City Strategic Homelessness Alliance
  - Town Planning Application 413/2019/P - 2/7A Thompson Street Frankston - To use the land to sell and consume liquor (restaurant and cafe licence) in conjunction with the continued use of the premises as a food and drink premises (restaurant)
  - Planning permit 161/2011/P - Extension of time request - 10-12 Davey Street Frankston - Part demolition of buildings and works in a Heritage Overlay, construction of a fourteen (14) storey building with four levels of basement car parking, use for dwellings and cafe, reduction in car parking requirements and a waiver of loading bay requirements
  - Planning Permit Application 229/2019/P - 26 Brunnings Road, Carrum Downs - To construct two-hundred and eleven (211) dwellings, a staged subdivision and removal of native vegetation.
  - November 2019 Planning & Environment Progress Report
  - December 2019 Planning & Environment Progress Report

**12.1 Council Resolution Status Update for 10 March 2020****Executive Summary**

- Notice of Motion and Deferred Report Status Update for 28 January 2020
- Frankston City Stronger Families Policy
- Healthy Choices Policy
- Roads Asset Management Plan (2020)
- Council Submission - Residential Tenancies Regulations
- Request for Funding - Sunrise Rotary Charity Golf Day
- Sports and Recreation Victoria - Grant Submissions
- Response to Urgent Business - Installation of Public Sculptures Response
- Petition - Animal Permits and Issues
- Chief Executive Officer's Quarterly Report - January 2020
- Audit and Risk Committee – Chairperson's Annual Report to Council
- Outcomes of the Audit and Risk Committee meetings
- Appointment of Chairperson to the Audit and Risk Committee
- Peninsula Leisure Pty Ltd - Quarterly Report period ending 30 September 2019

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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**

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 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.

**12.1 Council Resolution Status Update for 10 March 2020****Executive Summary**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 and Urgent Business items. Council Officers are continuously working to implement a range of Council resolutions and in addition to noting the work completed, it is recommended that the Notices of Motion as listed within this report now be archived.

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**ATTACHMENTS**

- Attachment A: [↓](#) Notices of Motion Cost Summary as at 10 March 2020
- Attachment B: [↓](#) Notices of Motion as at 10 March 2020
- Attachment C: [↓](#) Urgent Business Status Report as at 10 March 2020
- Attachment D: [⇒](#) Closed / Completed Resolutions as at 10 March 2020 (*Under Separate Cover*)



Notice of Motion Report - 2020 - for the 10 March Council Meeting (A4160601).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	12	\$0	\$128,800	\$257,500	\$35,000	1
Cr McCormack	19	\$17,375	\$11,300	\$258,000	\$140,000	4
Cr Toms	35	\$7,240	\$70,000	\$259,158	\$87,000	1
Cr Aitken	45	\$7,115	\$0	\$79,750	\$85,000	11
Cr Bolam	108	\$62,378	\$842,392	\$668,800	\$1,005,000	8
Cr O'Connor	18	\$2,600	\$4,000	\$25,163	\$80,000	1
Cr Mayer	4	\$200	\$66,000	\$0	-	6
Cr Hampton	30	\$6,565	\$4,200	\$124,030	\$190,000	2
Cr O'Reilly	4	\$0	\$0	\$0	-	1
<b>TOTAL</b>	<b>289</b>	<b>\$ 103,473</b>	<b>\$ 1,126,692</b>	<b>\$ 1,672,401</b>	<b>\$ 1,622,000</b>	<b>35</b>

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 - 2020 - for the 10 March Council Meeting (A4160601).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 net effect is that vegetation has been removed from locations where it cannot be reasonably justified.  C/U	Stuart Caldwell	24 February 2020 - There is no further update on this matter. 3 February 2020 - There is no further update on this matter from DELWP. This remains unlikely in the short term in the context of recent bushfires. 13 January 2020 - There is no further update on this matter from DELWP. It unlikely that there will be material attention given to this request by State Government in the context of the current fire season. 2 December 2019 - There is no further update from DELWP on this matter. 1 November 2019 - Officers have again contacted DELWP however, to date there is still no response. 1 October 2019 - Currently there is still no response from DELWP on this matter. 10 September 2019 - Currently there is still no response from DELWP on this matter. Revised Target Date changed by: Hall-davis, Tracee From: 13 Sep 2019 To: 27 Sep 2019 20 August 2019 - Still no response from DELWP in this matter. 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.	Primary Cost:
19-Feb-18	14.3	2018/NOM6 - Letter to the Minister regarding Level Crossing Removal Projects  Cr Bolam	Council Decision: That in light of the fact that no funding packages have been made available to communities and businesses affected by the Level Crossing Removal at Skye/Overton Road, the closure of Eel Race Road, and the government's decision to locate a new train stabling facility at Kananook, that Council write to the Minister for Public Transport, the Hon. Jacinta Allan MP, to call for a consistent approach to the provision of funding to communities and businesses affected by Level Crossing Removal Projects (defined community benefit/compensation). The letter should also include a request that all crossing removal projects should incorporate a common protocol for asset ownership and maintenance to ensure consistency and equity for all local government areas impacted by Level Crossing Removal.  Carried Unanimously	Doug Dickins	24 February 2020 - A report was presented to Council at its February meeting to discuss handover of assets following Level Crossing removal works and is being investigated by officers. 3 February 2020 - A report is to be presented to Council at its February meeting to discuss handover of assets following Level Crossing removal works. 13 January 2020 - Councillors were updated by Memo on 16 December 2019 and will be briefed on 3 February 2020. 2 December 2019 - A meeting has been scheduled on 6 December with LCRP to discuss Asset Handover Responsibilities. 1 November 2019 - Council officers have assessed the financial impact of the assets being created and are pursuing discussions with LCRP regarding proposed ongoing asset ownership and maintenance. 1 October 2019 - This matter is ongoing. 10 September 2019 - This matter is ongoing with discussion relating to asset handover and responsibility. 20 August 2019 - This matter is ongoing. Discussions are currently underway regarding asset management responsibility. 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	Primary Cost: \$820 (letters sent & large meeting held)
22-Oct-18	14.4	2018/NOM65 - New Bylaws  Cr Bolam	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 'hoon 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.  Carried	Leonie Reints / Brianna Alcock	24 February 2020 - The draft Community Local Law will be presented to Councillors at Ordinary Meeting 30 March 2020 seeking approval to release the Local Law for public exhibition. 3 February 2020 - No further update, report due OM February 2020 13 January 2020 - No further update, report due OM February 2020 2 December 2019 - No further update, report due OM February 2020 1 November 2019 - Councillors have provided comments on the draft. Formatting, updating and legal review will be undertaken. A further report will be presented to Councillors in early 2020. Draft Community Local Law has been sent to lawyers for legal review. A further report will be presented to Councillors in February 2020 seeking endorsement for community consultation. 1 October 2019 - Officers have undertaken the initial review of General Local Law 2016 No 8 and have added the suggested new local laws into the document. Officers will be presenting the first draft of the document to Councillors at the Council Briefing 30 September 2019 10 September 2019 - No further update at this stage. 20 August 2019 - Officers are currently reviewing General Local Law 2016 No 8. As part of the review officers will consider the 3 options put forward by Councillors in NOM65. Officers will present the draft Local Law at the Councillor Briefing on 30 September 2019. 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. 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	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
19-Nov-18	14.1	2018/NOM66 - Peninsula Link  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That 1. Council writes to Southern Way Pty Ltd and Lendlease Operations who are the relevant authority about the poor state and seemingly lack of maintenance of road bridges and pedestrian overpass bridges throughout the Peninsula Link Freeway. Identified issues range from graffiti, vandalism, substandard installation works and general wear and tear. Furthermore, Council is to register concern about dumped rubbish on land adjoining the Peninsula Link, beyond its main roadways, where displaced ecosystems were relocated to make way for the Peninsula Link development (i.e. Pobblebonk Reserve). 2. Council is to coordinate with Victoria Police, Southern Way Pty Ltd and Lendlease Operations on methods to quell the prevalence of monkey bike / motor cross bike usage on bike paths and walking paths associated with, and connected to, the Peninsula Link (i.e.. Peninsula Link Track). This is to include letterboxing residents in the affected vicinity encouraging them to report hooning, specific Police/Council operations to identify offenders; and the potential installation of speed traps. A report is to be provided to Council on the status of this effort at the February 2019 Ordinary Meeting. 3. Further to recommendation point 2., the Seaford Wetlands – given recent damage caused by motorised bikes – is to also be included in the scope of this effort.	Leonie Reints	24 February 2020 - Report was presented to Council at its OM on 17 February 2020. 3 February 2020 - Reopened at the request of Cr Bolam. 1) No responses had been received by Lend Lease or Southern Way. New letters have been re-sent and mailed 8/1/20 2 April 2019 - As per Council Resolution at its 1 April 2019 OM, this NOM is now archived 18 March 2019 - Letters were sent to Southern Way P/L and Lendlease Operations. Report was submitted to OM 18/2/19. Refer to 18/2/19 recommendation. Request to archive 25 February 2019 - Report was submitted to OM 18/2/19. Refer to Minutes of OM2 18/2/19 for recommendation. 4 February 2019 - No further update 14 January 2019 - 1) Letters will be prepared. 2) Noted and a report will be scheduled for OM 18/2/2019 3) Noted Revised Target Date changed by: Hall-davis, Tracee From: 10 Dec 2018 To: 25 Feb 2019 - Reason: Report Scheduled for OM 18/2/2019	
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/ Stuart Caldwell	24 February 2020 - Councillor officers continue to advocate with PTV / LCRP on the design outcomes of the sound wall. 3 February 2020 - Letter from Hon Jacinta Allan MP appeared in the Councillor Bulletin. 13 January 2020 - A letter of response from Hon Jacinta Allan MP has been received and circulated to Councillors in Edition 1 2020 Councillor Bulletin. Officers are working with PTV on the design of the sound wall. 2 December 2019 - Awaiting a response fo Council's letter of 12 August 2019 1 November 2019 - There has been no response to the letter to Hon Jacinta Allan MP of 12 August 2019 1 October 2019 - No response has been received to date 10 September 2019 - No response has been received to date 20 August 2019 - A further letter was sent to Hon Jacinta Allan, Minister for Public Transport in relation to issues at Kananook Stabling Facility (2019/NOM17) which also referred to this outstanding matter. (A4013947). 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 Kilkeny (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: Concillor 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	Sally Prideaux	24 February 2020 - Options was presented to the MPAC meeting 26/2/2020. 3 February 2020 - This report is likely to come back to OM3 to update Councillors on further concept designs. 13 January 2020 - A briefing time in early new year is being sought to enable Councillors to review concepts. 2 December 2019 - Officers are continuing to work on options. 1 November 2019 - A report to Council with concept options was prepared and on hold until outcomes of a meeting with Cr Aitken. Officers are now preparing an alternative option for inclusion in a report to Council in December. 1 October 2019 - Investigation of options for the site is continuing. 10 September 2019 - Council officers have met with Cr Aitken to discuss the proposal. Cr Aitken has requested officers investigate a few more options for the site and this process is now underway. This report will now be brought to Council in November 2019. 20 August 2019 - A report will be presented to 23 September Ordinary Meeting. 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.	Primary Cost: \$620.00 (meetings held) 2x officer time (stakeholder discussions and prep for concepts x4hrs) Concept cost to be added when known

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
23-Apr-19	14.2	2019/NOM8 - Local Law to regulate Short Stay Rental Accommodation  Cr McCormack	<p>Council Decision</p> <p>Moved: Councillor McCormack Seconded: Councillor Toms</p> <p>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.</p> <p>2. That the objectives of the Local Law, replicate those of the Mornington Peninsula Shire Council, namely:</p> <p>a) Regulate and control the use of Short Stay Rental Accommodation within the municipality of Frankston;</p> <p>b) Ensure an appropriate standard of management and presentation of such accommodation;</p> <p>c) Minimise the risk of such accommodation affecting neighbouring properties and the peace of neighbours;</p> <p>d) Implement a registration requirement; and</p> <p>e) Provide for a Code of Conduct under the Local Law.</p> <p>3. The local law be implemented by December 2019.</p> <p>Carried Unanimously</p>	Leonie Reints	<p>24 February 2020 - Following Council's decision on 28 January 2020 to make the Short Stay Rental Accommodation Local Law, officers identified some errors in the process for making the Local Law.</p> <p>A report was presented at Ordinary Meeting 17 February 2020 seeking endorsement for the revised draft Short Stay Rental Accommodation Local Law for the commencement of the statutory procedure for the making of the new Local Law and approval to release the Local Law for public exhibition.</p> <p>3 February 2020 - The Short Stay Rental Accommodation (SSRA) Local Law was endorsed at Ordinary Meeting 28 January 2020.</p> <p>The objectives of the Local Law have been based on those of the Mornington Peninsula Shire Council. This includes the aim of regulating and controlling the use of SSRA within the Frankston Municipality, includes a standard of management, minimises the risk of such accommodation affecting neighbouring properties and the peace of neighbours and implements a registration process. The Code of Conduct forms part of the Local Law.</p> <p>An error has been made in the law making process and a further report is coming back to Council 17 Feb 2020 - OM2.</p> <p>13 January 2020 - Endorsement was received at OM 16 December 2019 to put out for Community Engagement. A report will come back to January Ordinary Meeting with evaluation of community submissions and to seek endorsement of the Short Stay Rental Accommodation Local Law.</p> <p>2 December 2019 - A report seeking approval for Community Engagement in relation to Short Stay Rental Accommodation Local Law will be submitted at 16 December 2019 Ordinary Meeting.</p> <p>1 November 2019 - Councillors have provided feedback. The draft Short Term Rental Local Law will be submitted to Council by December. Feedback has been received from Lawyers and Short Term Rental Local Law is going out for community consultation end of October. A report will be submitted to Council in December 2019.</p> <p>1 October 2019 - The Draft Short Term Rental Accommodation Local Law is being presented to Councillors at the Council Briefing 30 September 2019.</p> <p>10 September 2019 - No further update at this stage.</p> <p>20 August 2019 - The draft Short Term Rental Accommodation Local Law feedback was received from Maddocks Lawyers 13 August. Officers continue to work towards implementing this by December 2019.</p>	<p>Direct Cost (once-off) - \$14,000</p> <p>Direct Cost (recurring) - \$11,300</p> <p>Coming back to Council in December 2019</p> <p>Costs for officer time to investigate, develop and implement the new local law; legal advice and initial set up costs with BNB Guard.</p> <p>Ongoing Annual costs - monthly BNB Guard reports and administrative support.</p>
22-Jul-19	14.1	2019/NOM17 - Kananook Rail Stabling Facility  Cr Bolam	<p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p>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 Dickens	<p>24 February 2020 - Meeting with Sonya Kilkenny MP yet to be arranged.</p> <p>3 February 2020 - A meeting with Sonya Kilkenny MP is to be arranged.</p> <p>13 January 2020 - A letter of response from Hon Jacinta Allan MP has been received and circulated to Councillors in Edition 1 2020 Councillor Bulletin. Officers will follow up to arrange meeting with Ms Sonya Kilkenny MP.</p> <p>2 December 2019 - No further update.</p> <p>1 November 2019 - A meeting with Sonya Kilkenny MP is to be arranged.</p> <p>1 October 2019 - Following a reply from Sonya Kilkenny MP, a meeting is to be arranged to further discuss this matter.</p> <p>10 September 2019 - Letters were sent in relation to Kananook Rail Stabling Facility. Letter of response received from Sonya Kilkenny (A4042679).</p> <p>20 August 2019 - Letters were signed by the Mayor and sent to Hon Jacinta Allan, Minister for Public Transport - David Davis, Shadow Minister and Sonya Kilkenny MP on 14 August 2019 (A4013947).</p> <p>30 July 2019 - A letter is currently being prepared.</p>	Primary cost: letters sent \$400
22-Jul-19	14.5	2019/NOM22 - Save our Red Gums  Cr Aitken	<p>Council Decision</p> <p>Moved: Councillor Aitken Seconded: Councillor Toms</p> <p>That Council makes representation to the Premier, the Hon. Daniel Andrews MP, Minister for Energy, Environment &amp; 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.</p> <p>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.</p> <p>Supporting information can be sought at <a href="https://www.nationaltrust.org.au/treeoftheyear/">https://www.nationaltrust.org.au/treeoftheyear/</a></p> <p>To support the basis of this Motion, other examples of strict legislation on the protection of native trees include:</p> <ul style="list-style-type: none"> <li>• Sequoiadendron Giganteum, United States</li> <li>• Quercus Robur, United Kingdom</li> </ul> <p>Carried Unanimously</p>	Stuart Caldwell	<p>24 February 2020 - There is no further update on this matter at this time.</p> <p>3 February 2020 - Officers are awaiting advice from the MAV on their advocacy regarding this matter, and also response from DELWP to Council's previous submission.</p> <p>2 December 2019 - It is noted that this matter was the subject of a successful motion at the MAV in respect of sector advocacy. No further update on the submission to DELWP at this time.</p> <p>6 November 2019 - Note that the motion to MAV was approved at the State Council Meeting held in October 2019.</p> <p>1 November 2019 - No further update at this stage.</p> <p>1 October 2019 - A submission has been made to the DELWP seeking engagement and advice on progression of this issue with the identified Ministers and local members of parliament.</p> <p>10 September 2019 - No further update at this stage.</p> <p>20 August 2019 - A submission to the State Council is currently in preparation consistent with the Council resolution.</p> <p>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.</p>	
12-Aug-19	14.1	2019/NOM25 - Recycled Water Scheme Projects  Cr Hampton	<p>Council Decision</p> <p>Moved: Councillor Hampton Seconded: Councillor Mayer</p> <p>That Council:</p> <p>1. Reviews the outcomes achieved following completion of the Stage 1 Robinson Recycled Water Scheme Project that connected Baxter and Robinsons Parks;</p> <p>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</p> <p>3. Provides a report to Council by the March 2020 Ordinary Meeting.</p> <p>Carried Unanimously</p>	Luke Ure	<p>24 February 2020 - Officers are continuing to work on a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) is part of the assessment.</p> <p>3 February 2020 - Officers are continuing to work on a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) is part of the assessment.</p> <p>13 January 2020 - Officers are continuing to work on a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) is part of the assessment.</p> <p>2 December 2019 - No further update at this stage.</p> <p>1 November 2019 - Officers are continuing to work on a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) is part of the assessment.</p> <p>1 October 2019 - Officers have commenced a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) will be assessed. It is anticipated that a report will be presented to Council by the March 2020 Ordinary Meeting.</p> <p>10 September 2019 - Officers to commence a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and feasibility study of future recycled water projects. In particular, the continuation of the pipeline from Robinsons Park to Lawton Reserve (Stage 2) will be assessed.</p> <p>It is anticipated that a report will be presented to Council by the March 2020 Ordinary Meeting.</p> <p>20 August 2019 - Officers to commence a review of the outcomes of the Stage 1 Robinson Recycled Water Scheme, including a cost benefit analysis and</p>	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
12-Aug-19	14.5	2019/NOM29 - Public Art Murals Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Council: 1. Notes the cost to create two high quality art pieces under the Fletcher Road overpass is strictly capped at \$60K; 2. Ensures adherence to the prescribed budget with a local and regarded artist to undertake the mural works; 3. Ensures that the selected artist works with the Frankston Arts Board on the proposed imagery for the two locations; and 4. Refers the sought funding be considered at the 2019/2020 Midyear Budget for consideration. Carried Unanimously	Andrew Moon / Kim Jaensch	24 February 2020 - Works have been scheduled. This is requesting closure. 3 February 2020 - Work on murals tentatively scheduled to commence May 13 January 2020 - \$60K approved at Ordinary Meeting 16/12/19. Approvals process from appropriate authorities and project planning will commence in January 2020. 2 December 2019 - Waiting for mid-year budget review. No update. 1 November 2019 - Awaiting mid-year budget review. 1 October 2019 - The Board recommended an Artists Brief EOI be advertised in the open market in order to procure the right artwork and artist that is required for such a site. This project will be going to the mid-year budget review seeking funding 10 September 2019 - The cost to create two high quality art pieces under the Fletcher Road overpass is strictly capped at \$60K and the sought funding has been listed for consideration at the 2019/2020 Mid-year Budget review. 20 August 2019 - 1) Noted 2) Noted 3) Noted 4) Manager A & C to liaise with Manager Finance	\$60K to be considered at 19/20 mid-year budget (not committed at this stage, so not reflected in totals)
12-Aug-19	14.6	2019/NOM30 - Investigation of Major Projects Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Toms 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: a. take into account safety risks for pedestrians and vehicles in storm events b. enhance the visual appeal of an urban forest Carried Unanimously	Stuart Caldwell	24 February 2020 - Environment officers are finalising a trial recording system in concert with Capital Works Delivery. The system may be developed further following the trial through implementation of the Urban Forest Action plan. 13 January 2020 - No further update. Due to be presented to Council at a briefing in January 2020. 2 December 2019 - Due to be presented to Council at a briefing in January 2020. 1 November 2019 - Officers are still working on the recording system. 1 October 2019 - Officers have commenced work on a recording system which will integrate with the Urban Forest Action Plan in respect of outcome recording in the first instance. 10 September 2019 - Officers will consider the most effective way to design and implement the monitoring system that has been required by Council with this resolution. Initially, this will be included as a separate action within the forthcoming urban Forest Action Plan. It may be necessary to commission a consultatn study to confirm the most effective way to undertake the proposed monitoring and measurement. of environmental impacts of major projects.	
2-Sep-19	14.2	2019/NOM33 - Investigation into the Sale of Evelyn Street Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That a forensic investigation be carried out in relation to all aspects of the previously proposed sale of Evelyn Street public land capped at \$10,000, subject to further review by Council if additional funds are required.. Carried	Brianna Alcock	24 February 2020 - Council's internal auditors HLB MANN JUDD provided a verbal update to the Audit and Risk Committee on Friday 21 February 2020. Auditors have made contact with one party and interviewed a councillor. A report may be provided to the Audit and Risk Committee in the coming weeks and will include recommendations. 3 February 2020 - A quote was provided by Council's internal auditors, HLB MANN JUDD, in response to the revised Brief with request for quote. The amount quoted was within the range of \$10,000 provided in the Council resolution. An email was sent to Councillors advising of this and seeking further feedback. The quote was then accepted on 29 January 2020. Work on the investigation commenced on 30 January 2020. 13 January 2020 - Two (2) quotes were received in response to the Brief with request for quote. A Council Report was prepared for the Council Meeting on 16 December 2019 seeking approval for additional funds to meet the quoted cost range. Councillors requested for this to be considered further and that the Brief be provided to Council's newly appointed internal auditors seeking a request for quote under the current fee structure. This was provided and a response is awaited. 2 December 2019 - A brief for the investigation into the proposed Sale of Evelyn Street has been issued to four external auditors seeking a request for quote. An update on this matter in the CEO's report was noted by the Audit and Risk Committee on 23 November 2019 and the Brief was emailed to the Committee as an out of session paper. A report to Council may be required for approval of additional funding, should quotes exceed \$10,000, being the amount nominated in the NOM. 1 November 2019 - A brief for the investigation into the Sale of Evelyn Street was provided by Council's internal auditors HLB Mann. It was circulated to Councillors by Councillor memorandum and feedback was provided to indicate that the investigation should be conducted by external auditors. A revised brief has been prepared to seek quotes for a forensic investigation to be conducted by external auditors. A report to Council may be required to seek approval for additional funding should the quotes exceed the allocated amount of \$10,000. 1 October 2019 - A draft scope has been provided to Internal Auditors to prepare a Brief in collaboration with Cr Aitken, who raised the NOM, and the wider Council. This is expected by the week ending 4 October. A report will go to the November Audit and Risk Committee meeting.	Direct Cost (once-off): \$10,000 A forensic investigation is required and has been requested to be conducted by an external auditor. The current funding allocated is \$10,000 with quotes being sought to determine the cost for an external audit to be conducted. Should the cost be more than \$10,000 a report will be required to Council for a further decision.
2-Sep-19	14.6	2019/NOM37 - Overport Park Cr McCormack	Council Decision That the \$35,000 funding allocation in the 2019/2020 budget for the planning and design works for the Overport Park Netball courts, be put on hold and the balance of any unspent funding be removed from the budget at the mid-year review, pending the completion of a full community consultation process and development of an updated Master Plan for Overport Park and that this community consultation process be conducted and the report brought back to Council at the first Council Meeting in 2020.  Carried	Tim Bearup	24 February 2020 - The matter is being tabled at the Major Projects Advisory Committee meeting on 26 February 2020. 3 February 2020 - No further update. A report is scheduled to be presented to Council at its Ordinary Meeting on 17 February 2020. 13 January 2020 - A report will be presented to Council no later than February 2020. 2 December 2019 - A consultation session at the local clubs was undertaken on 13 November 2019. A community drop in in consultation is scheduled for 10 December 2019. 1 November 2019 - The community and stakeholder consultations are scheduled as follows: Round 1 - Week ending Oct 18th 2019 Round 2 - Week ending Nov 15th 2019 In order to facilitate Councillor participation in community consultations, these sessions have been rescheduled for November 2019. Details to be provided. 1 October 2019 - Concept design has been previously completed. No further work will be completed as remaining budget and its use is now on hold. Planning has commenced to undertake the community consultation process as requested. Further information will be provided as this develops. Community consultation process has been developed and will be implemented in the coming weeks. 10 September 2019 - Planning and design works have been put on hold. Planning has commenced to undertake the community consultation process as	
23-Sep-19	14.1	2019/NOM39 - Lighting Frankston Cr Bolam	Council Decision That Council develops a strategy with respect to the implementation of a LED Lighting Program across the municipality, to ensure a strategic rationalised approach to installation. That such a strategy be brought before Council for adoption by April 2020.  Carried	Stuart Caldwell	24 February 2020 - Following the development of a project brief, a report is now anticipated in May 2020 3 February 2020 - Officers are continuing to work on this project with a view to a report in April 2020 13 January 2020 - Officers have commenced work on a lighting approach and will bring a report to the April 2020 meeting. 2 December 2019 - No further update at this stage 1 November 2019 - No further update 1 October 2019 - Council will develop a strategy to implement a LED Lighting Program across the municipality and will be brought back to Council for adoption by April 2020.	

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23-Sep-19	14.2	2019/NOM40 - Trial Program Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That: 1. A new initiative be considered for the implementation of public art at pilot locations on ten utility power boxes throughout the municipality if supported by the utility provider. 2. A memo be provided to Councillors in December on the pilot locations to be considered as part of a potential future trial. Carried Unanimously	Andrew Moon	24 February 2020 - Work to resume on this project in April 2020. 3 February 2020 - Work to resume on this trial in April 13 January 2020 - A memo was sent to Councillors in December 19. 2 December 2019 - A proposed series of utility boxes have been identified, which are on the perimeter of the CAA in high pedestrian traffic areas. An artistic treatment for the vinyl wrap is yet to be determined. 1 November 2019 - Investigation of possible locations scheduled for early November. 1 October 2019 - A memo will be prepared for Councillors in December on the pilot locations to be considered in the future trial once support is gained by the utility provider.	
23-Sep-19	14.6	2019/NOM44 - Strip Shopping Improvement Schedule Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Council develop a strategy with respect to Strip Shopping improvements in locations across the municipality, to support the justification and demand for enhancement, including a list of priority projects, with any funding allocated in the 19/20 budget being held in abeyance pending the development implementation of the strategy.  Such a strategy is to be returned to Council for adoption by March 2020  C/I	Stuart Caldwell	24 February 2020 - A report is scheduled to be presented to Council at its 30 March 2020 OM. 3 February 2020 - Officers have engaged a consultant and are working with a view to presenting a report to the March 2020 13 January 2020 - A consultant's brief is being prepared for this work to be undertaken. Timeframes will be reviewed and updated when work is let. 2 December 2019 - No further update at this stage. 1 November 2019 - No change to status. 1 October 2019 - A strategy will be developed to identify strip shopping improvement locations across the municipality. The strategy will be brought back for Council adoption by March 2020.	
14-Oct-19	14.1	2019/NOM38 - Economic Incentives Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Mayer 1. That \$60k annual recurrent funding be referred for consideration to Budget 2020/2021 for ongoing Place Activation. This amount is to enable operators to make their businesses more inviting, while also promoting campaigns and activations in the City Centre. Specifically the funding should be allocated to the following programs that will cease at the conclusion of the State Government funded Frankston Transit Interchange Precinct Upgrade Place Activation grant: a) Façade Improvement Program - \$15,000 b) Kerbside Dining Encouragement Grant - \$20,000 (\$10K city centre, \$10K city wide) c) Marketing campaigns and promotional activations - \$25,000 2. That performance measures be developed to ensure the benefits are clearly understood and provided to Councillors in a memorandum by December 2019 assessing the past and present efficiency of the proposed initiatives. 3. That \$30k annual recurrent funding be referred for consideration to Budget 2020/2021 for ongoing support of the tourism sector. This amount is to enable Council to deliver a program to support existing tourism businesses to increase visitor dispersal and enhanced customer experience consistent with the 2019-2024 Visitor Economy Strategy, and may include initiatives such as: • Collaboration through partnership and product packaging • Strengthening digital marketing skills (focussing on how to get visitors to drive this) • Visitor and Customer Service Training • Business expansion programs that help existing operators develop new experiences • Working with industry to attract more business events and conferencing 4. Where appropriate outcomes of these two programs be incorporated into the quarterly economic scorecard. Carried Unanimously	Sam Jackson	24 February 2020 - 1 & 3 Funding has been factored into the draft 2020-2021 budget preparation process for Council's consideration 2 The memo has prepared and distributed on 6 January 2020. This item is now complete from a reporting perspective 4 Noted although not able to be fully acted upon until the 2020-2021 budget is adopted. 13 January 2020 - 1 & 3 Funding has been factored into the draft 2020-2021 budget preparation process for Council's consideration 2 The memo has prepared and distributed on 6 January 2020. This item is now complete from a reporting perspective 4 Noted although not able to be fully acted upon until the 2020-2021 budget is adopted. 2 December 2019 - No further update 1 November 2019 - Items 1 & 3 will be referred to the 2020/2021 Budget process for consideration. The funding has been referred to the mid-year-budget review for considerations. Officers are currently developing the KPIs with the aim of providing these to Councillors in a memo in accordance with the resolution.	
14-Oct-19	14.2	2019/NOM45 - Karingal Bulls Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Council 1. Notes that the cost for two new coaches boxes at Ballam Park Oval is \$20K. 2. Notes that the Karingal Bulls Football Club has applied for a Federal Government grant of \$10K for the coaches boxes. 3. Refers to fund up to \$10K the 2020/2021 Capital Works program to augment the grant, should the funding application be successful. Carried	Vishal Gupta / Luke Ure / Kim Jaensch	24 February 2020 - A Capital Works variation has been raised in the current financial year (2019/20) to deliver the coaches boxes before the commencement of the football season. Expediting the delivery of the works has occurred due to funding conditions of the grant.. 3 February 2020 - No change to the status. 13 January 2020 - \$10K will be referred to the 2020/2021 Capital Works Program to augment the grant, should the funding application to the Federal Government be successful. 2 December 2019 - No change in status. 1 November 2019 - \$10K will be referred to the 2020/2021 Capital Works program to augment the grant, should the funding application to the Federal Government be successful. This item doesn't require any action from Capital Works Delivery Department at this time. Once funding is allocated in the Capital Works Program in 2020/21 and grant is confirmed, arrangements will be made for delivery of the works in 2020/21. No update from project delivery perspective at this time.	Outcome Cost: \$40,000 (Costs as noted in resolution)
14-Oct-19	14.3	2019/NOM46 - Seaford Foreshore Activation Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken 1. Council officer's advocate and negotiate with DELWP for enhanced experience of the Seaford Foreshore. 2. Pending DELWP support in principle Council refers \$40K to the 2020/21 capital works budget for planning and design, which is to be sympathetic of the coastal location and colours. 3. Notes a report outlining the detailed budget will be presented to Council for inclusion in the draft Capital Works program once planning and design has been completed  Carried Unanimously	Luke Ure / Stuart Caldwell / Brad Hurren / Kim Jaensch	24 February 2020 - \$40K has been allocated to the 2020/21 Capital Works Program utilising developer open space contributions for the Seaford area. Project will require DELWP support for the proposed works. A report will be presented to Council once the necessary planning and design has been undertaken, which will be sympathetic of the coastal location and colours. 3 February 2020 - \$40K will be referred to the 2020/21 Capital Works program should DELWP support the proposed works. 13 January 2020 - \$40K will be referred to the 2020/21 Capital Works program, should DELWP support the proposed works. 2 December 2019 - No further update at this stage 1 November 2019 - \$40K will be referred to the 2020/2021 Capital Works program, should DELWP support the proposed works.	Outcome Cost: \$40,000 (Costs as noted in resolution - pending DELWP funding)
14-Oct-19	14.6	2019/NOM49 - Glyphosate Herbicide Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Mayer That Frankston City discontinue the use of the current herbicide regime ie. Glyphosate, effective 1 July 2020. This applies to Council staff and contractors employed by Frankston City Council. Carried Unanimously	Brad Hurren / Kim Jaensch	24 February 2020 - A briefing of councillors is scheduled for Monday 24 February regarding this matter 3 February 2020 - A review of the Glyphosate action is scheduled to be presented to Councillors at the Briefing held on 24 February 2020. 13 January 2020 - A council briefing report is currently being prepared for February 2020 to update councillors on progress with this NOM. Some positive improvements have already been implemented, we are investigating a range of changes to how we deliver our services and consulting the industry to ensure best practice weed management. 2 December 2019 - No change to status. 1 November 2019 - Will discuss with Manager Operations on the impact this will have on the 2020/2021 budget and incorporate relevant financial impact into the budget.	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
18-Nov-19	14.1	2019/NOM50 - Climate Emergency Cr Mayer	<p>Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial</p> <p>1. That Frankston Council: a. Acknowledges that current levels of global warming and future warming already committed constitute nothing less than a climate emergency for most life on this planet, requiring an emergency response by all levels of government, including local government; b. Resolves to review and update Council's Climate Change Impact and Adaption Plan (2011) to guide the climate emergency response by Council, to be prepared by the Chief Executive Officer within 12 months of the date of this resolution; and c. Undertakes to work with the Frankston community to raise awareness of the climate emergency and support community action to mitigate greenhouse gas emissions and build resilience.</p> <p>2. Council calls upon the Australian State and Federal Governments to: a. Declare a climate emergency; and b. Back this up with legislated programs to drive emergency action to reduce greenhouse gases and meet the lower target of the Paris Agreement to keep global warming below 1.5 degrees.</p> <p>Carried Unanimously</p>	Luke Ure	<p>24 February 2020 - Frankston Council has declared a climate emergency. Subsequently letters have been prepared and sent to relevant State and Federal Government MPs as a call for action. Council is advocating for the implementation of legislated programs to drive emergency action to reduce greenhouse gases and meet the lower target of the Paris Agreement to keep global warming below 1.5 degrees. Additionally, Council officers will review and update Council's Climate Change Impact and Adaption Plan (2011) to guide the climate emergency response by Council and a report will be presented to Council by November 2020.</p> <p>As another key component of the emergency response, Council will work with the Frankston community to raise awareness of the climate emergency and support community action to mitigate greenhouse gas emissions and build resilience.</p> <p>3 February 2020 - Frankston Council has declared a climate emergency. Subsequently Council officers will: - Review and update Council's Climate Change Impact and Adaption Plan (2011) to guide the climate emergency response by Council and a report will be presented to Council by November 2020.</p> <p>- Undertake work with the Frankston community to raise awareness of the climate emergency and support community action to mitigate greenhouse gas emissions and build resilience.</p> <p>- Advocate to the Australian State and Federal Governments to: a. Declare a climate emergency; and b. Back this up with legislated programs to drive emergency action to reduce greenhouse gases and meet the lower target of the Paris Agreement to keep global warming below 1.5 degrees.</p> <p>13 January 2020 - Frankston Council has declared a climate emergency. Subsequently Council officers will: - Review and update Council's Climate Change Impact and Adaption Plan (2011) to guide the climate emergency response by Council and a report will be presented to Council by November 2020.</p> <p>- Undertake work with the Frankston community to raise awareness of the climate emergency and support community action to mitigate greenhouse gas emissions and build resilience.</p> <p>- Advocate to the Australian State and Federal Governments to: a. Declare a climate emergency; and b. Back this up with legislated programs to drive emergency action to reduce greenhouse gases and meet the lower target of the Paris Agreement to keep global warming below 1.5 degrees.</p>	
18-Nov-19	14.2	2019/NOM51 - Community Safety in the CAA Cr Aitken	<p>Council Decision That Council notes the recent Community Safety Meetings held by Cr Toms and continued by Cr Aitken which has involved a number of participants including council officers, John Billings representing Frankston Traders Group, various traders and other parties. Requests that future meetings be closely minuted detailing issues and suggestions, and that such minutes be tabled with Council at the next Ordinary Meeting in the Open Agenda. Requests further that any issues raised at these meetings, initiatives or ideas and/or requests to Frankston Police, be forwarded in detail to Frankston Police requesting detailed responses to the issues and in turn these responses be tabled in a report for the next appropriate Ordinary Meeting.</p>	Sam Jackson / Leonie Reints	<p>24 February 2020 - Further meetings will be scheduled on a quarterly basis - with the next meeting likely to be in March. Minutes will be tabled at the next available Ordinary Meeting. Any issues, initiatives or ideas raised will be forwarded to Frankston Police requesting detailed responses to be tabled at the next available Ordinary Meeting.</p> <p>3 February 2020 - Further meetings will be scheduled on a quarterly basis - with the next meeting likely to be in February to ensure timing is appropriate for traders. Minutes will be tabled at the next available Ordinary Meeting.</p> <p>Any issues, initiatives or ideas raised will be forwarded to Frankston Police requesting detailed responses to be tabled at the next available Ordinary Meeting.</p> <p>13 January 2020 - Further meetings will be scheduled on a quarterly basis - with the next meeting likely to be in February to ensure timing is appropriate for traders. Minutes will be tabled at the next available Ordinary Meeting. Any issues, initiatives or ideas raised will be forwarded to Frankston Police requesting detailed responses to be tabled at the next available Ordinary Meeting.</p> <p>2 December 2019 - Further meetings will be scheduled on a quarterly basis and minuted. Minutes will then be tabled at the next available Ordinary Meeting. Any issues, initiatives or ideas raised will be forwarded to Frankston Police requesting detailed responses to be tabled at the next available Ordinary Meeting.</p>	
18-Nov-19	14.3	2019/NOM52 - Kananook Creek Arboretum Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided no later than February 2020 to the Ordinary Meeting on the scope and funding options for the 'Kananook Creek Arboretum' proposal that has been heralded by the Kananook Creek Association and the Frankston Beach Association.</p> <p>Carried Unanimously</p>	Sally Prideaux	<p>24 February 2020 - Report was presented to OM2 February Ordinary Meeting and Council resolved to proceed with the project. Further work to action Council's resolution will be programmed by the Urban Design team in accordance with the report presented and resolution.</p> <p>3 February 2020 - No change to status.</p> <p>13 January 2020 - Officers are currently working on a report to be presented to the February 2020 Ordinary meeting.</p> <p>2 December 2019 - Meetings with KCA and interested Councillors will be held to provide input into the project scope and costings which will be reported to Council OM February 2020.</p>	
18-Nov-19	14.4	2019/NOM53 - Councillors Code of Conduct Cr Aitken	<p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That the Councillor Code of Conduct be reconsidered in respect of the wording and points laid out. This is to be undertaken in the first instance with individual councillors and any suggestions they may have. Then followed up by general discussion and finally resolved through a formal resolution if any changes are made.</p> <p>Carried Unanimously</p>	Brianna Alcock	<p>24 February 2020 - Communication and discussion on the review of the Councillor Code of Conduct will commence in February 2020.</p> <p>13 January 2020 - Communication and discussion on the review of the Councillor Code of Conduct will commence at the start of February 2020.</p> <p>2 December 2019 - Council has resolved that the Councillor Code of Conduct be reconsidered in respect of the wording and points laid out. This is to be undertaken in the first instance with individual councillors and any suggestions they may have. Then followed up by general discussion and finally resolved through a formal resolution if any changes are made. Preparation is now required to commence discussions with Councillors on the review of the Councillor Code of Conduct.</p>	
18-Nov-19	14.5	2019/NOM54 - Mass Tree Planting Program Cr Bolam	<p>Council Decision That the Urban Forest Action Plan report, due before Council in early 2020, is to include an option for the consideration by Council for the implementation of a bulk tree planting program throughout the municipality within a twelve - fifteen month period. The option detail in the report is to include areas where plantings could be located, the kind of plantings, public and private uptake, potential costs and the approaches employed by other municipalities that have initiated similar (if not greater) mass tree planting initiatives within a twelve month period such as Hornsby, Maroondah, Onkaparinga and Murray.</p>	Stuart Caldwell	<p>24 February 2020 - A report is scheduled to be presented to Council at its meeting on 10 March 2020 OM3.</p> <p>3 February 2020 - This option is being included in the Urban Forest Action Plan, which is pending report to Council.</p> <p>13 January 2020 - Work on the Urban Forest Action Plan is continuing and options for tree planting will be incorporated in the plan due to be presented to Council.</p> <p>2 December 2019 - Noted. Options for bulk tree planting program will be included in the Urban Forest Action Plan report scheduled for Council early 2020 for Council consideration.</p>	
16-Dec-19	14.4	2019/NOM60 - Two Storey Limitation in Seaford Township Cr Aitken	<p>Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That Council be provided a report of the costing associated with a planning amendment, which would seek to limit building construction to two-stories in Seaford township environs.</p> <p>Carried</p>	Stuart Caldwell	<p>24 February 2020 - Officers are reviewing options for a study and amendment, anticipated to be presented to Council in the requested report to OM4 - 30 March 2020.</p> <p>13 January 2020 - A report will be scheduled advising Council of the costs associated with a planning amendment.</p>	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
16-Dec-19	14.5	2019/NOM61 - PARC Swim Research Study Cr Bolam	<p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p>That Council provides a report to the February 2020 Ordinary Meeting to consider partnering with Deakin University (DU) and Peninsula Leisure P/L (PL) in the development of a research paper that will potentially gain international and local industry interest.</p> <p>PL and DU propose to undertake an extensive study, to focus specifically on:</p> <ul style="list-style-type: none"> <li>The developmental stage at which children establish foundational swimming skills; and</li> <li>Three schools for which regular and frequent learn-to-swim instruction is not commonplace.</li> </ul> <p>The proposed target schools are located in Karingal and Frankston North, which are areas where statistical socioeconomic disadvantage exists. The schools that will be participating in this program are Mahogany Rise PS, Aldercourt PS and Ballam Park PS.</p> <p>The study is expected to benefit between 200-300 children; and will incentivise students and their families to participate in free swimming lessons to improve their swimming capabilities.</p> <p>There is an opportunity to seek Victorian Government funding to offset funding required by PL and Council.</p> <p>The report will provide details of any proposed Council contribution to this initiative.</p> <p>Carried Unanimously</p>	Kim Jaensch	<p>24 February 2020 - At its 17 February OM, the matter was deferred to June 2020 Ordinary Meeting.</p> <p>3 February 2020 - A report will be prepared for the February 2020 Ordinary Meeting to consider partnering with Deakin University (DU) and Peninsula Leisure P/L (PL) in the development of a research paper that will potentially gain international and local industry interest. A meeting has been scheduled with the CEO of PL to discuss further.</p> <p>13 January 2020 - A report will be prepared for the February 2020 Ordinary Meeting to consider partnering with Deakin University (DU) and Peninsula Leisure P/L (PL) in the development of a research paper that will potentially gain international and local industry interest.</p>	
16-Dec-19	14.6	2019/NOM62 - Hoon Driving Report Cr Bolam	<p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor Aitken</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>Notes the enormous damage hoon driving of all fashions has had, and will continue to have, on the amenity and people of Frankston;</li> <li>Provides a report in April 2020 on the use of a 'bounty' initiative to incentivise the public to provide integral intel that leads to the fining and/or prosecution of people that commit hooning offences using either on-road vehicles or off-road powered bikes (monkey bikes). The report is to consider the approaches utilised by many municipalities that provide bounties for local laws based infractions/delegated infringement powers (ie. Shire of York, Western Australia). The report should consider the annual sinking allocation for bounties, Police cooperation, the threshold for a bounty being paid and the process for 'dobbing in' hoon offenders;</li> <li>Considers in the same report, the approach presently undertaken by Hume City Council where council staff lay on roads a coarse spray seal. This treatment can burn through rubber, destroying the tyres of cars attempting skids and burnouts. This component of the report is to cover spray costs, signage and the nomination of roads/paths that endure high rates of hoon activity;</li> <li>Consults with Victoria Police on initiatives 2. and 3; and</li> <li>Supports that Council's bollard CCTV unit, presently located at the Seaford Wetlands, is to remain at this location, until determined otherwise by Council, given ongoing illegal off-road monkey bike activity in this precinct.</li> </ol> <p>Carried</p>	Leonie Reints	<p>24 February 2020 - No change to status.</p> <p>3 February 2020 - Report is currently being prepared and will be presented to Council in April 2020.</p> <p>13 January 2020 - 1) Noted</p> <p>2) A report has been scheduled to come back to Council in April 2020.</p> <p>3) Noted</p> <p>4) Noted</p> <p>5) Noted</p>	
16-Dec-19	14.7	2019/NOM63 - Free Wi-Fi Zones Cr Bolam	<p>Council Decision</p> <p>Moved: Councillor Bolam Seconded: Councillor Cunial</p> <p>That Council provides a report to the March 2020 Ordinary Meeting on the potential of 'Free Wi-Fi Zones' for free public use.</p> <p>This approach, as practiced by other municipalities (i.e. the City of Greater Dandenong, the City of Melbourne and the Mildura Rural City Council etc.), will allow the public to utilise free Wi-Fi in strategic locations such as the Frankston and Seaford town centres.</p> <p>Prospective locations, in lieu of Wi-Fi coverage, are to also have signage and be listed on the council website.</p> <p>The report is to also consider any health implication/s relative to 5G and electromagnetic frequency concerns expressed by members of the public.</p>	David Tipton	<p>24 February 2020 - Initial draft of the Council report will be completed this week for review and discussion.</p> <p>3 February 2020 - Investigations are ongoing into the potential for free Wi-Fi</p> <p>13 January 2020 - Investigations have commenced into the potential of free Wi-Fi Zones for the public within the Frankston municipality. A report will be prepared for the March 2020 Council meeting.</p>	
16-Dec-19	14.8	2019/NOM64 - Release of Monitor's Report Cr McCormack	<p>Council Decision</p> <p>Moved: Councillor McCormack Seconded: Councillor O'Connor</p> <p>That in the interests of transparency and accountability Council write to the Minister for Local Government and request the release of the reports prepared by the Municipal Monitor based on her time spent with Council as a matter of priority.</p> <p>Carried</p>	Brianna Alcock	<p>24 February 2020 - Councillors and Executive Management held a facilitated Councillor Briefing on 3 February 2020 and a Letter of response to the Minister has now been drafted. An extension was granted by the Minister for Local Government for the response until 28 February 2020. A report was endorsed by Council at its 17 February 2020 Ordinary Meeting.</p> <p>13 January 2020 - The Minister for Local Government provided the Municipal Monitor's final reports to Council in writing on 17 December 2019 and requested a response to the matters raised by Ms Digby by 31 January 2020. The CEO provided the reports to the organisation via email on 18 December 2019.</p> <p>As the reports have already been provided, a letter to the Minister requesting the Municipal Monitor's reports will not be required.</p> <p>The Municipal Monitor's reports will be discussed at a Councillor Briefing on 13 January 2020 and tabled at Council on 28 January 2020, along with a final response to be endorsed for sending to the Minister.</p>	
16-Dec-19	14.9	2019/NOM65 - Cemetery Caretaker Provisions Cr McCormack	<p>Council Decision</p> <p>Moved: Councillor McCormack Seconded: Councillor Aitken</p> <ol style="list-style-type: none"> <li>That a report be prepared for consideration by Council in relation to options for re-instating the caretaker at the Frankston Cemetery following the abrupt cessation of the caretaker role, without community consultation.</li> <li>That the report consider options for replacement of the position which includes the administrative requirements that the role requires, as well as options for cemetery maintenance.</li> <li>That the report be brought back to Council for consideration in March 2020.</li> </ol> <p>Carried Unanimously</p>	Brianna Alcock	<p>24 February 2020 - No change to status.</p> <p>13 January 2020 - A response to NOM report will be brought back to Council for consideration in March 2020.</p>	



Notice of Motion Report - 2020 - for the 10 March Council Meeting (A4160601).XLSX

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
28-Jan-20	14.1	2020/NOM2 - Smart City Strategy  Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That Council: 1. Notes the advantages of smart cities enable increased economic competitive advantage and lifestyle benefits for residents. 2. Authorises the CEO to propose to the SEM Board a Smart City Strategy be explored as a South East Melbourne City Deal project. Carried Unanimously	Sam Jackson	24 February 2020 - Noted. At such stage as projects are being identified as part of the SEM City Deal the option of a smart city will be presented.	
28-Jan-20	14.2	2020/NOM3 - Gambling Royal Commission Reform  Cr Bolam	That Council: 1. Affirms the Australian Local Government Association commitment to support the City of Yarra Notice of Motion in calling on the Federal Government to: 1. Establish a Royal Commission into the gambling industry and the \$24 billion in annual gambling losses nationally, the highest in the world in per capita terms. 2. Embrace national harm minimisation policies to reduce gambling harm in Australia such as: a) Following the lead of the UK Labour Party in supporting a ban on credit card usage with Australian licensed online gambling companies; b) Introducing further restrictions on gambling advertising, emulating the approach taken with the tobacco industry; c) Establishing a national ombudsman scheme to process consumer complaints and resolve customer disputes with online gambling companies; d) Introducing a ban on federally registered political parties from owning gambling licences issued by Australian governments, including for the operation of poker machine venues. 2. Calls on the Federal Government, through support of the Australian Local Government Association, to investigate the gambling industry's influence on the democratic process, including political donations and third party campaigning; 3. Notes the letter of support from the Alliance for Gambling Reform in relation to this Notice of Motion; 4. Prepares a joint letter with the Alliance for Gambling Reform to all Mayors in Australia calling on similar council resolutions (including a generic Notice of Motion template); and 5. Resolves to not accept any corporate sponsorship for council based activities from gambling/gaming entities, without exception.	Gill Kay	24 February 2020 - Letters are currently being written for signing by the Mayor.	
28-Jan-20	14.4	2020/NOM7 - Meeting Local Law Refinements  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken 1. Council notes the proposed Local Government Bill 2019 is anticipated to be passed in Parliament in February 2020. The Bill focuses on five (5) key reform themes; improved service delivery, improved councillor conduct, stronger local democracy, community confidence and new relationships. 2. Subsequent to implementation of likely improvements associated with the Local Government Bill 2019, Frankston City Council's Governance Local Law No 1 of 2018 be formally reviewed and give consideration to the following: a) City of Monash Meeting Procedures Local Law No.1 – 35. Demand Documents b) Knox City Council Meeting Procedure and Use of Common Seal 2019 – 49. Personal Explanation c) Moreland City Council Meeting Procedure Local Law – 71. Contradiction or opinion d) Greater Dandenong City Council Meeting Procedure Local Law No. 1 – 25. Mayoral / Councillor Presentation e) Greater Dandenong City Council Meeting Procedure Local Law No.1 – 29. Correspondence Inwards f) Buloke Shire Council Meetings Procedure and Common Seal – 27. Meetings Closed to the Public g) Buloke Shire Council Meetings Procedure and Common Seal – 93. Councillor Presenting Petition – Obligation 3. Council notes that under section 60 of the Local Government Bill 2019 the Governance Rules must be developed, ensuring that a process of community engagement is followed, and adopted on or before 1 September 2020. This will replace the Governance Local Law No 1 of 2018. 4. Council officers investigate the timeframes for making the agenda public and any other related material for Ordinary meetings at least six (6) days before the meeting and the draft minutes available to the public within 48 hours of the meeting.  Carried Unanimously	Brianna Alcock	24 February 2020 - The Governance Local Law and meeting procedures will be reviewed pending an update on the status of the Local Government Bill 2019.	
17-Feb-20	14.1	2020/NOM9 - Creation of Employment Opportunities  Cr Cunial	Council Decision Moved: Councillor Cunial Seconded: Councillor Hampton Notwithstanding Council's significant investment in business support and attraction programs, it is noted that there is less than one job per three residents in Frankston City. Council calls for a report to the April 2020 Ordinary Council Meeting outlining any opportunities to be further investigated regarding changes to processes, strategic position and policy that could aid with the creation of more employment opportunities within the City.	Sam Jackson		

Notice of Motion Report - 2020 - for the 10 March Council Meeting (A4160601).XLSX

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
17-Feb-20	14.2	2020/NOM10 - Reforms  Cr Bolam	<p>Council Decision Moved: Councillor McCormack Seconded: Councillor Aitken That the matter be deferred to the next Ordinary Meeting to include costs. Carried</p> <p>Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Council: 1. Seeks to ensure that all future reports to Council with new and revised council policies and strategies are accompanied by a community engagement plan from 1 June 2020. 2. Ensures that Community Impact Statements accompany the making of Local Laws and meets the requirements for explanatory documents as per section 119(2A)(b) of the Local Government Act 1989. 3. Prepares a report for the Ordinary Meeting on 1 April 2020, that explores enhancing the independence of internal investigations, including: a) The process for referral of internal investigations by the CEO to the Internal Ombudsman, the Audit and Risk Committee or IBAC; b) Steps to safeguard against interference in how internal investigations are undertaken; c) Guidance on options for how the public can request for an internal investigation to be undertaken. d) Ensuring the independence of the Internal Ombudsman position and their investigations without undue influence or institutional favour</p>	Brianna Alcock	24 February 2020 - At its Meeitng on 17 February 2020 the matter was deferred to next Ordinary Meeting (10 March 2020)	

Notice of Motion Report - 2020 - for the 10 March Council Meeting (A4160601).XLSX

Urgent Business

Meeting Date	NOM Title and Councillor	Council Resolution	Responsibility	Comments
18-Nov-19	Urgent Business – Community Engagement Policy & Framework Moved: Cr McCormack	That Council 1. Approve the draft Community Engagement Policy and Framework to be released for public exhibition for a period of 6 weeks. 2. Notes a report will be submitted to Council outlining public submissions and recommendations by February 2020. Carried Unanimously	Tim Bearup	24 February 2020 - The Community Engagement Policy and Framework was adopted by Council at the February OM. This item will now be archived. 3 February 2020 - Consultations on the Community Engagement Policy and Strategy are complete. The item has been tabled for the Heads Up meeting on Wed 5/2/20 and has been scheduled for Council consideration at the February OM. 13 January 2020 - Report scheduled to be presented to Council at its 17 February 2020 OM. 2 December 2019 - 1) Noted - public exhibition has commenced. 2) Noted - a report has been scheduled for 17/2/2020 OM
16-Dec-19	Urgent Business – Casey City Council Corruption allegations Moved: Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Hampton That a comprehensive public report be provided at the February Ordinary Meeting (without delay) concerning the fallout from the ongoing IBAC investigation relative to Casey City Council, namely: a) Whether any of the developers or named actors have had applications lodged in Frankston or have made representations to Frankston City Council; b) What increased processes Frankston City Council could implement to ensure that the allegations vis-à-vis Casey City Council do not occur at Frankston City Council; c) What additional future processes (if any) will Frankston City Council consider to further strengthen and protect its planning decisions; and d) That a stocktake of planning decisions - recent (previous 5 years) and current - be considered as part of Council's next Internal Audit. Carried Unanimously	Kim Jaensch	3 February 2020 - A comprehensive public report is intended to be provided at the February Ordinary Meeting pending completion by Council's internal auditors within the requested timeframe. The internal auditors have prepared a scope and approval was provided by the Audit and Risk Committee and Cr Bolam (who raised the NoM). The field work is underway. 13 January 2020 - A comprehensive public report will be provided at the February Ordinary Meeting pending availability of Council's internal auditors concerning the fallout from the ongoing IBAC investigation relative to Casey City Council. The internal auditors have been contacted and will prepare a scope for approval once they return from holiday leave. Field work will commence once the scope of work has been endorsed.

## Executive Summary

### 12.2 Record of Assemblies of Councillors

*Enquiries: (Brianna Alcock: Chief Financial 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 table the written records for the Assembly of Councillors as defined by the *Local Government Act 1989*.

#### **Recommendation (Chief Financial Office)**

That Council receives the following written records for the Assembly of Councillors on:

- 13 January 2020 (Councillor Briefing)
- 20 January 2020 (Councillor Briefing)
- 28 January 2020 (Pre-Agenda Council Meeting)
- 3 February 2020 (Councillor Briefing)
- 10 February 2020 (Councillor Briefing)
- 17 February 2020 (Pre-Agenda Council Meeting)

#### **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
- 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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 program will be severely restricted.

**12.2 Record of Assemblies of Councillors****Executive Summary**

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 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

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.

**Conclusion**

It is recommended that the written records as attached to the report be received.

**12.2 Record of Assemblies of Councillors****Executive Summary****ATTACHMENTS**

- Attachment A: [↓](#) Record of Assembly of Councillors - 13 January 2020 (Councillor Briefing)
- Attachment B: [↓](#) Record of Assembly of Councillors - 20 January 2020 (Councillor Briefing)
- Attachment C: [↓](#) Record of Assembly of Councillors - 28 January 2020 - Pre-Agenda Discussion
- Attachment D: [↓](#) Record of Assembly of Councillors - 3 February 2020 (Councillor Briefing)
- Attachment E: [↓](#) Record of Assembly of Councillors - 10 February 2020 (Councillor Briefing)
- Attachment F: [↓](#) Record of Assembly of Councillors - 17 February 2020 - Pre-Agenda Discussion



## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Councillor Briefing			
<b>Meeting Date:</b> 13 January 2020			
<b>Commencement Time:</b> 6.10pm		<b>Location:</b> Council Chambers	
<b>Finish Time:</b> 7.30pm			
<b>Matters Considered:</b> <i>(Heading only)</i> Support for the Communities Affected by the 2019-2020 Victorian Bushfires Municipal Monitors Report Discussion General Business			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 7.00pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.37pm	Left: 7.05pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.10pm (via phone)	Left: 7.30pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 7.30pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 7.30pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 7.30pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.55pm	Left: 7.30pm
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 7.30pm

**Council Staff Attendance:**

Phil Cantillon       Tim Frederico       Dr Gillian Kay

**Others in attendance (including titles):**

Kim Jaensch (Acting Director Corporate Development), Doug Dickens (Acting Director Communities), Fran Boyd (Manager People & Culture), Michelle Tipton (Acting Manager Governance & Information), Sam Jackson (Manager Customer Relations), Leonie Reints (Manager Community Safety), Tim Bearup (Manager Community Strengthening), Andrew Moon (Manager Arts & Culture), Jessica Shruyler (Coordinator Events), Taylor McVean (Coordinator Communications)

**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 the meeting





## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Councillor Briefing			
<b>Meeting Date:</b> 20 January 2020			
<b>Commencement Time:</b> 6.10pm		<b>Location:</b> Council Chambers	
<b>Finish Time:</b> 9.45pm			
<b>Matters Considered:</b> <i>(Heading only)</i> ARC Chairperson Annual Report Budget Process for discussion Monitor's Report Response Agenda Review General Business Notes from Councillor Briefing held on 9 December 2019 Notes from Councillor Briefing held on 11 December 2019 Notes from previous Councillor Briefing held on 13 January 2020			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.10pm	Left: 7.50pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 7.50pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.10pm (via phone)	Left: 9.45pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.40pm	Left: 9.45pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 9.45pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 9.40pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	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: 5.30pm	Left: 9.45pm



**Council Staff Attendance:**

Phil Cantillon       Tim Frederico       Dr Gillian Kay

Kim Jaensch, Cam Arullanantham, Tim Bearup, Fran Boyd, Luke Ure, James Madder, Oliver Rees, Stuart Caldwell, Robert Lean, Vera Roberts, Michelle Tipton

**Others in attendance (including titles):**

Neil Greenaway (Chairperson - Audit and Risk Committee)

**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 the meeting**



## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Pre-agenda meeting			
<b>Meeting Date:</b> 28 January 2020			
<b>Commencement Time:</b> 6.00pm		<b>Location:</b> Acacia Room	
<b>Finish Time:</b> 6.55pm			
<b>Matters Considered:</b> <i>(Heading only)</i> Agenda Review			
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: 5.30pm	Left: 6.55pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.55pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.50pm	Left: 6.55pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.10pm	Left: 6.55pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.20pm	Left: 6.55pm
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 6.55pm



<p><b>Council Staff Attendance:</b></p> <p><input type="checkbox"/> Phil Cantillon      <input type="checkbox"/> Tim Frederico      <input type="checkbox"/> Dr Gillian Kay</p> <p>Kim Jaensch, Cam Arullanantham, Dana Harding, Stuart Caldwell, Oliver Rees, Doug Dickens, Alan Wallis, Leonie Reints, Vera Roberts, Tenille Craig, Leonie Reints, Jarred Stevens, Tim Bearup, Michelle Tipton, Sam Jackson, Graeme Read, Anne Sorrenson, Andrew Moon, Taylor McVean, Robert Lean</p>
<p><b>Others in attendance (including titles):</b></p> <p>N/A</p>
<p><b>Conflict of Interest Disclosures</b></p> <p><i>"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?"</i></p> <p>Nil reported</p>
<p><b>Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:</b></p> <p>N/A</p>
<p><b>Name of Council Staff Member responsible for this written record:</b> Kim Jaensch</p>
<p><b>Position Title:</b> Acting Director Corporate Development</p>

Please submit completed form to Governance within 24 hours of the meeting



## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Councillor Briefing			
<b>Meeting Date:</b> 3 February 2020			
<b>Commencement Time:</b> 6.00pm		<b>Location:</b> Acacia Room	
<b>Finish Time:</b> 8.45pm			
<b>Matters Considered:</b> <i>(Heading only)</i> 6.55pm Monitor's Report Response Workshop - with external facilitation by Margaret Devlin General Business Notes from previous Councillor Briefing held on 20 January 2020			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 7.37pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 8.30pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm (via phone)	Left: 8.45pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.30pm	Left: 8.45pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 8.45pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 8.45pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	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: 5.45pm	Left: 8.45pm



<p><b>Council Staff Attendance:</b></p> <p><input type="checkbox"/> Phil Cantillon      <input type="checkbox"/> Tim Frederico      <input type="checkbox"/> Dr Gillian Kay</p> <p>Kim Jaensch, Cam Arullanantham, Brianna Alcock, Fran Boyd</p>
<p><b>Others in attendance (including titles):</b></p> <p>Margaret Devlin (Centre for Organisation Development)</p>
<p><b>Conflict of Interest Disclosures</b></p> <p><i>"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?"</i></p> <p>Nil</p>
<p><b>Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:</b></p> <p>N/A</p>
<p><b>Name of Council Staff Member responsible for this written record:</b> Kim Jaensch</p>
<p><b>Position Title:</b> Acting Director Corporate Development</p>

**Please submit completed form to Governance within 24 hours of the meeting**



## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Councillor Briefing			
<b>Meeting Date:</b> 10 February 2020			
<b>Commencement Time:</b> 6.05pm		<b>Location:</b> Council Chambers	
<b>Finish Time:</b> 8.15pm			
<b>Matters Considered:</b> <i>(Heading only)</i> Final Review of Monitor's Report Response CEO Time Agenda Review General Business Centenary Park Golf Club Meeting Notes - 22 January 2020			
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: 6.05pm	Left: 7.20pm
Cr Kris Bolam	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm (via phone)	Left: 8.15pm
Cr Sandra Mayer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 8.15pm
Cr Glenn Aitken	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 8.15pm
Cr Quinn McCormack	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.10pm	Left: 8.15pm
Cr Michael O'Reilly	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 7.50pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Apology <input type="checkbox"/> No	Arrived:	Left:
Cr Steve Toms	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.05pm	Left: 8.15pm



<p><b>Council Staff Attendance:</b></p> <p><input type="checkbox"/> Phil Cantillon      <input type="checkbox"/> Tim Frederico      <input type="checkbox"/> Dr Gillian Kay</p> <p>Kim Jaensch, Cam A, Leonie Reints, Stuart Caldwell, Fran Boyd, Sam Jackson, Doug Dickens, Vera Roberts</p>
<p><b>Others in attendance (including titles):</b></p>   
<p><b>Conflict of Interest Disclosures</b>  <i>"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?"</i></p> <p>Nil</p>
<p><b>Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:</b></p> <p>Not applicable</p>
<p><b>Name of Council Staff Member responsible for this written record:</b> Kim Jaensch</p>
<p><b>Position Title:</b> Acting Director Corporate Development</p>

**Please submit completed form to Governance within 24 hours of the meeting**





## RECORD OF ASSEMBLY OF COUNCILLORS

<b>Title of Meeting:</b> Pre-Council Meeting			
<b>Meeting Date:</b> 17 February 2020			
<b>Commencement Time:</b> 6.00pm		<b>Location:</b> Acacia Room	
<b>Finish Time:</b> 6.57pm			
<b>Matters Considered:</b> <i>(Heading only)</i> Agenda Review CEO Time			
Councillors	Present	Arrival and Departure	
Cr Brian Cunial	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.21pm	Left: 6.57pm
Cr Colin Hampton	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm
Cr Kris Bolam	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm
Cr Sandra Mayer	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm
Cr Glenn Aitken	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm
Cr Quinn McCormack	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.17pm	Left: 6.57pm
Cr Michael O'Reilly	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.24pm	Left: 6.57pm
Cr Lillian O'Connor	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 6.54pm	Left: 6.57pm
Cr Steve Toms	<input type="checkbox"/> Yes <input type="checkbox"/> Apology <input type="checkbox"/> No	Arrived: 5.45pm	Left: 6.57pm



<p><b>Council Staff Attendance:</b></p> <p><input type="checkbox"/> Phil Cantillon      <input type="checkbox"/> Tim Frederico      <input type="checkbox"/> Dr Gillian Kay</p> <p>Doug Dickens, Tim Bearup, Kim jaensch, Cam A, Michelle Tipton, Stuart Caldwell, Sharon Lozsan, Tenille Craig, Sam Jackson, Brianna Alcock, Vera Roberts, Graeme Read, Taylor McVean</p>
<p><b>Others in attendance (including titles):</b></p>   
<p><b>Conflict of Interest Disclosures</b></p> <p><i>"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?"</i></p> <p>Nil</p>
<p><b>Whether a Councillor(s), having disclosed a conflict of interest, left the assembly:</b></p> <p>N/A</p>
<p><b>Name of Council Staff Member responsible for this written record:</b> Kim Jaensch</p>
<p><b>Position Title:</b> Acting Chief Financial Officer</p>

Please submit completed form to Governance within 24 hours of the meeting

## Executive Summary

### 12.3 Committee Minutes

*Enquiries: (Phil Cantillon: Chief Executive Office)*

#### 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 table the meeting minutes of committees to which a Councillor delegate has been appointed.

#### **Recommendation (Chief Executive Office)**

That Council notes the minutes of the following Committees:

- Centenary Park Golf Liaison Committee – May 2019;
- Centenary Park Golf Liaison Committee – August 2019;
- Centenary Park Golf Liaison Committee – November 2019;
- Frankston Charitable Fund Committee – December 2019
- Soccer Liaison Committee – June 2019
- Soccer Liaison Committee – September 2019
- Soccer Liaison Committee – December 2019
- Westernport Biosphere Councillor Liaison Committee – September 2019;
- Westernport Biosphere Councillor Liaison Committee – November 2019;
- Westernport Biosphere Councillor Liaison Committee – January 2020; and
- Youth Council Meeting – July 2019

#### **Key Points / Issues**

- At its meeting on 15 July 2013, Council resolved to:
  - *NOM986 – Minutes of Internal and External Committee Meetings*  
*That effective immediately the Minutes of internal and external Committee Meetings, to which a Councillor delegate has been appointed, be tabled at suture Council meetings for noting*
- Council participates in a number of industry organisations and Council convened committees servicing various Council interests.
- Council typically appoints a Councillor delegate to each organisation.
- Circulation of the minutes of committee meetings is an important way of keeping others informed about the direction and activities of these committees.

#### **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.

**12.3 Committee Minutes**  
**Executive Summary**

The rate cap over the past four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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**

Nil

**2. Other Stakeholders**

Nil

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

Making Committee Minutes available to the public may provide confidence in transparency of decision making.

**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 implications associated with this report.

Policy Impacts

There are no policy implications associated with 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.

**Conclusion**

Circulation of the minutes of committee meetings is an important way of keeping others informed about the direction and activities of these committees.

It is recommended that the information be received.

**12.3 Committee Minutes**  
**Executive Summary****ATTACHMENTS**

- Attachment A: [↔](#) Centenary Park Golf Liaison Committee - May 2019 (*Under Separate Cover*)
- Attachment B: [↔](#) Centenary Park Golf Liaison Committee - August 2019 (*Under Separate Cover*)
- Attachment C: [↔](#) Centenary Park Golf Liaison Committee - November 2019 (*Under Separate Cover*)
- Attachment D: [↔](#) Frankston Charitable Fund - December 2019 (*Under Separate Cover*)
- Attachment E: [↔](#) Soccer Liaison Committee - June 2019 (*Under Separate Cover*)
- Attachment F: [↔](#) Soccer Liaison Committee - September 2019 (*Under Separate Cover*)
- Attachment G: [↔](#) Soccer Liaison Committee - December 2019 (*Under Separate Cover*)
- Attachment H: [↔](#) Westernport Biosphere Councillor Liaison Committee - September 2019 (*Under Separate Cover*)
- Attachment I: [↔](#) Westernport Biosphere Councillor Liaison Committee - November 2019 (*Under Separate Cover*)
- Attachment J: [↔](#) Westernport Biosphere Councillor Liaison Committee - January 2020 (*Under Separate Cover*)
- Attachment K: [↔](#) Youth Council Meeting - July 2019 (*Under Separate Cover*)

**Executive Summary****12.4 2020 National General Assembly of Local Government from 14 - 17 June 2020**

*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 seek Council approval for the four motions to be submitted to the National General Assembly (NGA) conference, to be held in Canberra from 14 – 17 June 2020.

**Recommendation (Chief Executive Officer)**

That Council:

1. Endorses the suggested four motions presented and the Councillor delegates for National General Assembly, Cr O'Connor and Cr Bolam to present the motions at the conference accordingly.
2. Notes the expenditure for Councillors and Manager Community Relations totals \$9,900, funded within existing budget.
3. Supports referral of the adopted motions to be incorporated into the Council's Advocacy Strategy and the participation in any future meetings with Federal Ministers and the South East Melbourne's group representation.

**Key Points / Issues**

- The NGA is convened by Australian Local Government Association (ALGA) as a service to the National Local Government Community. Resolutions of the Assembly help to inform ALGA and State/Territory Local Government Associations when developing National priorities and policies on behalf of Local Government.
- The theme for this year's 26<sup>th</sup> NGA is "Working Together for Our Communities".
- To be eligible for inclusion in the NGA Business Papers, and be debated on the floor of the NGA, motions must meet the criteria outlined in Attachment A.
- Motions should be submitted electronically and received by the ALGA no later than Friday 27 March 2020.
- Requests for motions input was sort from Councillors and further input from Council officers and the suggested motions are attached (Attachment B).
- Council at its Statutory Meeting held 7 November 2019 resolved that NGA 2020 Council attendees and representatives are Cr Lillian O'Connor and Cr Kris Bolam.
- At past ALGA Conferences, an officer has attended to assist the Councillors during the conference. It is suggested that the Manager Community Relations to attend the 2020 ALGA Conference.

**12.4 2020 National General Assembly of Local Government from 14 - 17 June 2020****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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 for officer attendance and assigned to relevant Councillor attending expenses budget. The expenditure for Councillors and Manager Community Relations totals \$9,900, funded within existing budget.

**Consultation****1. External Stakeholders**

Council officers have reviewed the external event organiser’s details calling for motions. The registrations for the conference and up loading of motions are managed on-line.

**2. Other Stakeholders**

The Mayor, Councillors, Chief Executive Officer, EMT, relevant Managers, Coordinator Advocacy and Engagement and Executive Manager CEO’s office have been consulted regarding this report.

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

The 2020 Councillor Briefing schedule currently highlights the National General Assembly and no Councillor briefings are listed during this time of preparing this report. Attending NGA Councillor Representatives will not miss any briefings and/or presentations by presenting the motions at the conference.

**Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Nil.

Policy Impacts

The matters does not relate to one specific policy of Council, however does relate to the current Council Plan and Council’s Advocacy Strategy.

Officer’s Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**12.4 2020 National General Assembly of Local Government from 14 - 17 June 2020****Executive Summary****Risk Mitigation**

If Council is not represented at the Conference there is a risk that network and advocacy opportunities will be missed.

**Conclusion**

It is proposed that the Cr Lillian O'Connor and Councillor Kris Bolam be registered to attend the conference and represent Council during the NGA motions presentation as the NGA Councillor Representatives along with Manager Community Relations.

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**ATTACHMENTS**

Attachment A: [↓](#) NGA Business Papers 2020

Attachment B: [↓](#) Frankston City Council draft motions for NGA conference - June 2020



**WORKING  
TOGETHER  
FOR  
OUR  
COMMUNITIES  
NGA20**

**Call for Motions**  
**Discussion Paper 2020**

**14-17 June 2020**  
National Convention Centre Caberra

**[nga20.com.au](http://nga20.com.au)**



## KEY DATES

**18 November 2019**

Opening of Call for Motions

**27 March 2020**

Acceptance of motions close

**14 - 17 June 2020**

National General Assembly

**To submit your motion go to:**

[alga.asn.au/nga20-motions/](http://alga.asn.au/nga20-motions/)

## SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the 2020 NGA – Working Together for Our Communities, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all the sections of the paper but are not expected to respond to every question. Your motion/s can address one or more of the issues identified in the discussion paper.

Remember that the focus of the NGA is on partnerships and working together so your questions could focus on how Local Governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising as we approach the crossroads before us.

### Criteria for motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
3. be consistent with the themes of the NGA
4. complement or build on the policy objectives of your state and territory local government association
5. be submitted by a council which is a financial member of their state or territory local government association
6. propose a clear action and outcome i.e. call on the Australian Government to do something
7. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

## OTHER THINGS TO CONSIDER

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows - This National General Assembly calls on the Australian Government to .....

*e.g. This National General Assembly calls on the Australian Government to restore funding for local government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.*

In order to ensure efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only.

Motions should be lodged electronically using the online form available on the NGA website at: [www.alga.asn.au](http://www.alga.asn.au). All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. **Motions should be received no later than 11:59pm AEST on Friday 27 March 2020.**

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee, as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government.

Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

There is an expectation that any Council that submits a motion will be present at the National General Assembly to move and speak to the motion.

## INTRODUCTION

The purpose of this discussion paper is to provide guidance to councils developing Motions for Debate at the 2020 National General Assembly (NGA). This NGA will focus on working together for our communities and how local governments can achieve success through partnerships. It will consider how strategic partnerships can assist councils to address the challenges and opportunities we are facing today and tomorrow.

Some of the challenges and opportunities facing Australia were outlined in the CSIRO's Australian National Outlook 2019. Many of the challenges have direct implications for local governments and the communities they represent and provide services for. These challenges can also be opportunities that, if seized and managed appropriately, can ensure that our councils and communities thrive. This will require long-term planning, significant effort, and a cultural shift that will rebuild trust in institutions and all tiers of government, encourage healthy risk taking, and incorporate environmental and social outcomes in decision-making.

Collaboration and partnerships across sectors and with a diverse range of organisations will be vital to develop and implement solutions to the challenges ahead and to seizing the opportunities that emerge.

### The National Outlook

The Australia National Outlook 2019 released by the CSIRO<sup>1</sup> revealed that Australia is at a crossroads. The research highlighted that we need to think and act differently if we are to ensure a bright future where GDP per capita could be as much as 36% higher in 2060 and growth is environmentally sustainable and inclusive. Failure to adequately address the significant economic, environmental and social challenges identified would result in a slow decline.

The CSIRO identified six important challenges that are already taking hold or on the horizon:

- **The rise of Asia** – The development boom in China that fuelled strong demand for Australian commodities (particularly resource and energy exports) is tapering off as China transitions to a new phase of growth fuelled by domestic consumption and services. However, growth in Asia could also create significant opportunities for Australia. By 2030, the Asia-Pacific region is set to consume more than half of the world's food, 40% of its energy, and be home to an estimated 65% of the world's middle class, resulting in increased demand for Australia's quality produce and service exports including tourism, education, health and aged care services, entertainment and financial and professional services.

*How can local government position its communities to reap the benefits of the rise of the Asian middle class and manage any impacts? What partnerships are important?*

- **Technological change** – New disruptive technologies are transforming industries and the way people live, work, and interact with each other. They are also changing the skills that will be needed in the workforce of the future. In the face of declining academic results Australia faces difficulties in ensuring that the workforce is prepared for the jobs of the future. With adaptation strategies in place embracing technology can have a net positive outlook for jobs.



*What are the pre-requisites for commitments to take advantage of technological change?*

*What adaptation strategies are required at a local level to ensure councils and local communities are ready for the jobs of the future? What partnerships may be required?*

- **Climate change and environment** – a broad range of impacts will be experienced in Australia as a result of global climate change, the severity of which will depend on the effectiveness of global emission reductions and local adaptation. The impacts include more extremely high temperatures and few extremely low temperatures, less rainfall and more droughts in southern Australia, less snow, more intense rainfall and fire weather, and fewer but stronger cyclones, and sea level rise. These changes will increase stress on Australia's ecosystems that are already threatened, and significantly affect agriculture, forestry, fisheries, transport, health, tourism, finance and disaster risk management. It is possible to strive towards zero emissions through a range of actions that target key sectors including energy, land use, urban infrastructure and industrial systems.

*How do we work together to ensure that there is local adaptation to climate change and climate extremes? What partnerships are available to achieve zero emissions?*

- **Demographics** – Australia's population is estimated to reach 41 million by 2060. This increase will be accompanied by an ageing of the population resulting in a reduction in the proportion of working age people from 66% in 2018 to an estimated 60% in 2060. This will impact economic output and infrastructure requirements and place pressure on government budgets. The impacts of population growth are likely to be felt most strongly in urban environments, with Sydney and Melbourne projected to be home to 8-9 million people and Brisbane and Perth increasing to 4-5 million people. If density does not increase, more and more people will be distanced from jobs, higher education, health services and transport.

*What partnerships and forward planning are required to manage the impact of population growth in urban areas? How do regional and rural areas work in partnership to realise the benefit of population growth?*

- **Trust** – Trust in institutions including governments, businesses, non-government organisations and the media has declined significantly since 1993 when 42% trusted government compared with just 26% in 2016. The loss of trust threatens the social licence to operate for Australia's institutions, restricting their ability to enact long term strategies.

*How can local governments utilise partnerships to strengthen our social licence to operate?*

- **Social cohesion** – like trust, social cohesion has declined falling from a baseline of 100 in 2007 to 88.5 in 2017, according to the Scanlon Foundation Index. This index considers survey respondents' sense of belonging and worth, social justice and equity, political participation and attitudes towards minorities and newcomers. The drivers of social cohesion are not fully understood but the following factors may all play a role: issues related to trust; financial stress, slow wage growth; poor housing affordability and its disproportionate affect on low income earners; and the rise of inequity.

***How can local governments work in partnership with their communities and others to build and maintain social cohesion?***

If Australia tackles these six challenges head on using a collaborative approach, we can achieve a bright future as a nation. However, there are five major shifts or changes that must occur. Each of these shifts have several “levers” that support their attainment. Local government has a role in some of the levers.

- An industry shift to enable a productive, inclusive and resilient economy with new strengths in both the domestic and export sectors
  - Increase the adoption of technology to boost productivity in existing industries that have historically supported Australia’s growth, as well as new industries.
  - Invest in skills to ensure a globally competitive workforce that is prepared for technology-enabled jobs of the future.
  - Develop export-facing growth industries that draw on Australia’s strengths and build competitive advantage in global markets and value chains.

***What can be achieved through partnerships that can address the gap between regions that are struggling and those that are well-off?***

- An urban shift to enable well-connected, affordable cities that offer more equal access to quality jobs, lifestyle amenities, education and other services.
  - Plan for higher-density, multicentre and well-connected capital cities to reduce urban sprawl and congestion.
  - Create mixed land use zones with diverse high-quality housing options to bring people closer to jobs, services and amenities.
  - Invest in transportation infrastructure, including mass-transit, autonomous vehicles and active transit, such as walking and cycling.

***Rural communities are essential to Australia’s wellbeing. What is required to ensure equitable access to quality jobs, lifestyle amenities, education and other services? What role do partnerships have to play in this?***

***Local governments are vital partners in achieving the urban shift? What needs to be brought to the partnerships by other parties? What policies need to be developed or changed?***

- An ENERGY shift to manage Australia’s transition to a reliable, affordable, low-emissions energy economy that builds on Australia’s existing sources of comparative advantage.
  - Manage the transition to renewable sources of electricity, which will be driven by declining technology costs for generation, storage and grid support.
  - Improve energy productivity using available technologies to reduce household and industrial energy use.
  - Develop new low-emissions energy exports, such as hydrogen and high-voltage direct current power.



**What role do local governments play in the energy shift? How will local governments and communities benefit?**

- A LAND shift to create a profitable and sustainable mosaic of food, fibre and fuel production, carbon sequestration and biodiversity.
  - Invest in food and fibre productivity by harnessing digital and genomic technology, as well as using natural assets more efficiently.
  - Participate in new agricultural and environmental markets, such as carbon forestry, to capitalise on Australia's unique opportunities in global carbon markets.
  - Maintain, restore and invest in biodiversity and ecosystem health, which will be necessary to achieve increased productivity.

**How can rural and regional communities' benefit from the land shift? What partnerships are required to achieve this shift?**

- A CULTURE shift to encourage more engagement, curiosity, collaboration and solutions, and should be supported by inclusive civic and political institutions.
  - Rebuild trust and respect in Australia's political, business and social institutions.
  - Encourage a healthy culture of risk taking, curiosity and an acceptance of fear of failure to support entrepreneurship and innovation.
  - Recognise and include social and environmental outcomes in decision-making processes.

**How can local governments build partnerships with their local communities that also benefit the nation as a whole?**

**How can local governments work in partnership with the Australian Government and other key stakeholders to achieve these shifts and other significant policy challenges?**

**Can a partnership approach address the current infrastructure backlog and ensure that infrastructure (including transport infrastructure) is available and fit for the future?**

## Trust

To effectively implement the scale of change and reform that will be required for the growing Australian population, government needs to focus on rebuilding trust. According to the *Edelman Trust Barometer*<sup>2</sup>, trust in government around the world fell to record lows in 2018. While modest increases were reported in the 2019 study including in Australia, citizens around the world are struggling to trust that their governments are working in their best interest.

The 2018 report *Trust and Democracy in Australia: Democratic decline and renewal*<sup>3</sup> revealed that Members of the Australian Parliament (MPs) in general are distrusted by nearly half the population (48 per cent) with only one in five (21 per cent) are willing to express that they trust them "a little bit". For State MPs and local councillors, the figure is slightly better with 31 % and 29 % respectively indicating they "trust them a little bit". Table 1 details the level of trust in different generations.





	Generation Z (1995-present)	Millennials (1980-94)	Generation X (1965-79)	Baby Boomers (1946-64)	Builders (1925-45)
State/Territory Government	38.5%	40.0%	26.7%	35.7%	44.1%
Federal Government	39.5%	31.5%	21.5%	30.8%	39.2%
Political parties	26.9%	15.6%	12.2%	16.7%	15.7%
Local Government	66.5%	47.1%	33.6%	47.5%	54.9%
Government ministers	27.5%	24.5%	15.7%	24.3%	31.1%
MPs in general	26.9%	23.2%	16.1%	20.2%	22.3%
Local Councillors	33.8%	31.7%	24.7%	27.2%	33.3%
Public Servants	45.4%	40.4%	34.4%	39.4%	35.9%
Your local MP	29.2%	30.5%	27.5%	31.2%	39.8%

Table 1: Levels of political trust in different generations (source: Stoker et al 2018)

The report revealed that one thing that appears to unite most Australians is complaining about their politicians with the three biggest grievances being:

- politicians are not accountable for broken promises;
- that they don't deal with the issues that really matter; and
- that big business/trade unions have too much power.

Professor Ken Smith, the Dean and CEO of the Australia and New Zealand School of Government (ANZSOG), is intent on understanding the factors that drive distrust in government and developing innovative ways to counter some of these trends. He has highlighted<sup>4</sup> that people look at central government and see bureaucrats far removed from their own local circumstances. In Australia, where people live in very varied conditions, it is crucial for policymaking to be based in local realities. Yet locally-based solutions have not been the method of choice so far in Australian politics. The answer, according to Professor Smith, is devolved government, or subsidiarity where “policies are driven by and tailored to the needs of the local community – to avoid the problem of service provision that completely misses the mark”.

Some commentary suggests that declining trust and confidence is driven by a perceived failure of our institutions to uphold promises and deliver outcomes. Research undertaken for *Trust and Democracy in Australia: Democratic decline and renewal*<sup>5</sup> revealed a significant appetite for reform including the co-design of policies with ordinary Australians, citizen juries, to solve complex problems that parliament can't fix, and reforms aimed at creating a stronger community or local focus to decision-making.

The Review into the Australian Public Service (APS) had a focus on delivering local solutions<sup>6</sup> not only in terms of place-based policy making but also by paying attention to communities (often specific communities determined by interest or identity). The review found that there is currently no guiding set of administrative principles or coordinated holistic architecture either within the APS or across the APS and other levels of government to fully support and enable local delivery solutions.

The report<sup>7</sup> went on “evidence suggest the need for increasing localised solutions in genuine partnership with communities to achieve best social, economic and environmental outcomes. Top down policy making is no longer sufficient alone to deal with community expectations or the complexity of challenges faced in community settings. Communities themselves need to be part of the solutions, right from problem conception to design, implementation and evaluation”. “There are opportunities for the APS to get closer to the communities it services directly and indirectly (through effective partnerships with other levels of government and civil society”.

*How can local governments address the trust deficit with their local communities and assist the Australian Government to do the same?*

*How can the Australian Government and local governments maximise the strengths and abilities of the public service (including council staff) and deliver in partnership for our communities?*

*How can we draw on the strengths and resourcefulness of local governments and local communities to work in partnership with the Australian Government to tackle issues of national significance and lift key economic and social indicators?*

*What do local governments bring to the table to tackle issues of national significance?*

## REFERENCES

PAGE 4

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AUSTRALIAN  
**LOCAL GOVERNMENT**  
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## 2020 National General Assembly – Call for Motions

### Frankston City Council's 'draft' motions 2020 (Victoria)

#### 1. National Herbicide Study

The National General calls on the ALGA is to request, via the Hon. Susan Ley MP, Minister for Environment, that the Department of Environment and Energy conduct a study to determine the most effective forms of herbicide for widespread use in common public recreational spaces such as playgrounds and parks.

The requested research is to give consideration to mediums and/or products that could form the basis for a 'best practice' approach for local governments throughout Australia in respect to herbicide usage.

Potential research could explore mediums and products:

- that do not expose the public to harmful health conditions (ie. cancer inducing elements);
- are economically cost-effective;
- have low impact on natural surroundings and the environment; and
- exhibit measurable effectiveness.

In the event such research ensues, it is further requested that local government sectors be properly consulted.

#### **RATIONALE:**

**National Objective:** Why is this a national issue and why should this be debated by the NGA (maximum 200 words)

Glyphosate products used for weed management across agriculture, bushland areas, parks and gardens and horticulture is currently the most effective form of weed management. Overseas legal cases demonstrate safety concerns regarding the long term use of glyphosate within the community.

Industry across Australia is struggling to find alternatives that are as cost effective and as effective for controlling weeds as glyphosate is. In short, no chemical alternative currently exists that is as effective as glyphosate, yet many authorities are taking action individually to introduce bans and reduce the use of this chemical. Given the vast uses of glyphosate across the country and the current unavailability of an effective alternative, the issue is one which confronts the entire agricultural and horticultural industry.

#### **Summary of Key Arguments:** Background information and supporting arguments (Maximum 300 words)?

Glyphosate is the most readily available and used method of weed management in Australia across the entire agricultural and horticultural industry.

Legal cases overseas pertaining to long term safety concerns about the use of chemical glyphosate is currently confronting the industry and the community.

This could be a valuable platform to seek advice from other countries such as Austria and Germany who have introduced nationwide bans.

No alternatives that are as effective as glyphosate currently exist within the industry. The entire industry should work together, rather than individually, in a coordinated approach to find alternative methods to weed management.

Together, we must be smarter.

**Declaration:** This motion was endorsed by Council – TBC

Uploaded onto ALGA website – TBC

**Contact Officer:** Cam Arullanatham, A/Director Infrastructure and Operations

## 2020 National General Assembly – Call for Motions

### Frankston City Council's 'draft' motions 2020 (Victoria)

#### 2. Tax rebate for self-funded retirees

The National General Assembly calls on the ALGA National Conference to advocate to the Federal Treasurer, and Federal Shadow Treasurer, to consider the creation of a tax rebate for self-funded retirees that can be used to offset any tax liability they may incur.

#### RATIONALE:

Given the inability of self-funded retirees to access most state and federal concession schemes, this proposal will reward self-funded retirees who do not receive specific tax or rate relief. Many tax-funded retirees make financial sacrifices to ensure they are adequately prepared for retirement. By doing this, they take a significant strain off the public social security system. Therefore, self-funded retirees should be recompensed.

#### National Objective: Why is this a national issue and why should this be debated by the NGA (maximum 200 words)

The issue of an ageing population is a constant across all Australian States as is the need to appropriately recognise and reward self-funded retirees who have no access to a range of other benefits that are applied to Australian Pensioners.

#### Summary of Key Arguments: Background information and supporting arguments (Maximum 300 words)?

Australia has an increasing ageing population that will continue to exert considerable pressure on this country's ability to provide financial support to its aged residents. Whilst the focus will remain on meeting this challenge, the cohort that is most often over-looked is the self-funded retiree who has diligently paid taxes for their working career and now in retirement is ineligible for any government support.

This Motion calls on the Australian Government to investigate ways and means in which this group of residents can be recognised both for their past contributions and the fact that they benefit the country by not drawing down on the benefits that are applied to all other retirees.

The Motion requests that this be in the form of a mechanism to provide tax rebates on any future tax liabilities that may be incurred post retirement date through continued part-time employment opportunities. This also has the impact of encouraging self-funded retirees to continue to participate and contribute to the workforce.

**Declaration:** This motion was endorsed by Council – TBC  
Uploaded onto ALGA website – TBC

**Contact Officer:** Kim Jaensch, A/CFO

## 2020 National General Assembly – Call for Motions

### Frankston City Council's 'draft' motions 2020 (Victoria)

#### 3. Waiving Stamp Duty for first home buyers

The National General Assembly calls on the Australian Government to work with the relevant State Governments to ensure a consistent, national-wide approach in supporting first time home buyers by fully exempting first home buyers from paying stamp duty regardless of the location or the price of the property.

##### RATIONALE:

The current approach in applying Stamp Duty to first home buyers is presently inconsistent between Australian States and countries, such as the United Kingdom which offers this exemption to encourage greater housing affordability for first-time home buyers.

Population increase combined with a lack of suitable new dwellings for families is likely to create strong long-term growth in house prices - raising fears this could spark an 'unaffordability' crisis.

**National Objective:** Why is this a national issue and why should this be debated by the NGA (maximum 200 words)

Currently various State Governments are applying stamp duties for first home buyers in an inconsistent fashion. The issue of affordable housing, particularly for the younger generation is becoming of significant concern with rising housing prices placing the dream of younger families owning their own home beyond reach for all but a select few. National-wide action is now sought from the Federal Government to ensure a level playing field across all States with young home buyers being exempted from paying stamp duty for their first home.

**Summary of Key Arguments:** Background information and supporting arguments (Maximum 300 words)?

Data from the Australian Bureau of Statistics (ABS) shows Melbourne is Australia's fastest growing capital city. Demographer, Bernard Salt, predicts that Melbourne's population will shoot past eight million by 2050. Mr Salt also anticipates Melbourne could eclipse Sydney as the most populated capital of Australia by 2030.

A report by the Victorian State Government, Plan Melbourne 2017-2050 forecasts the city will need 1.6 million new homes over the next 35 years to account for this. The report states "the issues that need to be addressed include housing affordability, the types of housing available to cater for different household needs and lifestyles, and the provision of medium- and higher-density housing close to jobs and services".

The median price for houses in Melbourne is just out of reach for younger generations.

While the removal of stamp duty for first home buyers has been a boost to outer Melbourne, it presents a danger that it may lock first-home buyers out of key locations, leaving them with little option other than to move further out. A new entrant to the property market buying a house at the regional median will pay no stamp duty, while a first home buyer of an apartment in Melbourne at the median price would pay stamp duty of nearly \$25,000.

**Declaration:** This motion was endorsed by Council – TBC

Uploaded onto ALGA website – TBC

**Contact Officer:** Kim Jaensch, A/CFO

## 2020 National General Assembly – Call for Motions

### Frankston City Council's 'draft' motions 2020 (Victoria)

#### 4. Royal Commission for gambling and gaming

The National General Assembly calls on the Australian, State and Territory Governments to ban political donations from any gambling license holder, including Board or committee members of an organisation with a gambling license, or their peak bodies.

##### **RATIONALE:**

##### **National Objective:**

Australia's democratic processes should be free from influence by vested interests from the gambling industry in order to properly protect the interests of the community.

##### **Summary of Key Arguments:**

The gambling industry exercises undue influence on our political system through disclosed and undisclosed donations to political parties at a state and federal level. Communities rely on our governments to make policy and decisions that put the public interest first. Record donations from the gambling industry and third party vested interests have undermined public confidence in Federal and State Government decision making. Increasing transparency and accountability will help restore integrity at all levels of government. It's time to break the link between the gambling industry and politics, and restore trust in our democracy.

**Declaration:** This motion was endorsed by Council – TBC

Uploaded onto ALGA website – TBC

**Contact Officer:** Dr Gillian Kay, Director Communities



**Executive Summary****12.5 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated**

*Enquiries: (Brianna Alcock: Chief Financial 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**

For Council to appoint Council's nominated representative to the Board of the Frankston Football Club Incorporated.

**Recommendation (Chief Financial Officer)**

That Council:

1. Appoints Director Business Innovation and Culture as the Frankston City Council representative member to the Board of Management of the Frankston Football Club Incorporated for the remaining interim arrangements, until 27 December 2020.
2. Notes Director Business Innovation and Culture replaces Director Corporate Development as the Frankston City Council representative member.
3. Notes that once the interim arrangements cease the Frankston City Council representative member may take on the role in a non-voting capacity subject to Council approval.

**Key Points / Issues**

- At its meeting on 19 November 2018, Council resolved that it:
  - “1. Notes that the Chief Executive Officer is stepping down from the Board of Management and;
  2. Appoints the Director Corporate Development as the Frankston City Council representative member on the Board of Managements of the Frankston Football Club Incorporated for the remaining interim arrangements, until 27 December 2020.
  3. Notes that this change will be effective from the next Annual General Meeting of the Football Club, currently scheduled for Monday, 10 December 2018.”
- The Frankston Football Club Incorporated (Club) is compelled to meet all obligations under a Deed of Company Arrangement (DOCA) and commenced appointment of a new board in 27 December 2016. The new board members were required to have the necessary skills, qualifications and experience in finance, governance and management to the satisfaction of Council and the deed administrator Worrells Forensic Accountants (Worrells).
- The Frankston Football Club's Constitution states at Section 21.1:

“A member nominated by the Frankston City Council for such period of time as determined by the Council but for no longer than a period of three years.”

**12.5 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated****Executive Summary**

- Under the Club's Constitution, Section 21.9 c) states that: *the office of a member of the Board becomes vacant if the member resigns their office by notice in writing given to the Secretary.* Section 21.6 outlines that the Board may appoint a member of the Club to fill the vacancy for the balance of the term of the board member being replaced.
- With the Board of Management arrangements in place, the current representative from Frankston City Council is the Director Corporate Development. As this position ceased in February 2020, a new representative is now required.
- The Director Business Innovation and Culture is proposed to be appointed as the representative to the interim Board for the remainder of the interim arrangements.
- It is noted that the appointment of a Council representative to the Board may, in some instances, give rise to a possible conflict of interest. Accordingly, the Council representative will absent themselves from any matters arising between Council and the Club.
- Note that once the interim arrangements cease the Council representative member may take on the role in a non-voting capacity.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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**

This matter has been discussed with the Board of Management of the Football Club.

**2. Other Stakeholders**

Nil.

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

There are no known environmental implications.

**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.

**12.5 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated****Executive Summary**Legal

Actions are within scope of the Club's Constitution and direction of Council.

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**

If a conflict of interest arises the Council representative should make a disclosure to the Board of Management to the Club.

Any matter that may arise requiring a decision by the Council representative would be referred to the CEO or a delegate to determine a way forward.

**Conclusion**

Frankston City Council currently has one representative member on the interim Board of Management to Frankston Football Club Incorporated, which was held by the former Director Corporate Development.

Authorisation is required by Council for the Director Business Innovation and Culture to be the Council representative member.

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**ATTACHMENTS**

Nil

## Executive Summary

### 12.6 Sport and Recreation Victoria - Grant Submission

*Enquiries: (Claire Benzie: Communities)*

#### 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**

For approval to submit an application for funding from the World Game Facilities Fund 2019-20

#### **Recommendation (Director Communities)**

That Council notes and approves a funding application to the 2019-20 World Game Facilities Fund for the following project (closing date 13 March 2020):

- Seaford North Reserve (Seaford Soccer Club) sports lighting \$250K grant application with total cost of \$500K in 2020/21 (\$250K funded by sports lighting program)
- Lawton Park Reserve (Langwarrin Soccer Club) sports lighting \$250K grant application with total cost of \$500K in 2020/21 (\$250K funded by sports lighting program)

#### **Key Points / Issues**

The Victorian Government through Sport and Recreation Victoria is currently receiving submissions from local government.

- The objectives of the World Game Facilities Fund is to develop football (soccer) facilities that support participation by underrepresented groups while boosting local economic activity.
- Council can submit unlimited applications requesting up to \$500,000 that needs to be matched by Council.
- Council has the ability to match state government funding through Council's sports lighting renewal program.
- There is an opportunity to include the Seaford North Reserve and Lawton Park Reserve sports lighting projects in this category.
- If Council is successful in this grant it will enable both projects to be completed which will be a great outcome for these clubs as they do not currently have enough lighting for all their teams.
- New sports club lighting will also enable Council to maintain safer sports surfaces as the clubs will be able to spread the load of training across multiple grounds.

#### **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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

**12.6 Sport and Recreation Victoria - Grant Submission****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.

Council approval is sought for the following funding applications to the World Game Facilities Fund for \$500K; and should this application be successful Council will match the funding from the Sports Lighting Programme.

**Consultation****1. External Stakeholders**

Seaford United Soccer Club and Langwarrin Soccer Club have been consulted in regards to these sports lighting projects.

**2. Other Stakeholders**

Sport and Recreation Victoria – the above projects have been discussed with SRV representatives.

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

The World Game Facilities Fund helps provide high quality, accessible soccer infrastructure across Victoria. The projects will assist Council in providing fit for purpose facilities to enable the community to be active. It will also enable the maintenance of safer sports field as the wear and tear can be spread across a wider area.

**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 in this report.

Policy Impacts

There are no legal implications in 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 condition of the sports lighting at on pitches 1 and 2 at Seaford North is rated as poor in the Sport Lighting Audit 2019. Spill lighting is currently utilised to provide sub-standard sports lighting on pitches 1 and 2. Pitch 1 has an average lux of 14.9, and pitch 2 an average lux of 9.2lux, with the training standard 50lux. The recommendation from the Sports Lighting Audit 2019 is that the current sports lighting infrastructure should be replaced with a new system.

**12.6 Sport and Recreation Victoria - Grant Submission****Executive Summary**

Lawton Park Reserve currently does not have any sports lighting on pitch 1, the Club is limited to training on grounds with inadequate lighting standards. The Sports Lighting Audit 2019 notes that the poles on pitch 2 are showing signs of rust and the luminaries are in poor condition with signs of corrosion. The average lux level on this pitch is 9.4, the standard requirement is 50lux. The recommendations of the audit report is that a new lighting system is installed.

**Conclusion**

Council has the opportunity to apply for funding towards sports lighting at Seaford North Reserve and Lawton Park Reserve. These projects are required to provide facilities that are fit for purpose and to meet club needs and usage. Approval is sought for these projects to be the subject of applications to be submitted for the 2019/20 World Games Facilities Fund by the close of business on 13 March 2020.

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**ATTACHMENTS**

Nil

**Executive Summary****12.7 Capital Works Quarterly Report - Q2 - October - December 2019/20**

*Enquiries: (Luke Ure: Infrastructure and Operations)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.3 Resources
Priority Action	4.3.2 Undertake an ongoing review of Council's assets to ensure they meet community needs

**Purpose**

To brief Council on the quarterly progress (October 2019 to December 2019) of the 2019/20 Capital Works Program.

**Recommendation (Director Infrastructure and Operations)**

That Council receives and notes the quarterly progress report for the first quarter (October 2019 to December 2019) for the 2019/20 Capital Works Program.

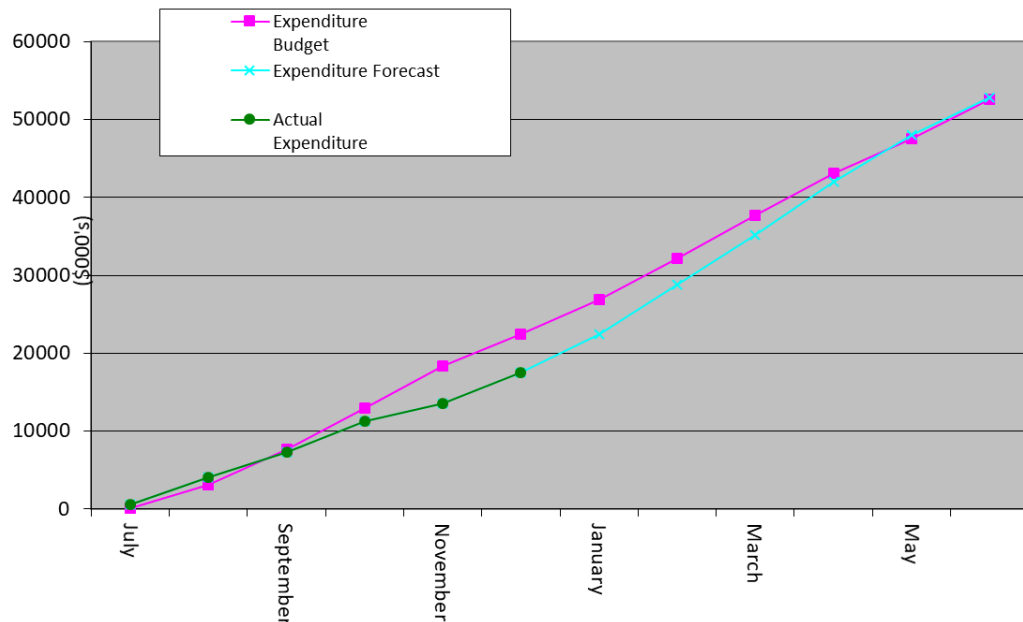
**Key Points / Issues**

- The 2019/20 Capital Works Program comprises a total of 236 projects, including 38 projects carried over from financial year 2018/19.
- The Adjusted Capital Works Budget following the Mid-Year Budget Review and subsequent approved variations is \$52.479 million and actual capital expenditure as at the end of December 2019 is \$17.531 million (Attachment A).

Total Adopted Budget + Carry Forward	\$52.727 million
Adjusted Budget (after adjustments)	\$ 52.479 million
Forecast (EOFY)	\$ 52.675 million
Forecast Over Expenditure	\$ 0.196 million
Actual expenditure	\$ 17.531 million

- The adjustments to the Adopted Budget were as a result of Councillor Notice of Motions with the introduction of new capital projects, as well as approved changes to the scope of some projects. All adjustments were approved through the Capital Works Variation Panel consisting of Council's Finance Manager and Executive Team.
- The delivery of the 2019/20 Capital Works Program is on track with an EOFY forecast expenditure of \$52.675 million.
- The delivery status of the 2019/20 Capital Works projects by Council Department for the first quarter is included in Attachment B.
- Refer to the graph below which shows the Actual Expenditure for the first quarter against the Adjusted Budget. At the end of December the Year to Date (YTD) Actual Expenditure versus the YTD Adjusted Budget was 82%.

## 12.7 Capital Works Quarterly Report - Q2 - October - December 2019/20

**Executive Summary**2019/20 Capital Works Program – Status at end of December 2019 (second quarter)

- The 2019/20 Capital Works Program is tracking well with YTD under expenditure due to timing of larger projects which are still envisioned to be delivered by year end.
- Out of 236 projects, 13 projects have been withdrawn or re-allocated since the commencement of the financial year. Total active projects totals 223, of which 19 projects are ongoing/ multiple year projects (Attachments A & C).
- Total active projects totals 223, the phasing status is described below as of end of December 2019:
  - Not Started – 3 projects (1%)
  - Planning and Scoping – 35 projects (16%)
  - Design and Documentation – 45 projects (20%)
  - Procurement – 44 projects (20%)
  - Delivery – 68 projects (30%)
  - Completed – 28 projects (13%)
- A total of 19 projects have been identified as ongoing projects into 2020/21 and are not due for completion by end of June 2020. They are as follows:
  - 4176 - Clyde St Mall - Upgrade
  - 4194 - Coastal Safe Boat Refuge
  - 4210 - Taylors Road - Ballarto Road to Hall Road
  - 4221 - Jubilee Park - Jubilee Netball Centre
  - 4191 - Ballam Park - Master Plan implementation
  - 4225 - RF Miles Recreation Reserve - New Pavilion
  - 4309 - Station Street Mall - Streetscape Upgrade Stage 2



**12.7 Capital Works Quarterly Report - Q2 - October - December 2019/20****Executive Summary**

- 4439 - Renew 6,996 T5 (30.5W) street lights to 17W LED lights
- 4355 - Belvedere Reserve - Linen House – Upgrade
- 4374 - Wi-Fi Solution
- 4440 - New Systems Implementations
- 4248 - Technology One CI Anywhere Upgrade
- 4317 - Human resources and payroll system reimplementation
- 3591 - Frankston BMX Track
- 4181 - New Child & Family Centres -Seaford Langwarrin Belvedere
- 4454 - SQL Server Renewal
- 4502 - Wingham Reserve Park Facilities Upgrade
- 4503 - Dog Off-Leash Park at Telopea Reserve
- 4509 - Integration Software Implementation

**Key Projects in the 2019/20 Capital Works Program**

Key projects have been identified and are reported to the Major Projects Advisory Committee (MPAC) on a bi-monthly basis. The current status of these projects are detailed below. Details on all projects are provided in Attachment C:

- 4181 New Child & Family Centre at Langwarrin – Currently negotiating with McClelland Gallery for alternative site.
- 4015 Station Street Mall Upgrade Streetscape Upgrade Stage 1 – Project completion achieved in November 2019.
- 1906 Centenary Park Tennis Redevelopment – Tennis Courts construction earthworks underway. Award of contract for the Tennis Pavilion expected in mid-February 2020.
- 4102 Overport Park Pavilion Upgrade – Practical completion achieved and occupancy permit granted in February 2020 for mid December 2019
- 4217 Ballam Park Soccer Pavilion – Project is expected to be completed at the end February 2020.
- 4221 Jubilee Park Indoor Stadium Redevelopment – Schematic design will be presented to Major Projects Advisory Committee Meeting on 26 February 2020.
- 4225 RF Miles Recreation Reserve New Pavilion – Tender evaluation complete with award of contract report going to 17 February Council meeting.
- 4257 Frankston Park Oval 1 Lighting – On site works to commence late January 2020 and completion by July 2020
- 4260 Carrum Downs Synthetic Oval No 2 – Certification for the completed playing surface expected in February 2020. Fields will be ready for winter season use 2020.
- 4453 Overport Park Carpark & Pathways – Carpark Construction is underway, car park lighting contract works awarded, contractor detailed design and shop drawings are underway.
- 4194 Coastal Safe Boat Refuge – A report on the Frankston Safe Boat Refuge and Coast Guard mooring/accommodation options was presented to Council on the 14th October 2019. Grant scope variation submitted to Federal Government

**12.7 Capital Works Quarterly Report - Q2 - October - December 2019/20****Executive Summary**

Agency December 2019 seeking release of remaining Grant monies. No response as at end January 2020. Project withdrawn

- 4420 Frankston Coast Guard – Project reallocated. Council resolved for Coast Guard to occupy a portion of the Frankston Yacht Club Building.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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**

Council officers responsible for the delivery of individual projects consult with key stakeholders directly during the delivery of the projects.

**2. Other Stakeholders**

The Major Projects Advisory Committee last met on the 26 February 2020. Governance group meetings are held on a monthly basis and include a Project Review Group meeting, EMT Capital Works Review meeting and Project Sponsor Group meeting. A Project Control Group meeting is held on a bi-monthly basis. A number of Project Advisory Group meetings were also held for major projects during the second quarter.

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

A number of Council assets underpin economic systems and provide a vehicle for economic growth and prosperity. Some Council assets seek to improve the environment and amenity of the municipality. Council assets also support services to the community. Better infrastructure asset management practices will enhance these services to the community and promote better health and wellbeing.

**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

There are no statutory obligations or legal implications relevant to the content to the report.

**12.7 Capital Works Quarterly Report - Q2 - October - December 2019/20****Executive Summary**Policy Impacts

Council's Asset Management Policy, Capital Works Program Monitoring Framework Project Management Framework, the Long Term Financial Plan and the Long Term Infrastructure Plan are 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 Capital Work Program is managed actively in accordance with Council policies and business rules.

**Conclusion**

At the completion of the second quarter of the 2019/20 financial year, Council has a year to date expenditure is \$17.531 million against an Adjusted Budget of \$52.479 million. The Capital Works Program is on track with an EOFY forecast expenditure of \$52.675 million.

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**ATTACHMENTS**

- Attachment A: [⇒](#) Capital Works Program 2019/20 - Program Summary (*Under Separate Cover*)
- Attachment B: [⇒](#) Capital Works Program 2019/20 - Summary By Department (*Under Separate Cover*)
- Attachment C: [⇒](#) Capital Works Program 2019/20 - Program Detailed Listing (*Under Separate Cover*)
- Attachment D: [↓](#) Capital Works Program 2019/20 - Summary Program Listing



## SCHEDULE OF CAPITAL WORKS DELIVERY - 2019/20 Status As At End December 2019

Project Phase	Status	
Planning and Scoping	OK	Ahead of schedule or within 1 month
Design and Documentation	Watch	Delayed beyond 1 month
Procurement	Intervene	Delayed beyond 2 months of schedule
Delivery	C	Completed
Handover and Closure	v	Checked
Not Started		
		FULL YEAR
Overall Program for FY 2019/20		52,479,523

Dept	Project No	Project Title	Project Description	Adjusted Budget (EOY)	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Status	
<b>Aquatic Services</b>																		
Facilities	4401	Peninsula Aquatic and Recreation Centre - Renewal Programme	Implementation of the PARC Asset Management Plan to maintain a high level of facility presentation to meet service needs.	500,000														OK
Facilities	4479	Pines Aquatic Centre Renewal Programme	Pines Aquatic Centre Renewal programme: Works proposed this year include concrete replacement, electrical upgrade, painting, new kiosk equipment.	100,000														Completed
<b>Arts &amp; Cultural Services</b>																		
Arts and Culture	1446	Frankston Arts Centre Technical Equipment Renewal	Renewal of technical equipment at the Frankston Arts Centre (FAC). Future works include: New PA (audio) system for Cube 37 Upgrade of Auditorium Lighting & dimming system Upgraded Foyer Audio system for announcements Install of new audio system for Theatre Moving Light package Continued upgrade of Flying Systems components – synthetic rope, turnbuckles etc Ongoing replacement of smaller items as they reach 'end of life'	120,000														OK
Arts and Culture	1469	Library Collection	Annual purchase of collection stock to provide access to relevant and useful information to the community,	700,000														OK
Facilities	3705	Arts and Culture Renewal Programme	Provision of efficient office layout based on DDA & ergonomic review, create FAC staff briefing room, re-fit of kitchenette & improve admin staff offices & box office counter.	483,000														OK
Capital Works Delivery	3803	Public Artworks Renewal Programme	Construction of the Public Art plinth including solar lighting at the corner of Hastings Road and Moorooduc Highway	112,791														OK
Arts and Culture	4209	Frankston CAA - Laneway activation	Laneway Activation	140,000														OK

					FULL YEAR												
					Overall Program for FY 2019/20												52,479,523
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Capital Works Delivery	4346	Eel Race Road Public Art/ Monument	Shortlist of 5 artists to prepare concept designs for Gateway Public Art	14,843													OK
Capital Works Delivery	4399	Frankston Foreshore - Permanent 3 phase Power at Beach Front	Increase permanent 3 phase power at Beach Front to enable greater flexibilities for event management and reduction of the use of generators and other temporary infrastructure costs	131,000													OK
Business & Information Technology	4414	Libraries - Automated booking system, library meeting rooms	Implement an automated booking system for library meeting rooms.	19,000													Not Started
Arts and Culture	4417	Sculpture Public Artwork Development	Commission works and develop sculpture infrastructure	200,000													OK
Facilities	4487	Proposed Langwarrin Library	Proposed Langwarrin Library - Feasibility and concept	25,000													OK
Arts and Culture	4507	Public Art Murals Fletcher Road Overpass	Create two high quality Art pieces under the Fletcher Road overpass	60,000													OK
<b>Civic &amp; Corporate Buildings</b>																	
Facilities	1288	Office Furniture & Equipment Renewal	To meet staff and O.H. & S. requirements.	100,000													OK
Facilities	3532	Civic & Operations Facilities Renewal Programme	Renewal recommendations to be implemented across Council's Civic facilities. Works are based on condition and includes works on External Fabrics, Furniture & Fittings, Interior Finishes, Mechanical Services and Structural elements.	500,000													OK
Facilities	3859	Facilities Painting Programmeme	Programmed internal/ external painting programme of Council owned and managed facilities throughout the municipality.	280,000													OK
Facilities	4143	Facility Maintenance Contract Renewal Programme	Recurrent funding for maintenance referrals via Ventia that satisfy Council's capex thresholds. Also facilitates renewal referrals from internal service managers.	430,000													OK
Facilities	4368	Frankston Visitor Information Centre (VIC)	Frankston Waterfront and Foreshore - Frankston Visitor Information Centre (VIC) - Internal Fit-Out	100,000													Completed
Community Relations	4369	Mobile/ Pop-up Visitor Services	Visitor Information Hub - Digital Information to be purchased and Installed.	32,924													OK

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Facilities	4480	Storm and Vandalism Renewal Programme	Storm and Vandalism Renewal Programme	150,000													OK
<b>Community Facilities &amp; Meeting Places</b>																	
Facilities	1286	BBQ Replacement Program - Major Parks	Replace BBQs based on condition assessments	25,000													OK
Facilities	2641	Communities Facilities Renewal Programme	Renewal recommendations to be implemented across Council's Communities facilities. Works are based on condition and includes works on External Fabrics, Furniture & Fittings, Interior Finishes, Mechanical Services and Structural elements: Lyrebird Community Centre - Reception desk and office works Langwarrin Community Centre - Reception counter repainting. Frankston North Community Centre - Cafe counter. Ebdale Community Centre - Kitchenette refurb. Karingal Place various works. Belvedere Neighbourhood House - DDA auditing. Frankston Youth Centre - layout design.	187,850													OK
Capital Works Delivery	4001	Karingal Place Neighbourhood House - Playground Redevelopment	Council will address issues in the existing kindergarten playspace and relocate the occasional care space to a new playground in the area between occasional care room and Maternal and Child Health suite.	121,103													OK
Facilities	4134	Pines Mens Shed Heating	Pines Mens Shed Heating upgrade.	55,113													OK
Facilities	4181	New Child & Family Centres -Seaford Langwarrin Belvedere	Proposed New Child & Family Centres - Langwarrin. Feasibility Studies	6,460													Not Started
Facilities	4310	Orwil Street Community House - Extension	Concept plan and detailed design for extension to Orwil Street Community House to provide additional programming needs.	705,512													OK
Capital Works Delivery	4391	Nairn Marr Djambana Playground Establishment	Construction of new playground space including fencing and installation of indigenous themed art	95,236													Completed
Capital Works Delivery	4437	Frankston North Community Centre - Annexe	Install shade sail / pergola treatment at back of annex (garden).	30,000													OK
Facilities	4448	Nairn Marr Djambana	Extension of disability ramp and install storage shed.	58,000													OK
Facilities	4449	Langwarrin Mens Shed	Build in ceiling vacant space. Enclose kitchen breakoutspace in LMS.	60,000													OK
Capital Works Delivery	4450	Pines Patch Community Garden - New Disability Access	Pines Patch Community Centre - Reconfigure and improve kerb alignment to facilitate safer pedestrian & accessible access to the Community Centre	56,000													Completed

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Facilities	4478	Community Halls Renewal Programme	Renewal recommendations to be implemented across Council's Community Halls. Works are based on condition and includes works on External Fabrics, Furniture & Fittings, Interior Finishes, Mechanical Services and Structural elements	50,000													OK
Capital Works Delivery	4488	Concrete Slab for Seaford Farmers' Market Shed	Concrete Slab for Seaford Farmers' Market Shed	50,000													OK
Facilities	4501	Karingal Place Neighbourhood House Re-purposing	Upgrading and renewal works at Karingal Place Neighbourhood House.	112,150													OK
<b>Community Open Spaces</b>																	
Capital Works Delivery	3030	Open Space Renewal Programme	Rolling renewal programme of Park furniture assets across all Council Reserves and open space. Implementation of the recommendations of the Parks Assets Condition Audit undertaken during 2015/16, as per Council's Asset Management Strategy. Renewal works are undertaken in accordance with the Levels of Service Framework within reserves.	100,000													OK
Capital Works Delivery	3305	Fence Upgrade and Replacement Programme - Internal Fences/ S	Replace old and damaged internal fences in parks. Identification of projects based on reactive requests from residents dealing with safety and access issues on reserves including cars, playground protection and disabled access.	83,500													Completed
Operations	3421	Fencing Replacement Programme - Boundary Fences - Council Re	This is an ongoing Council renewal program where residents contribute half the cost for fence replacement that abuts Council reserves. Identification of projects based on reactive requests from residents dealing with safety and access issues on reserves including cars, playground protection and disabled access.	125,000													OK
Capital Works Delivery	3687	Foreshore & Bushland Minor Infrastructure Renewal Programme	The majority of repairs/replacement to this type of infrastructure has previously been funded by Operational Budgets and is generally reactionary to major risk issues or community/Councillor requests. Increased auditing and responsibility for Risk Management requires ongoing Capital Funding to making these assets safe for Park Users. Annual works on minor Infrastructure will be undertaken and will be prioritised based on risk, actions within Park Management /Master Plans, public use of the reserve/asset, and Community/Friends Group requests.	50,000													OK
Capital Works Delivery	3768	Various Reserves - Signage	Renewal of signage at various reserves and public realm spaces, implementing the outcomes of the Signage Strategy - review of park signage undertaken during 2013/14 (A1170844). Signage includes naming, regulatory and interpretive signage.	33,000													Completed

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Operations	3771	Erosion Control Fence Renewal - Seaford Wetlands & Frankston	Renewal of the Erosion Control Fence along Frankston & Seaford Foreshores following storm events and subsequent failures along existing fencing. Works also include fencing renewal throughout the Seaford Wetlands to address a known backlog of defective fencing.	50,000													OK
Operations	3992	Foreshore Pedestrian Trails and Beach Entrances Renewal Prog	Many of the east-west tracks have reached a renewal intervention level beyond basic maintenance. As per the Draft Coastal Management Plan, a renewal program is required to address trails and entrances across the municipality (~55 entrances staged over a 5 year program) to get them to a safe gradient, made of materials that cope with foot traffic and erosion and present the reserve to the public as a well maintained space.	20,000													OK
Capital Works Delivery	4047	Seaford Foreshore	Redevelopment of picnic area at Seaford Life Saving Club and new outdoor showers at Coates Walk	30,042													Completed
Capital Works Delivery	4191	Ballam Park - Master Plan implementation	Staged implementation of the Ballam Park Master Plan: Prepare a Landscape Plan for internal connections, signage, furniture and plantings. Extensively plant the area with new native trees for shade amenity. Upgrade connections, facilities, infrastructure and recreational activities within Ballam Park. Proposed improvements to the park are in line with the Ballam Park Master 1996, works include Complete path network, where connecting links are missing. Improvements to connecting space between the senior and junior playground including trial solar lighting. Investigate opportunities for Integrated Water Management improvements Establish link between Park and Ballam Homestead Significant tree planting throughout reserve Front entrance upgrade including central fountain	133,601													OK
Capital Works Delivery	4300	Kananook Creek - Dredging and Entrance Redesign	Develop alternative approaches to dredging of Kananook Creek and redesign entrance	50,000													OK
Facilities	4325	Downs Estate - Infrastructure Upgrade	Upgrade at Downs Estate: • CCTV Installation • Fencing • Welcome sign and drinking fountain • Picnic Shelter (Barbecue & Furniture) • Veranda (backing onto shed)	350,000													OK
Capital Works Delivery	4326	Kanaook Creek - 2 Viewing Platforms	Kananook Creek - Viewing Platforms to include interpretive signage	90,000													OK



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Capital Works Delivery	4327	Foreshore Access Disability Access and Inclusion Implementat	Investigate the installation of wheelchair accessible beach matting at Frankston Life Saving Club in collaboration with the club. Also includes access upgrade to the Waves Restaurant and Porch Precinct.	94,517													OK
Capital Works Delivery	4328	Community Garden - Kananook Area	As per NOM1382, implementation of community garden in the Kananook area.	10,130													Completed
Capital Works Delivery	4329	Carrum Downs Recreation Reserve - Master Plan Implementation	Construction of the interface landscape between the Carrum Downs Pavilion and Oval 2	61,000													Completed
Capital Works Delivery	4330	Seaford Wetlands - Recreational Connections	Design development of the north link path of the Seaford Wetlands circuit trail	10,000													Watch List
Capital Works Delivery	4332	Recreational Connections - Frankston	Enhance connections from George Pentland Botanic Gardens to the Foreshore through Beauty Park and Frankston Park	5,024													OK
Community Strengthening	4398	Frankston Foreshore - Aquatic risk assesment on the foreshor	Aquatic risk assesment to determine risk management priorities on the foreshore	74,000													Watch List
Capital Works Delivery	4400	Frankston Boardwalk & Lighting Programme	New lighting along boardwalk and upgrade of boardwalk on Frankston Foreshore between Pier Promenade and Olivers Hill boat ramp	175,000													OK
Planning and Environment	4412	Langwarrin Equestrian Centre - Develop Equestrian Masterplan	Development of Equestrian Masterplan in conjunction with Baxter Park.	50,000													OK
Planning and Environment	4415	Local park upgrade Programme - Frankston	Establish a local park upgrade program for 42 local parks in Frankston	40,000													OK
Planning and Environment	4416	New Park wayfinding signage	Develop and implement a park signage way finding plan for the municipality to improve public access to open space and interlinked network of local parks	10,000													OK
Capital Works Delivery	4452	Seaford Foreshore - Beach Access Design & Upgrade	Design & Construct upgrade of the beach boardwalk access at Armstrongs Road Notice to be given to residents and property owners in the vicinity of the planned works along with Seaford Community and Kananook Creek Association Groups. Survey of vegetation (Ecological Survey Report) and alignment to avoid impacts to ascertain the losses and offset requirements of the boardwalk intervention	30,000													OK
Planning and Environment	4461	Wittenberg Reserve - Upgrade - Design	Upgrade of Wittenberg Reserve - Design and Planning	30,000													OK

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Capital Works Delivery	4474	Shade sail at Montague Park playground	Shade sail at Montague Park playground	47,000													Completed
Engineering Services	4481	Baxter Trail Improvements	Baxter Trail Improvements - Beauty Park to Moorooduc Hwy. Update signage/wayfinding, lighting and pathway	30,000													Watch List
Capital Works Delivery	4485	Shade Sail for Seaford Pier	Shade Structure for Seaford Pier	40,000													OK
Capital Works Delivery	4486	Shade Sail at Southgateway Park	Shade Sail at Southgateway Park	33,000													Completed
Capital Works Delivery	4502	Wingham Reserve Park Facilities Upgrade	Upgrade works to Wingham Reserve including Solar BBQ, Drinking Fountain, Shelter, Solar Lighting, Minor Planting, Picnic tables	50,500													OK
Capital Works Delivery	4503	Dog Off Leash Park at Telopea Reserve	Provide a Dog Off Leash area at Telopea Reserve	70,000													OK
Capital Works Delivery	4506	Whistlestop Reserve upgrade	Upgrade works to Whistlestop Reserve including BBQ, drinking fountain, furniture and minor planting	36,000													OK
<b>Family &amp; Youth Facilities</b>																	
Facilities	3766	Family Support & Aged Services Facilities Renewal Programme	Renewal works of up to two facilities per annum to be implemented across Council's Family Support & Aged Services facilities. Renewal works to be implemented across Council's Family Support & Aged Services facilities. 2019-2020 works include: • Langwarrin Park – Pre-school and Maternal and Child Health Service (MCH) - reconfigure the service and expand the MCH meeting room (Parent Groups) including works to the childrens playroom and the foyer ( Build 2019/20) • Bayden Powell - Pre-school - reconfigure the Pre-school to improve functionality and compliance (concept design 2019/20, build 2020/21)	550,000													OK
Facilities	4421	Belvedere Child and Family Centre	Proposed New Child & Family Centres - Belvedere. Feasibility Studies and concept.	0													OK
<b>FMAC (CAA) Initiatives</b>																	
Capital Works Delivery	4015	Station Street Mall Upgrade - Streetscape Upgrade Stage 1 -	Upgrade includes new street furniture, paving, tree planting, garden beds, outdoor play, feature lighting.	964,035													Completed

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Capital Works Delivery	4016	Shannon Mall - Streetscape - Upgrade	Upgrade includes new street furniture, paving, tree planting, garden beds, outdoor play, feature lighting. Streetscape works in accordance with the FMAC streetscape palette involving replacing existing footpaths with standard paving, upgrading existing street furniture and new stainless steel rubbish and recycle bins, upgrading tree plots, new street trees and landscaping, renewing drainage covers, and new street lights. Funding contribution to be sought from Bayside. Design scheduled for 2019/20.	0													Withdrawn
Capital Works Delivery	4176	Clyde St Mall - Upgrade	Upgrade includes new street furniture, paving, street lighting, street trees and garden beds. Streetscape works in accordance with the FMAC streetscape palette involving replacing existing footpaths with standard paving, upgrading existing street furniture and new stainless steel rubbish and recycle bins, upgrading tree plots, new street trees and landscaping, renewing drainage covers, pedestrian crossings and access ramps and new street lights. Works scheduled to commence in September 2019 and take approximately 8 weeks to complete. Construction scheduled 2019/20.	432,947													OK
Capital Works Delivery	4308	Green Wall Infrastructure - Proof of Concept	Green wall infrastructure for the Council Building	80,203													Completed
Capital Works Delivery	4309	Station Street Mall - Streetscape Upgrade Stage 2	East of Clyde Street. Upgrade includes improved pedestrian connections between Young St and Station St Mall with new paving, street furniture and tree planting. Streetscape works in accordance with the FMAC streetscape palette. Design 2018/19, Construction scheduled late 2019/20.	284,030													OK
Planning and Environment	4451	City Centre greening and Improvement Programme	CAA - greening and Improvement Program	180,000													OK
CAA Development	4490	White Street Mall Upgrade	White Street Mall Upgrade: Concept & Design	20,000													OK
Capital Works Delivery	4491	Evelyn Street and O'Grady Avenue Improvements	Evelyn Street and O'Grady Avenue improvements O'Grady Ave footpath O'Grady Ave Reserve Playground Upgrade (benches, tables, bbq, water fountain, solar light, minor tree planting)/Additions (new equipment) Evelyn St partition beautification (minor plantings) / improved ease of access (remove sense of partitioning) / solar light	180,000													OK
<b>Information Services</b>																	
Business & Information Technology	1309	GIS Mapping Renewal	Renewal of Aerial Photography, IntraMaps and MyAddress functions and systems.	50,000													OK

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Business & Information Technology	1312	Frankston Asset Management Information System (FAMIS)	Continue to address the system requirements, including introduction of Parks Routine Maintenance.	222,799													OK
Business & Information Technology	3882	Eureka - Revenue and Debt Management Improvements	Review and Improve Debt Management processes throughout Council.	11,594													Watch List
Business & Information Technology	3964	Contract Management System	Implementation of new system to assist with the management of Tender and Contract Management processes	101,636													Watch List
Business & Information Technology	4184	FAC POS system	Implementation of a new Point of Sale (POS) system for required Council functions	20,000													OK
Business & Information Technology	4248	TechnologyOne CI Anywhere Upgrade	Finance system - Move to the next generation platform and improve processes	123,879													Watch List
Business & Information Technology	4316	Learning management solution	Implementation of a new Council-wide learning management system.	95,650													OK
Business & Information Technology	4317	Human resources and payroll system reimplementation	Replacement of the HR / payroll system and improve processes.	207,000													OK
Business & Information Technology	4318	Corporate Performance Reporting solution	Implementation of a new system to assist with legislative and high level internal reporting.	141,400													OK
Business & Information Technology	4374	WiFi Solution	To improve and expand Wi-Fi to 14 Council sites	160,000													OK
Business & Information Technology	4386	FAC Ticketing System	Implementation of a new Ticketing System for the Arts Centre.	55,451													OK
Business & Information Technology	4427	Anti-Virus Software replacement	Replace or renew Council's Anti-Virus software.	0													Withdrawn
Business & Information Technology	4428	Core Infrastructure Renewal	Replacement of Council's current core infrastructure: Compute, Storage, Network, Virtualisation, Backup, Disaster Recovery.	1,478,450													OK
Business & Information Technology	4440	New Systems Implementations	Comprised of several high priority new system implementations and improvements projects as required by the business	891,000													OK

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Business & Information Technology	4454	SQL Server Renewal	Review and migrate the SQL server databases and associated integrations and reports to SQL Server 2016 (at a minimum)	200,000													OK
Business & Information Technology	4455	Network & Comms Renewal	Replace or renew fibre links and WAN according to highest need.	0													Withdrawn
Business & Information Technology	4456	Microwave Network Renewal	Replace or renew microwave links according to highest need.	0													Re-allocated
Business & Information Technology	4457	Reporting System Renewal	Move Council's core reporting system, Business Objects to the latest robust version.	0													Re-allocated
Business & Information Technology	4504	Frankston Arts Centre Website Redevelopment	Update the Website for the Frankston Arts Centre	150,000													OK
Community Relations	4508	Visitor Information Centre Variable Message Signage	Install Message Sign at the Visitors Information Centre (VIC)	2,500													OK
Business & Information Technology	4509	Intergration Software Implementation	The installation of new Integration Software	171,000													OK
<b>Integrated Transport Management</b>																	
Engineering Services	1260	Street Lighting Upgrades	New street lights as requested to improve safety.	30,000													OK
Capital Works Delivery	2657	Road Renewal Programme	This program is for the renewal of road pavements and surfaces as identified by Council's Pavement Management System and as identified in site inspections by City Works and Asset Planning.	3,000,000													OK
Operations	2812	Footpath Renewal Programme	Renewal of asphalt and concrete footpaths as identified by Council's Road Management Plan inspections and Civil Infrastructure Maintenance (CIM) referrals. Programme includes renewal of both private and Council vehicle crossings damaged by Council assets across the municipality as well as renewal of pram crossings to achieve DDA compliance as identified from RMP inspections.	700,000													OK
Capital Works Delivery	3101	McClelland Drive Shared Path	Project scope: 1. Construction of 2.5m wide concrete shared path (1.6km) within the road reserve of McClelland Drive which then diverts to inside the boundary of parks Victoria's property with reinforced concrete 3m wide to accommodate service vehicles. 2. Construction of retaining walls and guard rails. 3. Construction of boardwalks where typical footpath construction is not possible. 4. Bridge construction to Melbourne Water requirements at Boggy Creek within Park Victoria's land. 5. Drainage and all other associated works. Project proposed to utilise reserves from Council's Capital Works Reserve funding. Councillor Submission - Cr Mayer	77,596													Completed

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Capital Works Delivery	3328	Carpark Programme	Renewal of Council carparks. 2019/20 works are: Construction of Lawton Reserve Car Park as per endorsed design undertaken in 2018/19.	760,000													Watch List
Engineering Services	3344	Traffic Management Devices - Renewal Programmeme	Renewal of traffic management devices as required by the overlay program and as identified by condition audits and in consultation with City Works. Designs to include consideration of Water Sensitive Urban Design (WSUD). Customer requests and internal referrals for works include: - 2 splitter islands on Highland Drive, Frankston South at number 15 and 34. Works include kerb reinstatement, traffic island reinstatement, alignment of pram crossings as needed and appropriate TGSi to ensure DDA compliance (ref A3840436). Estimated cost \$15K	50,000													OK
Operations	3563	Bicycle Path Safety Upgrades	Safety upgrades of bicycle paths as identified by a bicycle safety survey running from February 2016 to April 2016 across a number of Councils in Melbourne. From the survey, Council will receive a list of safety issues and suggestions from the public that will be integrated with crash history and recommendations of the Bicycle Strategy for capital works implementation.	50,000													OK
Capital Works Delivery	3565	Kerb Renewal Programme	This program is for the renewal of kerbs as identified by the 2017/18 kerb condition audit and maintenance referrals from City Works. Works may also be prioritised to align with the Road Renewal Program. All works are inspected and programmed via site inspections by Capital Works Delivery, Civil Infrastructure Maintenance and Asset Planning. Customer generated referrals include: - Grassmere Road Langwarrin both sides of the road (approx. 800m - 1km total) late 19/20 priority.	294,000													OK
Capital Works Delivery	3723	Barrier & Guard Rail Renewal Programmeme	This program is for the renewal of road safety barriers as identified by This program is for the renewal of road safety barriers as identified in site inspections by City Works, Capital Works Delivery and Asset Planning. Works are to be prioritised as per the VicRoads guidelines with updates to meet approved Vicroads products where possible. Guardrail priorities are contained in spreadsheet A3509074	100,000													OK
Capital Works Delivery	3846	Major Bridge Renewal Programme	Major renewal works for bridge and pedestrian structures as identified in the Level Two inspections conducted in 2019. This project includes major renewal such as replacement of a full structure or a significant component such as a bridge deck renewal or major refurbishment. This project is ongoing and the works program is determined by the outcomes of the Level Two structure inspections, performed every two years	250,000													OK

					FULL YEAR												
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Capital Works Delivery	3847	Minor Bridge & Pedestrian Structures Renewal Programme	Minor renewal works for bridge and pedestrian structures as identified in the Level Two inspections conducted in 2019. This project includes minor renewal works such as replacement of railings, piles, members in poor condition, and is to be implemented for structures (pedestrian & vehicle bridges, boardwalks and staircase) across the municipality. This project is ongoing and the works program is determined by the outcomes of the Level Two structure inspections, performed every two years.	200,000	Yellow	Yellow	Grey	Grey	Yellow	Dark Blue	Yellow	Green	Green	Green	Green	Red	OK
Capital Works Delivery	3909	Special Charge Scheme - Newton Avenue and Weeroona Road, Lan	Special Charge Scheme - Road construction - Newton Avenue and Weeroona Road, Langwarrin South	40,606	Yellow	Yellow	Green	Green	Red	Dark Blue	Red	Red	Red	Red	Red	Red	Completed
Capital Works Delivery	3925	Minor traffic treatments.	Minor traffic treatments installed following investigation of resident complaints.	100,000	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Green	Green	Green	Red	OK
Operations	3958	Pathway Renewal - Council Reserves	Renewal of Council pathways located in Council reserves as identified by Council's asset inspections, condition audit data and maintenance referrals. Programme includes pathway renewals for both standard and shared path widths and consists primarily of concrete, exposed aggregate, asphalt and granitic sand material types. Priorities based on 2017 condition data results include: - Sweetwater Creek Upper & Lower (239m) - Southgateway Reserve (123m) - Shearwater Reserve (80m) - Robinsons Park (130m) - Laurel Reserve (135m) - Kananook Creek reserve (653m)	200,000				Green	Green	Dark Blue	Green	Green	Green	Green	Green	Red	OK
Operations	3972	CAA Streetscape - Footpath / Pedestrian Renewal Works	Renewal Program for footpath areas throughout CAA precinct in support of priority locations identified by the Frankston Futures Team, in conjunction with the Transit Interchange redevelopment.	100,000		Yellow	Yellow	Green	Green	Dark Blue	Green	Green	Green	Green	Green	Red	OK
Engineering Services	3982	VicRoads Black Spot	Address Pedestrian Safety Issues on Dandenong Road West	28,875	Grey	Yellow	Yellow	Yellow	Yellow	Dark Blue	Yellow	Green	Red				OK
Capital Works Delivery	4117	Seaford Precinct - LATM	Local Area Traffic Management study and implementation - Seaford Precinct Construction 2019/20 - 2020/21 On ground Local Area Traffic Management (LATM) Treatments include splitter islands, raised school and pedestrian crossings, speed humps, raised pavement intersection treatments, roundabout modifications, new roundabouts, speed limit changes, signage and linemarking improvements.	800,000	Yellow	Yellow	Yellow	Yellow	Yellow	Dark Blue	Yellow	Yellow	Green	Green	Green	Red	OK

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Capital Works Delivery	4118	Woodlands Precinct - LATM	Local Area Traffic Management study and implementation - Woodlands Precinct Construction 2019/20	450,000	█	█	█	█	█	█	█	█	█	█	█	█	OK
Capital Works Delivery	4141	Liddesdale Ave Landslip Remediation	Design and Install measures to repair the embankment at Liddesdale Ave.	107,240	█	█	█	█	█	█	█	█	█	█	█	█	Watch List
Engineering Services	4210	Taylor's Road - Ballarto Road to Hall Road - Road Investigati	Taylor's Road - Ballarto Road to Hall Road - Road Construction to upgrade existing unsealed road is unsealed. Reshape road and asphalt. Potential external funding opportunities to be sought via Special Charge Scheme or grant funding.	25,000	█	█	█	█	█	█	█	█	█	█	█	█	OK
Capital Works Delivery	4334	North Road - Pathway South side	Construction of missing sections of footpath along North Road from Warrandyte Rd to Kuranda Street (south side) 400m in length.	60,000	█	█	█	█	█	█	█	█	█	█	█	█	Completed
Capital Works Delivery	4408	Barretts Road (Robinsons Road to Golf Links Road) - Roadway	Special Charge Scheme - Barretts Road (Robinsons Road to Golf Links Road) Sealed road construction, kerb and channel and underground drainage	60,000	█	█	█	█	█	█	█	█	█	█	█	█	Watch List
Capital Works Delivery	4411	Brighton Street - Shared Pathway	Brighton Street - Humphries Road to Baden Powell Drive	50,000	█	█	█	█	█	█	█	█	█	█	█	█	OK
Capital Works Delivery	4413	Kerb and Channel construction - Various locations.	Construction of small sections of missing kerb and channel.	50,000	█	█	█	█	█	█	█	█	█	█	█	█	OK
Operations	4425	Shared Path Renewals	Safety upgrades of bicycle paths and chicanes as identified by a bicycle safety survey running from February 2016 to April 2016 across a number of Councils in Melbourne. From the survey, Council will receive a list of safety issues and suggestions from the public that will be integrated with crash history and recommendations of the Bicycle Strategy for capital works implementation. Priorities based on 2017 condition audit results are:	100,000	█	█	█	█	█	█	█	█	█	█	█	█	OK
Capital Works Delivery	4426	Bay Trail Footpath Renewal - Beach Street to Mile Bridge	Renewal works for prominent section of the Bay Trail - shared footpath along Kananook Creek from Beach Street to Mile Bridge. Approximately 1.1km of Shared footpath @ 2.5m.	0	█	█	█	█	█	█	█	█	█	█	█	█	Re-allocated
Operations	4431	Street Lighting Renewal Programme	Replacement of street lighting throughout the municipality in conjunction with the energy provider. Program includes re-instatement of standard lighting poles and all non-standard public lighting.	30,000	█	█	█	█	█	█	█	█	█	█	█	█	OK



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Capital Works Delivery	4441	Sweetwater Precinct - LATM	Local Area Traffic Management study and implementation - Sweetwater Precinct Local Area Traffic Management Treatments (LATM), speed humps, raised pavement intersection treatments, modification of existing roundabouts, parking restriction signage, indented parking, one-way traffic movement, modified T-intersections, footpath. Construction 2019/20 - 2020/21	500,000													OK
Capital Works Delivery	4442	Fairway Precinct - LATM	Local Area Traffic Management study and implementation - Fairway Precinct Construction 2019/20 - 2020/21	400,000													OK
Capital Works Delivery	4465	Roads to Recovery Programme	Road & Road related infrastructure Renewal works funded by the Federal Government Roads through the Roads to Recovery Program. Nominated works should focus on safety improvements as per the Roads to Recovery Statement of Expectations released in 2018 (A3483299). 2019/20 priorities include rehabilitation of collector/major roads as follows (pending findings from pavement investigations being undertaken in 2018/19): - Karingal Drive (Frankston Cranbourne Road to Karingal Hub Roundabout both carriageways) - McMahons Road (Skye road to Beach street)	1,500,000													OK
Engineering Services	4466	Hartnett Drive - LATM Consultation	Hartnett Drive LATM: Design and Consultation - with budget referral for 20/21 Budget.	30,000													OK
Capital Works Delivery	4475	Warringa Road, Frankston South - Improved road surface	Investigate possible low cost maintenance treatments to improve road condition including consultation with all residents in road section.	55,000													Completed
Capital Works Delivery	4477	Cranbourne Road Bluestone Retaining Walls	Cranbourne Road Bluestone Retaining Walls: Construction of retaining walls from salvaged Bluestone at following locations - sections along Cranbourne Road between Moorooduc Highway and Peninsula Link where suitable	80,000													OK
<b>Integrated Water Management</b>																	
Operations	3458	Easement Drainage Pit Alterations	Works identified during the inspection of drainage within easements. Pits to be raised is expected to be approx. 700 per year.	200,000													OK
Operations	3525	Minor Drainage Works	To address ad hock drainage issues arising out of major storm events in Frankston. Work involve replacing pits, pit lids, installation of aggie drains and minor pipe works. Undefined miscellaneous work as it raised due to unforeseen circumstances.	100,000													OK

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Engineering Services	3815	Water Sensitive Urban Design (WSUD) Renewal Programme	Design funding in 2018/19 for WSUD renewal treatments across the municipality in line with the Integrated Water Action Plan (IWAP).	50,000													OK
Engineering Services	3910	Drainage Upgrade - David Street Stage 2 - Dandenong Road Eas	Drainage works at David Street to address localised flooding issues and overland flow paths. Pipe duplication works scheduled for 2019/20 as stage 2 of Dandenong road east Drainage Strategy. Design in 2018/19 Construction 2019/20	20,000													Watch List
Capital Works Delivery	3971	Drainage pits & pipes renewal & upgrade programme	Ageing drainage assets across the municipality have been identified and require further investigation of their condition and ability to provide expected level of service. An aged based condition assessment and investigation will provide a program of works for stormwater drainage asset renewal. This program will also be used for drainage renewal referrals from Council's Civil Infrastructure Maintenance (CIM) team as they undertake routine inspections across the municipality in accordance with Council's Road Management Plan (RMP). Side entry pits with throats less than 120mm will be addressed via RMP inspections. Priority site(s) for 2019/20 based on customer service request and CCTV imagery include: - Along Coolibar Avenue, Seaford between Railway Parade/Coolibar Reserve to Wunalla Road int	200,000													OK
Capital Works Delivery	4395	Frankston Park and Beauty Park - Stormwater treatment and ha	Action arising from Integrated Water Action Plan. Stormwater to be diverted and treated in a bioretention system in Beauty Park. Treated flows are diverted to the lake and then a 500kL below ground tank at Frankston Park, where water is used for irrigation. Project has the potential to provide flood mitigation benefits in surrounding area. Project will be developed with consideration of the Frankston Hospital development. Potential to attract MW Living Rivers funding.	55,000													OK
Operations	4409	Lloyd Park - Drainage	Drainage improvements at Lloyd Park- Table drains	10,000													OK
Operations	4423	Gatic Pit Lid Renewal Programme	Replacement program of gatic side entry pits throughout the municipality to address manual handling concern. Program will replace heavy gatic pit lids with Terra Firma lids as per Council's standards. Ballam Sth - \$25k Lawton No 2 - \$40k Carrum Downs No 2 - \$45K Ballam East - \$60K Baxter No 1 - \$50K	200,000													OK
Engineering Services	4424	Drainage Renewal Works in Council Reserves	Drainage renewal works in Council reserves to improve stormwater management, flooding and ponding. Priorities include: 1. Overport Park, 159R Overport Road, Frankston - \$60k 2. Lloyd Park, Langwarrin - \$40k 3. Baxter Park, 294N Frankston Flinders Road Frankston South - \$40K 4. Centenary Park Tennis Centre - \$10K	50,000													Watch List

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Engineering Services	4443	Wangarra McMahons Road Catchment Strategy Planning	Engage consultant to review existing strategy and prioritise works for implementation	25,000													OK
Capital Works Delivery	4444	Frankston South Drainage Strategy - Drainage Upgrade - Mura	George Pentland Botanic Gardens retarding basin further upgrade and potential floodwall Refer to 'Frankston South Hotspots flood mitigation plan - August 2018	100,000													OK
Engineering Services	4445	Flood and Catchment Modelling	Flood modelling and catchment analysis municipality wide ongoing 2019/20 - FCC Bruarong Crescent/ Grange Road catchment with outfalls to Sweetwater Creek at Sweetfern Dell and Grange Road to be modelled and priority works schedule developed	20,000													OK
Engineering Services	4446	Frankston Drainage Strategy	Frankston Drainage Strategy Develop municipal wide drainage strategy to address management, maintenance and service levels for the municipality.	50,000													Watch List
Capital Works Delivery	4460	Frankston South Drainage Strategy - Scoping & Design	Scoping & Design for the Frankston South Drainage Strategy	100,000													OK
Engineering Services	4462	Water sensitive Urban Design (WSUD)	<p>This project enables funding to be allocated within each year of Council's CW program and Long Term Infrastructure Plan to ensure opportunities for Water Sensitive Urban Design (WSUD) treatments are incorporated into Council projects (e.g. streetscapes, public open spaces, road and car parking projects).</p> <p>The scope of works include prioritising the project/s for the additional funding, the design and construction of the WSUD asset (e.g. raingarden, swale) and promotional work (e.g. media opportunities) to raise awareness and understanding about the benefits of stormwater treatment through WSUD.</p> <p>The preferred site in 2019-20 for this project is the Frankston Metropolitan Activity Centre (FMAC) beautification works that will be undertaken in conjunction with the Victorian Government. Should</p>	50,000													OK
Capital Works Delivery	4464	Frankston South Drainage Strategy - Drainage Upgrade - Espl	The Esplanade drainage outfall pipe upgrade (from Williams Street to Bay Street South) within the Williams Street Catchment. Refer to 'Frankston South Hotspots flood mitigation plan - August 2018.	100,000													OK
<b>Plant Fleet &amp; Equipment</b>																	
Sustainable Assets	1234	Light vehicles Replacement	Replacement of existing motor vehicles at planned service life.	1,200,000													OK
Sustainable Assets	1304	Plant & Equipment Replacement	Replace items of heavy vehicles and plant at the end of their planned service life.	1,324,000													OK
Sustainable Assets	3959	Minor Plant & Equipment Replacement	Replacement of existing minor plant and equipment at planned service life. Renewal of minor plant and equipment includes minor Council assets such as blowers, brush cutters, chainsaws, grinders, edgers, push mowers, etc.	30,000													OK

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Community Safety	4489	Noise Monitor	Noise Monitor	45,000													Completed
Sustainable Assets	4505	Youth Bus Generator Installation	The installation of a generator on the Youth Bus	25,000													OK
<b>Public Toilets</b>																	
Facilities	1246	Public Toilet Renewal Program	Renewal of Public Toilets - Seaford North Public Toilet, Ballam Park Karingal and Comfort Station Frankston	150,000													OK
Facilities	4458	Frankston Memorial Park - New Toilet	<ul style="list-style-type: none"> <li>Design a new single ambulant unisex toilet at Frankston Memorial Park on a smaller scale to the existing facility</li> <li>Existing toilet facility will be demolished.</li> </ul>	200,000													Watch List
Facilities	4467	Peninsula Reserve - New Public toilet	Peninsula Reserve - New Public toilet - Design and Concept	10,000													OK
<b>Recreation Facilities</b>																	
Facilities	1237	Structured Recreation Pavilions Renewal Programme	Renewal works to be implemented across Council's Structured Recreation facilities works include: <ul style="list-style-type: none"> <li>Carrum Downs Len Phelps Pavilion – Refurbishment of bathrooms and wet areas throughout the pavilion</li> <li>Frankston Lifesaving Pavilion – Compliance Works</li> <li>Jubilee Park Homing Pigeon Club – Path Access Works</li> <li>Lawton Reserve Soccer Pavilion – Change room Works and Concept Design</li> <li>Overport Park Tennis Club – Roof Works</li> </ul>	880,000												OK	
Facilities	1906	Centenary Park - Tennis Redevelopment	Refurbishment of existing pavilion and construction of new 13 tennis courts.	1,690,247													OK
Capital Works Delivery	2755	Sports Lighting Renewal Programme	This project includes the design and renewal of sports lighting at Council's active reserves to provide sufficient lighting to meet the needs identified in the Sports Lighting Audit of 2015. 2019/20 works include: Ballam Soccer	368,647													OK
Operations	3584	Playground Minor Works Programme	Renewal works to be implemented across Council's playgrounds.	50,000													OK
Operations	3585	Playground Undersurfacing Renewal Programme	Playground undersurfacing renewal program. Renewal works to be completed across Council's playgrounds	40,000													OK

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Capital Works Delivery	3587	Playground Strategy Implementation	Implementation of the Playground Strategy through the design and renewal of play spaces throughout Frankston Council. This strategy is based on the categorisation of playgrounds into district, regional and local parks. 2019/20 works include: 1. Design:Fleetwood Reserve. Frankston South. Sweetwater Creek. (2004 install). Local Playground. Retain new swing set 2. Design: Sir John Monash Reserve Installation/Construction: 3. Para Reserve Playground 4. Weatherston Reserve Playground 5. Polaris Reserve Playground 6. Karingal Place Stage 2 Playground	1,335,500													OK
Capital Works Delivery	3588	Sporting Grounds - Playing Surface Renewal Programme	Rolling programme of sporting ground surface renewal, as per recommendations of condition audit of Council's playing surfaces. 2019/20 works include: Ballam South West Baxter 6K McClelland Soccer Design Lawton 2 – Design Baxter 2 – Design	1,223,000													OK
Capital Works Delivery	3591	Frankston BMX Track	Redevelopment of the Frankston BMX track. Project to include land acquisition to accommodate redeveloped track. Planning and Design - 2019/20 Construction - 2020/21	51,480													OK
Capital Works Delivery	3592	Sporting Ground - Pitch Cover Upgrade & Renewal Programmeme	This project is for the ongoing program of renewing and upgrading Council's sporting ground pitch covers. 2019/20 works are likely to include: - Beledere Reserve 2 - Ballam Park Multipurpose - Skye Reserve - Lloyd Park - Victoria Park - Rivieria Reserve x 2 sets	24,000													Completed
Capital Works Delivery	3593	Sporting Ground - Goal Post Replacement Programme	Replacement of Goal Posts at various reserves based on age and condition assessment. This is a major risk response initiative adopted by Council. 2019/20 works includes: - Overport Park Oval No 1	35,000													Completed

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Capital Works Delivery	3666	Renewal of Irrigation and Drainage Systems at Council Reserv	This project includes the design and renewal of a irrigation systems at Council reserves. The programme will replace the existing ageing and defective irrigation systems and will provide an improved playing surface for user groups. Projects under this programme are driven by irrigation condition audit results. Irrigation & or drainage works for 2019/2020: • Baxter Park Oval 1 • Baxter Park Oval 4 • Baxter Park Oval 7	180,000													Completed
Capital Works Delivery	3777	Cricket Net Replacement Programme	Renewal of cricket net facilities as per Council's Cricket Net Guidelines, completed during 2014. Cricket nets meet current Cricket Victoria standards and club expectations, including: • Lloyd Park – 6 lanes	277,000													Completed
Facilities	4102	Overport Park - Pavilion Upgrade	New Pavilion at Overport Park Pavilion.	1,170,000													OK
Facilities	4217	Ballam Park - Soccer Pavilion	New soccer pavilion at Ballam Park to meet district level standards.	2,900,000													OK
Facilities	4221	Jubilee Park - Jubilee Netball Centre - Construction (Major P	New Indoor Stadium at Jubilee Park. Design Development to continue.	749,083													OK
Capital Works Delivery	4222	Centenary Park Golf Course - Masterplan Implementation	Implementation of the Centenary Park Golf Course Masterplan.	150,000													OK
Facilities	4225	RF Miles Recreation Reserve - New Pavilion	Redevelop existing RF miles pavilion into 2 storey multipurpose sports pavilion including oval reestablishment.	750,000													OK
Capital Works Delivery	4257	Frankston Park Oval 1 Lighting	Implementation of sports lighting (500 lux) at Frankston Park.	2,411,001													OK
Capital Works Delivery	4259	Langwarrin Netball Courts Renewal	Reconstruction of existing netball courts	305,000													OK
Capital Works Delivery	4260	Carrum Downs Oval 3 - Synthetic Surface (Major Project)	Synthetic surface implementation for Soccer , AFL & Cricket, major reconstruction, drainage and sports lighting.	855,545													OK
Capital Works Delivery	4276	Belvedere Reserve Upgrade	Installation of Light Poles and Upgrade to Change rooms and Sporting Infrastructure	306,000													OK

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Facilities	4280	Jubilee Park - Pavilion - New - Kevin Collopy Pavilion	Re-development of Kevin Collopy Pavilion at Jubilee Park for female friendly change rooms.	100,337													OK
Facilities	4282	Monterey Reserve - Soccer Pavilion	New Soccer pavilion at Monterey Reserve.	26,673													Deferred
Capital Works Delivery	4344	Dunsterville Reserve - New Sub-Local Playground Installation	New sub-local playground installation - Dunsterville Reserve	150,000													OK
Facilities	4355	Belvedere Reserve - Linen House - Upgrade	Repurposing Linen House for new use.	50,000													Not Started
Facilities	4357	Skye Recreation Reserve - Pavilion - Upgrade	Upgrade Amenities to provide inclusive access to participation	635,107													OK
Facilities	4358	Pat Rollo Reserve Pavilion (Major Project)	New Pavilion proposed. Future grant funding opportunity	12,634													OK
Capital Works Delivery	4360	Overport Park - Mountain Bike Track Design and Construction	Construction of mountain bike track at Overport Park.	110,000													OK
Facilities	4361	Belvedere Bowls Club - Building Extension	Belvedere Park Bowls Club Pavilion - BelvederePark Bowls Club Extension - Bowls	0													Withdrawn
Capital Works Delivery	4396	Delacombe Park Reserve - Soccer 1 - Lighting	Delacombe Park - Lighting Upgrade for Soccer Pitch and Cricket Nets	500,000													OK
Facilities	4402	Robinsons Reserve - Furniture for Pavilion	Renewal works to include the purchase of Tables and chairs for the Robinson Reserve Pavilion	25,000													OK
Facilities	4403	Centenary Park Golf Course - Extension to Clubhouse	Centenary Park Golf Course - Extension to Clubhouse. An Extension to the existing Club Rooms to Incorporate the Pro Shop in the same building Note Club House upgrade project Ref 1455 Councillor Submission: Design & Costings 2019/20, Build 2020/21	75,000													OK
Planning and Environment	4404	Baxter Park -Develop Equestrian Masterplan	Baxter Park -Develop Equestrian Masterplan in conjunction with Langwarrin Equestrian Centre.	30,000													OK
Capital Works Delivery	4407	Ballam Park - West Oval - Upgrade - Athletics Hammer throw c	Athletics Hammer throw cage - Ballam Park Athletics Club	75,000													OK
Capital Works Delivery	4410	Ball Protection Fences	This program involves the installation of Ball protection fences to reduce Council's risk and damage to property and spectators.	100,000													OK

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Capital Works Delivery	4418	Frankston Park - Reconfigure eastern end of oval	Reconfigure eastern end of oval New ball protection fences on Young Street Frontage.	150,000	Yellow	Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Red	Red	Red	Watch List
Capital Works Delivery	4419	Frankston Park - Coaches Boxes	Replace existing coaches boxes, install cabling + modify fencing and paving	50,000	Green	Green	Green	Green	Green	Grey	Grey	Green	Red	Red	Red	Red	OK
Facilities	4422	Carrum Bowls Club Keast Park Pavilion	Internal alterations to Keast park community pavilion - Carrum Bowling Club	475,000	Green	Green	Green	Green	Green	Red	Red	Red	Red	Red	Red	Red	Completed
Capital Works Delivery	4447	Lighting for Sporting Reserves	Lighting to improve safety in parks, in particular car parks, walking trails etc.	80,000	Yellow	Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Red	Red	Red	OK
Capital Works Delivery	4453	Overport Park - New Carpark & Pathways	New Carpark and Pathways and associated works following the construction of the new pavilion at Overport Park.	944,500	Yellow	Yellow	Yellow	Grey	Grey	Grey	Grey	Green	Green	Green	Green	Green	OK
Capital Works Delivery	4459	Lawton Reserve- Upgrade of Substation and Lighting for Pitch	Upgrade of Substation and Lighting for Oval	50,000	Yellow	Grey	Yellow	Yellow	Grey	Grey	Grey	Green	Green	Green	Green	Green	OK
Capital Works Delivery	4473	RF Miles Recreation Reserve - Reconstruction	Reconstruction of oval and surrounding precinct as a part of the RF Miles Recreation Reserve Precinct redevelopment following LXRA. Features of the proposed reserve improvements include: • Delivered by the LXRA : o Oval reinstatement (excludes works related to its upgrade to meet senior AFL standards) o New playground o Shared user path, retaining wall, fencing and landscaping o Bus stop on railway parade • Delivered by Council : o Contribution to upgrade of oval to meet senior AFL standards o New oval lighting, scoreboard and coaches box and ball protection fence o New netball court including lighting and storage and cricket nets o Additional way finding signage, some fencing, landscaping	347,000	Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Green	Red	Red	Red	OK



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Capital Works Delivery	4476	Centenary Park Golf Course Irrigation Upgrade	Centenary Park Golf Course - Implementation of Irrigation upgrade in accordance with the Recommendations in the Centenary Park Golf Course Irrigation Report Nov 2018 . Year 1 19/20 Implement stage 1 of the plan: <ul style="list-style-type: none"> <li>• Replace multicores control cable with 2 core cable installed in conduit</li> <li>• Replace controller with a decoder based, user friendly, mobile accessible, multi user and feature enhance controller.</li> <li>• Install master valve</li> <li>• Install flow sensor</li> <li>• Replace solenoid valves with new solenoid valve assemblies</li> <li>• Install automatic storage fill/shut off capacity with visual/mobile phone alerts.</li> <li>• Undertake survey to accurately record the location of the new assets.</li> </ul>	355,000	Yellow	Yellow	Yellow	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	OK
Engineering Services	4482	Linen House Carpark - Planning & Conceptual Design	Linen House Carpark - Planning & Conceptual Design	20,000			Yellow	Yellow	Yellow	Yellow	Yellow	Yellow						OK
Facilities	4483	Centenary Park Golf Course Security Upgrade and New Shed	Centenary Park Golf Course Security Upgrade and New Shed <ul style="list-style-type: none"> <li>• Improved site security – presently the only lock on the main gate is a B-lock. It is proposed to bring security arrangements here to an appropriate standard for a Council facility and implement swipe security of the gate and CCTV of the compound which houses significant investment in plant and equipment.</li> <li>• Structures – a number of structures have been removed at the course depot using existing operational accounts, however the one existing shed is not adequate for the course’s plant and equipment needs.</li> </ul>	250,000		Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Green	Green	Green	Red	OK
Capital Works Delivery	4484	Overport park - Frankston Dolphins New Netball Courts	Overport park - Frankston Dolphins New Netball Courts: Design and Construction. Design of 2 courts and construction of one following community consultation.	1,182	Yellow	Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Green	Green	Green	Green	Withdrawn
Capital Works Delivery	4493	Robinsons Park - Baseball Softball 1 - Lighting - New lighti	Robinsons Park - Baseball Softball 1 - Lighting - New lighting	185,000	Yellow	Yellow	Grey	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Red	OK
Capital Works Delivery	4494	Lighting Design for Lawton Reserve	Design & Construction for sports Lighting for Pitch- 5, Upgrades for Pitch 1 & 2 and Car Park Lighting at Lawton Reserve	375,000			Yellow	Yellow	Grey	Grey	Green	Green	Green	Green	Green	Green	Red	OK
Capital Works Delivery	4495	Parks Auxillary Programme	Installation of 2 coaches boxes at Kananook Reserve	20,500	Yellow	Yellow	Yellow	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Green	Completed
Capital Works Delivery	4497	Lloyd Park Netball Court Shelters	Installation of shelters integrated with Lloyd Park netball courts upgrade works	25,000	Yellow	Yellow	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Completed
Capital Works Delivery	4498	Sandfield Reserve Skatepark - upgrade	Upgrade Sandfield Reserve Skatepark	200,000	Yellow	Yellow	Yellow	Yellow	Grey	Grey	Green	Green	Green	Green	Green	Green	Red	OK

					FULL YEAR												
Overall Program for FY 2019/20					52,479,523												
Dept	Project No	Project Title	Project Description	Adjusted Budget (EOY)	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Status
Facilities	4500	Lloyd Park Senior Pavilion	Concept Design for the Lloyd Park Senior Pavilion	80,000													OK
<b>Smart Cities Infrastructure</b>																	
Facilities	3089	Installation of CCTV cameras	As part of the Safer Streets Programme & Community Crime Prevention. Funding for CCTV cameras for Excelsior Drive, Nepean Highway, Gallery Lane, Thompson Street.	292,000													Not Started
Community Safety	4429	Safe City Surveillance System - CCTV Camera Renewal Program	Replacement of current system, as well as increasing the number of fixed cameras within the Municipality. Due to the life span of the cameras of approximately 5 years and the constantly changing technology This funding is subject to supplementary funding of \$250,000 from the state or federal government. See NOM: 2018/NOM 25	0													Re-allocated
Capital Works Delivery	4430	Ticket Machine Replacement Programme	Car Park Ticket Machine Replacement Program	20,000													Completed
<b>Sustainability Initiatives</b>																	
Facilities	4405	Delacombe Park Reserve - Solar PV: Delacombe Park Football/C	Installation of a 4kW solar power system to improve the environmental performance of a Council facility and reduce the tenant/s electricity use/costs and emissions. May require additional roof assessment.	12,000													OK
Facilities	4406	Yamala Reserve - Solar PV: Yamala Park Bowling Clubhouse	Installation of a 5kW solar power system to improve the environmental performance of a Council facility and reduce the tenant/s electricity use/costs and emissions. Additional roof assessment may be required.	13,000													OK
Facilities	4433	Frankston Arts Centre (internal lighting) - various lamp upg	The project is for the supply and installation of energy efficient and long-lasting Light Emitting Diodes (LED) lighting technology to Council facilities, to replace inefficient fluorescent lamps. Lighting upgrades will be completed for: - Frankston Arts Centre (internal lighting and car park)	36,000													OK
Facilities	4434	Frankston Arts Centre (car park lighting) - T8 lamp upgrades	Frankston Arts Centre (car park lighting) - T8 lamp upgrades to LEDs - Lighting upgrades - Facilities	0													Withdrawn
Facilities	4435	Meals on Wheels - T8 lamp upgrades to LEDs	The project is for the supply and installation of energy efficient and long-lasting Light Emitting Diodes (LED) lighting technology to Council facilities, to replace inefficient fluorescent lamps. The scope of works includes preparing and issuing a RFQ for the works, evaluation and selection of the contractor, meetings with key stakeholders, undertaking an assessment and where viable, making an application to the Victorian Government for a financial rebate (under the Victorian Energy Upgrade program), supply and installation of the lighting, as well as disposal or re-use of the existing lighting. Lighting upgrades will be completed for: - Meals On Wheels (T8 Lamp Upgrades)	5,000												OK	

					FULL YEAR												
Overall Program for FY 2019/20					52,479,523												
Dept	Project No	Project Title	Project Description	Adjusted Budget (EOY)	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Status
Facilities	4436	Ebdale Community Hub and Information Centre - various lamp u	The project is for the supply and installation of energy efficient and long-lasting Light Emitting Diodes (LED) lighting technology to Council facilities, to replace inefficient fluorescent lamps. The scope of works includes preparing and issuing a RFQ for the works, evaluation and selection of the contractor, meetings with key stakeholders, undertaking an assessment and where viable, making an application to the Victorian Government for a financial rebate (under the Victorian Energy Upgrade program), supply and installation of the lighting, as well as disposal or re-use of the existing lighting. Lighting upgrades will be completed for: - Ebdale Community Hub and Learning Centre	19,000													OK
Facilities	4438	Karingal Place Neighbourhood Centre - 8kW solar system	Karingal PLACE Neighbourhood Centre - 8kW solar system (additional to existing 2 kW array) - Solar power photovoltaic (PV) installations	10,000													OK
Engineering Services	4439	Renew 6,996 T5 (30.5W) street lights to 17W LED lights.	The scheduled replacement of street lights on minor roads in Frankston City is scheduled for 2019 by local distributor United Energy. The project includes the bulk upgrade of these street lights from energy inefficient T5 fluorescent technology to energy efficient Light Emitting Diodes (LEDs). The scope of works includes further consultation with the Municipal Association of Victoria (MAV) and United Energy to inform the project plan and tender requirements and options, preparation of the tender documents, a public tender process, supply and installation of approximately 6,996 T5 (30.5 watt) street lights with LED (17 watt) street lights. The scope may include Council storing the LED street lights and providing access to the contractor to collect and transport the lights to the sites as	400,000													OK
<b>Urban Revitalisation</b>																	
Facilities	1987	Fit-Out of the Frankston Yacht Club	Compliance and Upgrade works of the Frankston Yacht Club Building in preparation for the activation of the building.	100,000													OK
CAA Development	4017	Ross Smith Avenue East Upgrade	Upgrade includes new street furniture, paving, street lighting, street trees and garden beds.	26,891													OK
Capital Works Delivery	4194	Coastal Safe Boat Refuge	Investigation for the provision of a Safe Boat Refuge for Frankston as per Council Plan	126,188													Completed
Capital Works Delivery	4244	Boulevards & Gateway Treatments	Tree planting to create consistent tree lined Boulevards and Gateway development: including Stage 3 Nepean Highway - Gateway Development - Nepean Highway between Pier Promenade and Oliver's Hill Stage 2 Cranbourne Road - Gateway Development - between Moorooduc Highway and Peninsula Link	130,000													OK

					FULL YEAR												
					Overall Program for FY 2019/20												52,479,523
Dept	Project No	Project Title	Project Description	Adjusted Budget (EOY)	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Status
Capital Works Delivery	4348	Shopping Strip Aesthetics Upgrade	Design development and community consultation of Shopping Strip Aesthetics Upgrade at Excelsior Drive	30,000													OK
Capital Works Delivery	4385	Pier Illumination and Improvements	Concept Design for Illumination of Bridge Piers along Kananook Creek.	10,000													OK
Facilities	4420	Frankston Coast Guard	Frankston Volunteer Coast Guard's building.	0													Re-allocated
Capital Works Delivery	4463	Retaining Wall Renewal Programme	Renewal of Retaining Walls	200,000													OK
Capital Works Delivery	4468	Frankston North Gateway Development - Excelsior Drive	Development of improved gateway entry treatment to provide a welcome to Frankston North at Excelsior Drive	30,000													OK
Capital Works Delivery	4469	Frankston North Gateway Development - Monterey Boulevard	Development of improved gateway entry treatment to provide a welcome to Frankston North at Monterey Boulevard	30,000													OK
Capital Works Delivery	4470	Frankston North Gateway Development - Forest Drive	Development of improved gateway entry treatment to provide a welcome to Frankston North at Forest drive	30,000													OK
Capital Works Delivery	4471	Frankston North Gateway Development - Dandenong Rd	Development of improved gateway entry treatment to provide a welcome to Frankston North at Dandenong Rd tree plantings & strip	30,000													OK
Capital Works Delivery	4472	Gateway Development - McClelland Gallery and Peninsula Link	Gateway Development - McClelland Gallery and Peninsula Link	0													Withdrawn
Capital Works Delivery	4492	Seaford Foreshore Illumination Lighting	Seaford Foreshore Illumination Lighting	70,000													OK
<b>Waste Management</b>																	
Recycling Services	3087	Litter Bin Replacement Programme - Throughout Municipality	Annual replacement program of litter bins throughout the city.	25,000													Completed
Recycling Services	3579	Frankston Tip Risk Management Strategy Implementation	Rehabilitation of closed landfill cells at McClelland Drive in accordance with EPA requirements. Work includes vegetation rehabilitation as prescribed by recommendations from the Landfill Situational Analysis.	145,281													OK
Facilities	4392	E Waste Shed	New Storage shed for FRRRC	180,000													Completed
Recycling Services	4432	FRRRC Waste Facility	Upgrade works at the Frankston Regional Recycling and Recovery Centre • Concrete surface upgrade for operations pit and surrounding access roads • Noise minimisation barrier for north-east corner	50,000													Completed

**Executive Summary****12.8 Capital Works Budget Variation - Sports Ground Infrastructure (Ballam Park & Jubilee Park)**

*Enquiries: (Byron Douglas: Communities)*

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 brief Council on the suggested Capital Works Variation to support Sports Ground Infrastructure at Ballam and Jubilee Park.

**Recommendation (Director Communities)**

That Council:

1. Rescinds Notice of Motion 2019/NOM45 – Karingal Bulls adopted at the Ordinary Meeting held on 14 October 2019.
2. Notes that Council has an opportunity to assist two clubs complete much needed infrastructure with the assistance of grants the clubs have received. These grants will require Council to assist in partial funding.
3. Commits the funding of \$43,000 towards Sport Ground Infrastructure at Ballam Park and Jubilee Park as follows:
  - a. Karingal Bulls Junior Football Club  
Project: Coaches boxes (Ballam North Oval), ball retainment fence (Ballam East Oval)  
Total Project Cost:\$53,000  
Grant:\$20,000  
Council Contribution:\$33,000
  - b. Frankston YCW Junior Football Club  
Project: Coaches boxes (AH Butler Oval)  
Total Project Cost:\$26,000  
Grant:\$8,000 with matching funding contribution from club of \$8,000  
Council Contribution:\$10,000
4. Authorises the Chief Executive Officer to make the necessary adjustments to the 2019/20 Budget, noting that funding of \$36,000 has been received from grants and club contributions.
5. Transfers the required amount from the Frankston Foreshore Aquatic Risk Assessment, as this project will not be fully completed in the 2019/2020 financial year allowing completion of the sports ground infrastructure projects at both Ballam Park and Jubilee Park.

**Key Points / Issues**

- At its meeting on 14 October 2019, Council moved 2019/NOM45 – Karingal Bulls and noted:
  - *That the cost for two new coaches boxes at Ballam Park oval is \$20K.*

**12.8 Capital Works Budget Variation - Sports Ground Infrastructure (Ballam Park & Jubilee Park)****Executive Summary**

- *The Karingal Bulls Football Club has applied for a Federal Government grant of \$10K for the coaches boxes.*
- *Refers to fund up to \$10K the 2020/2021 Capital Works program to augment the grant, should the funding application be successful.*
- Two sports clubs have received funding to provide coaches boxes and a ball retainment fence. The funding is dependent on matched contributions, with an additional requirement that the works are completed prior to June 30, 2020. The projects are:
  - **Karingal Junior Football Club** (Bayside Sharks Junior Football Club)
    - Have received a federal grant of \$20,000 towards new coaches boxes and a ball retainment fence at Ballam Park (see attached grant funding).
    - The total cost of the ball retainment fence and coaches boxes (including synthetic pads) is expected to be \$53,000.
    - Under the attached funding agreement, the project needs to be delivered in 2019/20 FY.
    - The ball retainment fence will address a risk management issue of children chasing balls onto an internal road.
  - **Frankston YCW Junior Football Club**
    - Have received a federal grant of \$8,000 towards new coaches boxes at Jubilee Park and the club will also contribute \$8,000.
    - The total cost of the coaches boxes and synthetic pads is \$26,000
- Due to the inexperience of clubs when applying for grants, they failed to request sufficient funds to cover full project costs.
- Therefore, it is proposed that funds from 4398 Frankston Foreshore Aquatic Risk Assessment be used to support the Sports Ground Infrastructure at both Ballam and Jubilee Park.
- The Aquatic Risk Assessment will not be fully completed in the 2019/2020 financial year, given the issues with attaining a suitably qualified consultant to progress the project. It is anticipated that the project will be delivered with the remaining funding.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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.

**12.8 Capital Works Budget Variation - Sports Ground Infrastructure (Ballam Park & Jubilee Park)****Executive Summary**

That Council commits the funding of \$43,000 towards Sport Ground Infrastructure at Ballam Park and Jubilee Park and authorises the Chief Executive Officer to make the necessary adjustments to the 2019/20 Budget.

The forecasted expenditure to complete the coaches boxes and retainment fence is \$79,000, but this will be offset by \$36,000 in grant/contributions from Federal Government and Clubs.

**Consultation****1. External Stakeholders**

- Karingal Junior Football Club
- Frankston YCW Football Club

**2. Other Stakeholders**

- Capital Works
- Open Space

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

Nil.

**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

Nil

Policy Impacts

Retract 2019/NOM 45 – Karingal Bulls

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**

Given the inexperience nature of applying for grants, unfortunately both clubs did not seek sufficient funding to cover the full project costs. This coupled with the grant agreements requiring delivery within the 2019/2020 financial year, has resulted in the proposal of a Capital Works variation to support the successful delivery of both projects.

Funding can be secured from Project 4398 – Frankston Foreshore Aquatic Risk Assessment, given the project will not be completed within the 2019/2020 financial year.

**12.8 Capital Works Budget Variation - Sports Ground Infrastructure (Ballam Park & Jubilee Park)****Executive Summary**

The value of the variation is \$79,000, but includes \$36,000 in external funding.

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**ATTACHMENTS**

Attachment A: [⇒](#) Bayside Sharks Junior Football Club - Grant Agreement (*Under Separate Cover*)

Attachment B: [⇒](#) Frankston YCW Football Club - Grant Application (*Under Separate Cover*)



## Executive Summary

### 12.9 Community Engagement for the Domestic Animal Management Plan 2020-2024

*Enquiries: (Leonie Reints: Communities)*

#### 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 approval for Community Engagement to review the Domestic Animal Management Plan 2020-2024

#### **Recommendation (Director Communities)**

That Council:

1. Approves the commencement of the review of the current Domestic Animal Management Plan (DAMP) Review;
2. Approves the Community Engagement Plan;
3. Notes community consultation will be undertaken between March and June 2020; and
4. Notes a briefing of Councillors is scheduled for 27 July 2020 outlining public submissions, recommendations and a draft DAMP 2020-2024.

#### **Key Points / Issues**

- The Domestic Animal Management Plan (DAMP) was due for review in 2021, however due to a number of Community concerns and feedback from Councillors, officers are recommending this review be brought forward to 2020.
- The key topics officers recommend to gain feedback on are outlined below and the survey questions are attached (**attachment A**)
  - Permitting dogs in the Central Activities Area of Frankston
  - Free roam areas on the foreshore
  - Cats roaming outside of their premise
  - Fenced free roam areas
  - Dogs being walked on sports ovals
  - Owners feeling safe when walking their dogs
- The DAMP outlines the services, programs and policies that the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.
- The review of the Domestic Animal Management Plan provides the community with an opportunity to give feedback on services, programs and policies the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.

**12.9 Community Engagement for the Domestic Animal Management Plan 2020-2024****Executive Summary**

- Officers have developed a Community Engagement Plan (**attachment B**) that will be undertaken for a 3 month period from March 2020 to June 2020 this will seek community participation and feedback

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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.

Any costs associated with this Community Engagement will be absorbed within the current budget.

**Consultation****1. External Stakeholders**

A broad range of stakeholders will be engaged in the review of the DAMP this includes, however is not limited to:

- Neighbouring and some regional Councils
- Residents
- Community Animal Groups
- Dog Trainers
- Dogs Victoria

**2. Other Stakeholders**

Relevant Officers from the Community Safety Department and other internal departments will be involved in the development of the new Domestic Animal Management Plan.

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

The Domestic Animal Management Plan outlines the services, programs and policies the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.

Involvement of the community supports transparency and enables residents and other stakeholders to have a voice in the development of the Domestic Animal Management Plan.

**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.

**12.9 Community Engagement for the Domestic Animal Management Plan 2020-2024****Executive Summary**Legal

Council must comply with the relevant provisions of the *Domestic Animals Act 1994*, including the specific provisions about the development and review of the Domestic Animal Management Plan of which must be undertaken every 4 years.

Policy Impacts

The new Domestic Animal Management Plan will be drafted to be consistent with existing Council policies, strategies, plans and schemes.

Community engagement has the capacity to influence policy positions of Council and the review of existing Council Orders.

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 Domestic Animal Management Plan (DAMP) 2020-2024 aims to provide simple and streamlined terminology ensuring the community understands, whilst outlining the services, programs and policies the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.

To engage the community will mitigate the risk of community dissatisfaction.

**Conclusion**

Engaging the community in the review of the Domestic Animal Management Plan provides the community with an opportunity to give feedback on services, programs and policies that the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.

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**ATTACHMENTS**

Attachment A: [↓](#) Domestic Animal Management Plan - Sample Survey Questions

Attachment B: [↓](#) Community Engagement Plan - Domestic Animal Management Plan



# Domestic Animal Management Plan

## Survey Questions

*opportunity >> growth >> lifestyle*

*Council is preparing a new Domestic Animal Management Plan and is keen to have your input. The plan will provide the framework for animal management services for the next X years and will consider matters such as:*

- *How important pets are to people in the Frankston City*
- *Concerns you have about animal related matters*
- *Ideas and resources to assist residents and pet owners manage and care for their pets*
- *Dogs in Parks, Reserves and Foreshores*
- *Suggestions that ensure pets and people live together harmoniously*
- *How well information provided by Council regarding pets and animal management address your needs*
- *Opportunities for partnerships to promote positive pet and people relationships*

*The survey will take about 10 minutes to complete. Should you encounter any troubles completing the survey, or wish to pick up a hard copy, please contact Council on xxxxx*

### **Animal Management Services in Frankston City**

How effective do you think the following initiatives would be in increasing responsible pet ownership in the Frankston City Council? Please select one response in each initiative, with 1 being 'Not Effective' and 5 being 'Very Effective'

- Increased promotion of the benefits of pet ownership
- Increasing the number of dog-of-leash Reserves within the Frankston City
- Increasing Pets and People Events
- Increase information on dog and dog owner etiquette
- Increasing the cost of pet registration if they are not desexed
- Increasing the number of patrols in the dog-of-leash Reserves



# Domestic Animal Management Plan

## Survey Questions

*opportunity » growth » lifestyle*

- Allowing pets to exercise on Sporting Grounds/Reserves outside of Sporting times
- Increasing foreshore regulations for pets
- Allowing pets at the beach all year round
- Maintaining foreshore access dates and time restrictions
- Increasing signage at Parks, Reserves and Foreshore areas
- Increasing recreation activities for pets and their owners
- Increasing pet information on Councils website
- Receive additional information when registering pets with Council
- Implementing cat no roaming during the day and night
- Maintaining Central Frankston as a dog free zone
- Mandating dog on lead at all times in Parks and Reserves

### **About you and your pets**

Please tell us whether the following statements are true for you. You can respond whether you have pets now or had pets in the past. (Strongly Agree – Strongly Disagree)

- My/Our pets are an important part of my/our family
- I exercise more because of my pets
- My family exercises more because we have/have a pet
- I socialise more because I have a pet/s
- It is important for me to have a pet in my life
- My pets provide me great comfort in times of need
- Pets teach my children about compassion and responsibility
- I regularly take my pets to dog-of-leash parks
- I regularly take my pets to dog-of-leash parks
- I regularly take my pets to the beach
- I choose my recreational activities based on being able to take my pets
- There are times when I have not picked up the dropping of my dog
- I have or do walk someone else's dog or have borrowed a dog for some 'company'



# Domestic Animal Management Plan

## Survey Questions

*opportunity » growth » lifestyle*

- As long as dogs are on a lead it is okay for them to be near, but not in playgrounds
- When I walk my dog in a park, I feel safe around other dogs
- I would like more information about adopting pets from animal shelters
- Council understands and recognises the importance of pets
- Council animal management staff are helpful and courteous

### **Parks, Reserves and Foreshores**

Which of the following situations within Parks, Reserves and Foreshores have been an issue for you (currently an issue, an issue in the last 12 months, never been an issue)

- Owners not picking up their dogs' droppings or leaving their poo bags behind
- Owners letting their dogs run through my or my children's sporting activities
- Owners letting their dogs annoy my dog/s
- Owners letting their dogs annoy other people
- Owners letting their dogs dig up parks, sporting grounds and foreshore areas
- Owners not adhering to the current foreshore regulations
- Feeling unsafe when I use a park around other dogs
- No free roam on the foreshore

### **Picking up Dog Droppings**

Please tell us which of the following would encourage you to pick up after your dog

- Not relevant to me as I don't have a dog or walk a dog
- If I thought someone was watching me
- If my children/partner were with me
- If my children/partner told me off
- If I didn't have to carry it around
- If more doggie bags were available at parks and reserves
- Greater controlling at parks and reserve



# Domestic Animal Management Plan

## Survey Questions

*opportunity >> growth >> lifestyle*

- Fines and enforcements
- Education - If I knew there was a real environmental impact
- Not relevant to me, I always pick up after my dogs droppings
- Nothing would encourage me to pick it up
- Any other comments?

### **Dog-of-Lead Areas**

Why are dog-off-lead areas beneficial? Please tell us which of the following are true for you?  
(Strongly Agree – Strongly Disagree)

- They are good for dogs that live in a small yard
- Dogs can socialise freely with other dogs
- Owners and families can play freely with their dogs
- Owners can exercise their dogs
- Dogs can run around even if their owners cannot or don't want to
- Dog owners make new friends through their pets; they are social areas for people
- Families can go to the park together and do different things
- Off lead areas are a destination I walk to or drive to
- Fenced off-off-lead area (dog parks) because they give me peace of mind
- I get to practice my recall with my dog
- Dogs should not be off lead in any public space
- I feel safer when dogs are confined to a fenced dog off lead area
- I feel my dog is safer in a fenced dog off lead area
- Dog off lead areas should not be fenced
- Frankston City Council provides adequate exercise areas for dogs
- Any other benefits?



# Domestic Animal Management Plan

## Survey Questions

*opportunity >> growth >> lifestyle*

### **About Cats and Dogs in your Neighbourhood**

Which of the following are an issue for you now or have been an issue in the last 12 months? (Currently an issue, an issue in the last 12 months, never been an issue)

- The number of dog attacks I have seen
- Barking dogs
- Dogs that bark at front of fences when I walk past
- Wandering pets
- Cats that wander into my garden
- Pets that wander into nearby parklands
- The welfare or treatment of an animal in my neighbourhood
- Animals that have been subjected to domestic violence/abuse
- Any other pet related issues in your neighbourhood?

### **Pet Welfare Concerns**

How important are the following issues for you. (Very Important – Very Unimportant)

- The high rate of euthanasia of cats and kittens
- The abandonment of pets
- Puppy farms/unscrupulous breeders
- Barking dogs
- The welfare of animals in domestic violence situations and how they can be made safe
- Unowned cats that people feed but do not take full responsibility for
- Animals unrestrained in or in the back of vehicles
- People not desexing their pets
- People not registering their pets
- Any other concerns?





# Domestic Animal Management Plan

## Survey Questions

*opportunity >> growth >> lifestyle*

### Additional Comments

Please feel free to provide us with any further comments that you would like us to consider as part of the development of the Domestic Animal Management Plan.

### Personal Information (Optional)

- Are you male or female?
- Please tell us what age group you fit into
  - Under 18, 18-34, 35-49, 50-64, 65+
- What best describes the type of household you live in
  - I live on my own
  - I live with my partner
  - I live with my partner and children/s
  - I live alone with my children/s
  - I live with my parents
  - I live in a shared house
  - Other
- What suburb do you live in?
  - Seaford, Frankston, Langwarrin, Langwarrin South, Karingal, Skye, Frankston South, Frankston North, Carrum Downs, Sandhurst, Kananook
- How many cats and dogs do you own (0, 1, 2, 3-4 5+)?
- How many cats and dogs do you anticipate to own by 2025 (0, 1, 2, 3-4 5+)?
- Please list other pets that you have (Rabbits, Guinea Pigs, Birds etc.)



# Domestic Animal Management Plan

## Survey Questions

*opportunity >> growth >> lifestyle*

Are you interested in any of the following? Please select the relevant option/s.

- Going on a database to be notified of events, or notifications of matters relevant to pet owners etc.
- Receiving of copy of the draft Domestic Animal Management Plan for comment.
- Going on a database of residents to be invited to participate in other council service planning and research projects.

SAMPLE

# Community Engagement Plan

**Project name:** Domestic Animal Management Plan 2020-2024

**Approved by:** Dr Gillian Kay

**Date:**

The project has been endorsed by EMT		The project has been approved by Council	
Are planning permit approvals required	No	Are building permit approvals required	No
<b>Key Risks:</b> <ul style="list-style-type: none"> <li>Misinterpretation of intent of the Domestic Animal Management Plan (DAMP)</li> <li>Limited community knowledge of the DAMP</li> <li>Unintended impacts to the community from introduction of the new DAMP</li> <li>Lack of community feedback and input in to the DAMP</li> </ul>		<b>Risk Mitigation:</b> <ul style="list-style-type: none"> <li>The Domestic Animal Management Plan (DAMP) 2020-2024 aims to provide simple and streamlined terminology ensuring the community understands.</li> <li>The DAMP outlines the services, programs and policies the Council has established to address the administration of the <i>Domestic Animals Act 1994</i> and the management of domestic animal issues in the community.</li> <li>Councillor briefings will be scheduled and feedback will be sought to further develop the plan</li> <li>Comparison and benchmarking will be undertaken from other Council's &amp; Shires.</li> <li>Extensive Community Consultation will be undertaken prior to the draft plan being developed</li> <li>Engagement and Education via Social media, newspapers, website, surveys and face to face interviews</li> </ul>	

**Purpose of the engagement is to:**

- Advise the Frankston community of the intention to review the Domestic Animal Management Plan
- To seek from the community an understanding of issues around domestic animals in the community, the success of current regulations and programs and opportunities for improvement.
- To engage the community in the drafting of the updated Domestic Animal Management Plan by inviting comments and feedback throughout the process.

**Key messages:**

- The review of the Domestic Animal Management Plan provides the community with an opportunity to give feedback on services, programs and policies the Council has established to address the administration of the *Domestic Animals Act 1994* and the management of domestic animal issues in the community.

**Item 12.9 Attachment B: Community Engagement Plan - Domestic Animal Management Plan**

What are the requirements for the project? <i>Project step /phase and engagement activity</i>	Details across the plan for each project step /phase	What is your engagement activity objective?*(tick the relevant objective)					Who is involved?  Stakeholders	Timeframes	Who is responsible?	Method of Engagement:
		To Inform	To Consult	To Involve	To Collaborate	To Empower				
<b>1. Preliminary information gathering</b>			x				Frankston City Community Compliance and Safety	March 2020	Jarred Stevens	Survey distributed by: Website Social Media Newspapers Face to face
<b>2. Community Consultation</b>	Distribute current DAMP and seek comments and feedback from the Community on key issues and desired changes.		x				Residents and animal owners of the Municipality	March – June 2020	Leonie Reints Jarred Stevens	Website Social Media Newspapers Face to face
<b>3. EMT/Councillor review and direction.</b>	Update Councillors on outcomes of club/community consultations re. any outstanding issues					x	Councillors EMT		Leonie Reints Jarred Stevens	Councillor briefing
<b>4. Drafting of the new DAMP – Key Stakeholders</b>	Consultation and feedback				x		Managers and Coordinators Compliance and Safety Community Strengthening Recreation Prosecutions Operations Specialist Vegetation Other Councils Community Relations	March – May 2020	Leonie Reints Jarred Stevens	Face to face/emails

**Item 12.9 Attachment B: Community Engagement Plan - Domestic Animal Management Plan**

5. <b>EMT/Councillor review and direction.</b>	Council Briefing on the Draft DAMP					x	Councillors EMT	Councillor Briefing 27/07/2020	Leonie Reints Jarred Stevens	Briefing
6. <b>EMT/Councillor review and direction.</b>	Report to Ordinary Meeting  To seek approval to put out the draft DAMP for public exhibition					x	Councillors EMT			Council Ordinary Meeting
7. <b>Public Exhibition</b>	Post on social media  Information shared on Council Facebook page		x				Frankston City Community		Leonie Reints Jarred Stevens	Website Social Media Newspapers Direct to survey / consultation respondents Hard copies in civic centre and libraries
8. <b>Councillor briefing Final draft DAMP</b>	Presented to Council for discussion					x	Councillors EMT	Councillor briefing	Leonie Reints Jarred Stevens	
9. <b>Finalisation/Adoption by Council Final draft DAMP</b>	Presented to Council for approval					x	Councillors EMT		Leonie Reints Jarred Stevens	
10. <b>Implementation</b>							Department of Agriculture	September 2020	Jarred Stevens	Provide endorsed plan

**Executive Summary****12.10 Update of South East Melbourne (SEM) group discussions and City Deal development**

*Enquiries: (Sam Jackson: Business Innovation and Culture)*

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 work of the South East Melbourne (SEM) group of councils and the development of a SEM City Deal.

**Recommendation (Director Business Innovation and Culture)**

That Council supports the progress to date and continued participation in the proposed South East Melbourne region City Deal.

**Key Points / Issues**

- Frankston City Council is a member of the South East Melbourne (SEM) group of Council's, which encompasses eight municipalities in the southern metropolitan region of Victoria: Frankston, Monash, Casey, Greater Dandenong, Kingston, Cardinia, Mornington Peninsula and Knox.
- Following a Federal election commitment in May 2019, the SEM group has been working collaboratively to develop a proposed City Deal for the SEM region, which brings together major infrastructure projects, service changes and policy and regulatory reforms to better support the needs of the region's rapidly growing population.
- A City Deal is a partnership between the three tiers of government and the community that aligns planning, investment and governance towards a shared vision for productive and liveable cities. Examples of City Deals currently underway include Geelong, South East Queensland, Western Sydney and others.
- Both Federal and Victorian Governments have indicated their intent to work with the SEM group to deliver a City Deal for Melbourne's south east, with delivery expected to commence from 2020-2021 and beyond over the next 10-20 years. Contributions for Local Government is expected to be the capital and operational expenditure typically planned on a strategic or annual basis, with significant contributions from State and Federal Government. This could be for infrastructure projects or work to create policy and regulatory reform. By way of example the Western Sydney City Deal that will see Sydney's second airport built at a cost of \$5.3 billion.
- The aim of the SEM City Deal is to create an ideal community landscape by moving from monocentric cities to a polycentric region where there are multiple centres of activity meaning people can easily access jobs, training, health services, facilities, recreation opportunities and more within 20 minutes from their home (refer to Attachment A).

**12.10 Update of South East Melbourne (SEM) group discussions and City Deal development****Executive Summary**

- On Wednesday 27 November 2019, EMT and Council Officers hosted a delegation of Victorian and Federal Government representatives responsible for the development and delivery of City Deal's on a South East Melbourne Region tour. The purpose of the tour was to inform delegates on the challenges faced across the region while highlighting key infrastructure barriers. Feedback from government delegates applauded the high quality detail provided in the Frankston City portion of the SEM region tour. Further tours will occur as representatives of the Victorian and Federal Governments seek to better understand the region.
- Currently, the SEM group is finalising position papers identifying four key pillars which will link to a number of recommended outcomes and solutions which will form the priorities for inclusion in a City Deal. The key pillars are:
  - Economic sustainability
  - Environmental sustainability
  - Transport and connections
  - Stronger Families and Communities
- Discussions are underway regarding the potential governance structure of the City Deal.
- Over the past two years, the SEM group has proven to have a strong and productive working relationship that is delivering positive outcomes in the development of a SEM City Deal. It is important that Frankston City continues to be included in all future SEM City Deal discussions in order to deliver the best possible outcomes for our local community.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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.

Membership of SEM and contribution to shared costs is \$60,000 in 2019-2020.

**Consultation****1. External Stakeholders**

The SEM Group has been presented with the opportunity to provide feedback on the content included within this report.

Development of the SEM City Deal requires significant consultation and will result in the development of multiple communication and engagement plans.

**12.10 Update of South East Melbourne (SEM) group discussions and City Deal development****Executive Summary****2. Other Stakeholders**

No other stakeholders have been consulted in the preparation of this report.

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

The regional approach to working collaboratively with all three tiers of government is a critical means of achieving large scale and enduring change that supports the health and wellbeing of our local communities, environmentally and economically sustainable practices and connectivity.

**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 or statutory obligations resulting from this report.

Policy Impacts

This report is consistent with Frankston City Council's Advocacy Strategy 2018-2021

Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

An understanding of advocacy activities and consistent messaging from Council (officers, EMT and Councillors) will ensure stakeholders are correctly informed of Council's position.

The Federal Government have previously indicated there is a stronger interest in working in a regional context, rather than with individual Councils. Being an integral part of SEM will improve Frankston City's access to programs of funding and ability to influence regulation and policy reform.

**Conclusion**

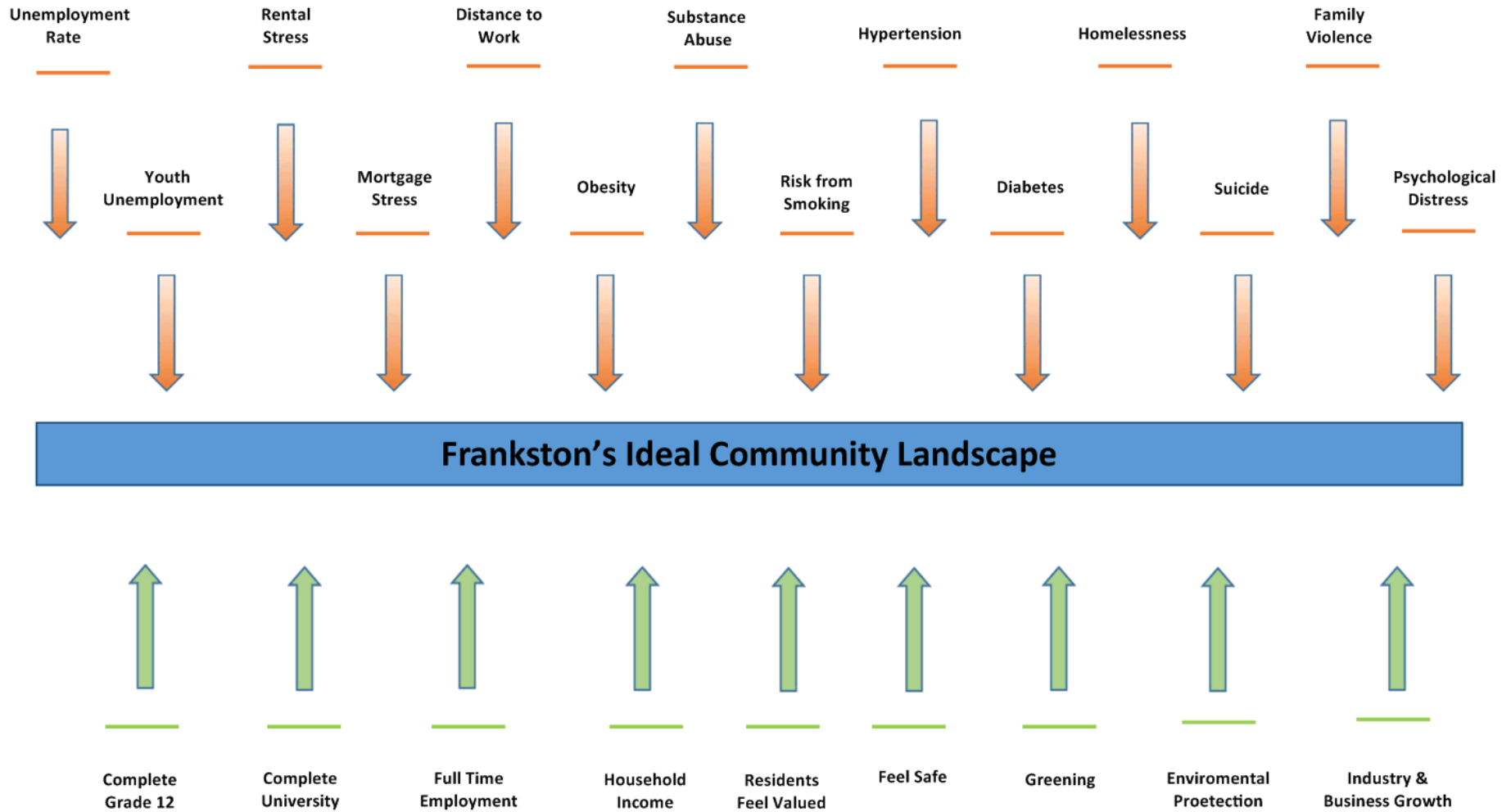
Frankston City continues to work collaboratively with the SEM group of Council's on the preparation of projects to be included within the proposed SEM City Deal.

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**ATTACHMENTS**

Attachment A: [↓](#) Ideal Community Landscape





**Executive Summary****12.11 Clyde Street Mall Road Closure**

*Enquiries: (Vishal Gupta: Infrastructure and Operations)*

**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 consider the submissions made in response to the proposed road closure of Clyde Street Mall in Frankston between Balmoral Avenue and Ross Smith Avenue East and to decide whether the road closure proposal will proceed.

**Recommendation (Director Infrastructure and Operations)**

That Council:

1. In accordance with section 207, 207A and Schedule 11, Clause 9 of the *Local Government Act 1989*, having considered a report from the Department of Public Transport and the submissions from South East Water and Telstra, for the reasons set out in the accompanying report, hereby resolves that Clyde Street Mall, between Balmoral Avenue and Ross Smith Avenue East as shown in the public notice attached to this report, be closed to vehicular traffic but with emergency services and utility authorities retaining access;
2. Gives notice of the road closure in the Victoria Government Gazette;
3. Notifies South East Water Corporation and Telstra Corporation in writing of Council's decision including reasons for the decision; and
4. Authorises Council officers to finalise the designs for Clyde Street Mall works including calling public tenders for the proposed works.

**Key Points / Issues**

- At Ordinary Council Meeting 2019/OM14 on 18 November 2019, Council resolved:  
“*That Council:*”
  1. Endorses the Clyde Street Mall and Station Street Mall Stage 2 concepts plan;
  2. Approves the commencement of a public exhibition period for 4 weeks on the proposed concept plans;
  3. Authorises commencement of the statutory process to consider the closure of a section of Clyde Street Mall in Frankston, between Balmoral Avenue and Ross Smith Avenue East, to vehicular traffic including;
    - a) Public notice of the proposed road closure in accordance with the requirements of the Local Government Act 1989.
    - b) Referral of the proposal to emergency service authorities for comment.
  4. Notes that a report will be presented to Council in March 2020 on the outcome of statutory process.

**12.11 Clyde Street Mall Road Closure****Executive Summary**

- Public notice of the proposed road closure was given in the Frankston Leader on 20 January 2020 (**Attachment A**) and on Council's website, and submissions to the proposal were invited in accordance with section 223 of the Local Government Act 1989 (Act). Letters were also sent to the owners and occupiers of the affected properties (**Attachment B**).
- Emergency service authorities, namely the Country Fire Authority (CFA), Ambulance Victoria, Victoria Police and the State Emergency Service (SES), were also notified of the proposal.
- Utility Authorities, namely United Energy, South East Water Corporation, Telstra Corporation and APA group (Gas Company) were also notified of the proposal.
- As required by Schedule 11, clause 9 (2) of the Act, a report has been obtained from the Department of Transport (VicRoads) concerning the proposed road closure. The Department of Transport has advised that it has no objection to the road closure proposal (**Attachment C**).
- Clyde Street Mall is currently managed and maintained by Council. A road closure does not change the status of the land, and will not affect the ability of street sweepers or other Council maintenance vehicles to access the road.
- Two submissions were received from South East Water and Telstra (**Attachment D**). The submissions advise that South East Water and Telstra have no objection to the proposal subject to conditions related to the working near their assets in Clyde Street Mall. These conditions will be complied with.
- Council received no other submissions to the proposed Clyde Street Mall road closure.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 Clyde Street Mall road closure will enable the proposed works along Clyde Street Mall.

There is currently funding allocated to Clyde Street Mall works in the Long Term Infrastructure Plan (LTIP) for delivery across financial years 2019/2020 and 2020/2021.

Financial Year	Council Contribution (Rates)	Income	Total
2019/20	\$152,947	Vicinity Contribution: \$50,000 Developer Contribution: \$230,000	\$432,947
2020/21	\$1,176,000		\$1,176,000
<b>Total Budget</b>	<b>\$1,328,947</b>	<b>\$280,000</b>	<b>\$1,608,947</b>

**12.11 Clyde Street Mall Road Closure****Executive Summary**

As this is an upgrade to an existing asset, ongoing maintenance costs can be accommodated within existing operational budgets.

**Consultation****1. External Stakeholders**

- Sections 207A and 223 of the Act require that a person be given the opportunity to make a submission in respect of a proposal to close a road in accordance with Schedule 11, clause 9.
- This requires the issuing of a public notice and a minimum 28 days for submissions to be made following the issuing of the public notice. Council must consider all submissions received in response before making a decision.
- In accordance with Clause 9(2) of Schedule 11, consultation has been undertaken with the Department of Transport.
- A letter outlining the proposal has been forwarded to owners and occupiers of properties considered to be directly affected.
- Officers have closely consulted with Traders and Vicinity to discuss the proposed works and impact upon the businesses in the area. This included not only long term impacts but also the impacts during construction of the works.
- The public notice was advertised in the Frankston Leader on 20 January 2020 and letters were sent to the owners and occupiers of the affected properties. The public consultation period closed on 17 February 2020.
- The emergency services authorities, namely the CFA, Ambulance Victoria, Victoria Police and the SES, were also consulted in relation to the proposal.
- Utility Authorities, namely United Energy, South East Water, Telstra, APA group (Gas Company) were also notified of the proposal.

**2. Other Stakeholders**

Consultation has occurred with Councillors, Executive Management, Customer Relations, Compliance and Safety, Capital Works Delivery, Environment, Governance and Operations team.

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

The program improvements will contribute to the transformation of the Frankston Station Precinct into a safer, more modern place of business and activity. The positive environmental, economic and social implications that will flow from these improvements are numerous and are integral to a transformation of the long term performance and economic viability of our City Centre. An increase in investment and employment is likely to be realised from this project.

**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.

**12.11 Clyde Street Mall Road Closure****Executive Summary**Legal

Council's power to effect a road closure is set out in Schedule 11, clause 9 of the Act. Sections 207A and 223 of the Act require that a person be given the opportunity to make a submission in respect of a proposal to close a road in accordance with Schedule 11, clause 9. This requires the issuing of a public notice and a minimum 28 days for submissions to be made following the issuing of the public notice. Council must consider all submissions received before making a decision.

Policy Impacts

The Connecting Malls program, including the Clyde Street Mall works requiring road closure for vehicular traffic contributes, to the Council Plan strategic priority for a revitalised city centre.

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 Clyde Street Mall improvement project has been developed on the basis of a rigorous examination of the critical elements needed to improve the City Centre for the future growth of the centre and the municipality's residents.

Completion of the statutory process for the proposed road closure will mitigate any risk arising out of prohibition of vehicular traffic on Clyde Street Mall between Balmoral Avenue and Ross Smith Avenue East.

**Conclusion**

Having considered all matters raised through the statutory process, it is recommended that Council now resolves to close the section of Clyde Street Mall between Balmoral Avenue and Ross Smith Avenue East, to vehicular traffic but with emergency service and utility authorities retaining access.

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**ATTACHMENTS**

- Attachment A: [↓](#) Public Notice - Proposed Road Closure to Vehicular Traffic - Clyde Street Mall
- Attachment B: [↓](#) Letter To Property Owner and Occupiers - Clyde Mall Road Closure for Vehicular Traffic
- Attachment C: [↓](#) DOT Confirmation
- Attachment D: [↓](#) Submissions - South East Water and Telstra

Account no: 31160-190  
 ReM ref: A4124562

Author: Michelle Tipton	
Approved by Manager: Brianna Alcock	<i>S. Alcock</i> 9/1/20
Approved by Director: Kim Jaensch	<i>Kim Jaensch</i>

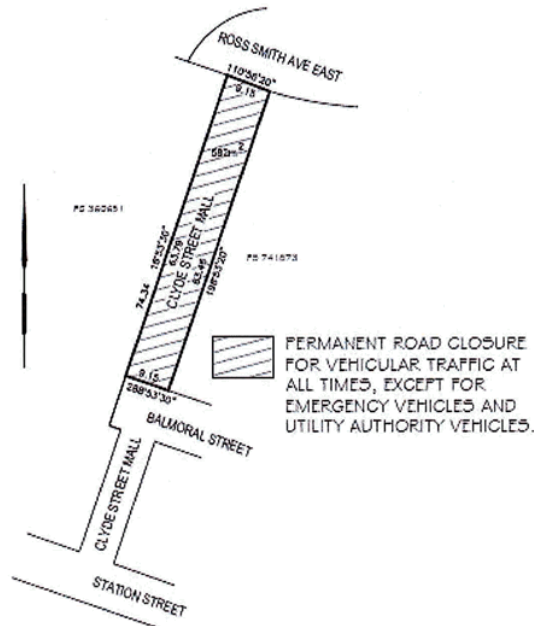
Publication	Date	Team responsible for arranging publication
<input type="checkbox"/> The Age Newspaper	Not required	Not applicable
<input checked="" type="checkbox"/> Council's Website	20 January 2020	Communications
<input checked="" type="checkbox"/> Standard Leader Newspaper	20 January 2020	Communications
<input checked="" type="checkbox"/> Victoria Government Gazette	Thu, 16 January 2020	Governance

Page 1 of 2



**PROPOSED ROAD CLOSURE TO VEHICULAR TRAFFIC  
 PART OF CLYDE STREET MALL, FRANKSTON**

Notice is hereby given that at its meeting on 18 November 2019, and in the exercise of a power conferred by section 207 and Schedule 11, Clause 9 of the *Local Government Act 1989*, Frankston City Council resolved that statutory procedures be commenced to consider the road closure of a section of Clyde Street Mall in Frankston to vehicular traffic, between Balmoral Street and Ross Smith Avenue East, but with emergency services and utility authorities retaining access. The location of the proposed road closure is shown hatched on the plan below:



Page 2 of 2

**Have Your Say**

Any person may make a submission to Council on the proposed road closure. All submissions received by 17 February 2020 will be considered by Council in accordance with section 223 of the Act. Any person making a submission is entitled to request (in the submission itself) to be heard at a Council meeting in support of the submission, either in person or by a person acting on his or her behalf. Notice of the meeting date and time will be given to each person who has lodged a submission.

Submissions should be marked "Proposed road closure – Clyde Street Mall" and should be addressed to: Governance Team, Frankston City Council, PO Box 490, Frankston, 3199. Submissions may also be hand delivered to the Civic Centre, or emailed to [info@frankston.vic.gov.au](mailto:info@frankston.vic.gov.au)

Submitters should note that Council is required to maintain a public register of submissions received during the previous 12 months. Unless a submitter requests to the contrary, copies of submissions (including the submitters' names and addresses) may also be included in the Council meeting agenda and minutes, which are a permanent public record, and which are published on Council's website.

For further information about the proposed road closure, phone Council's Manager Capital Works Delivery on 1300 322 322.

Phil Cantillon

**CHIEF EXECUTIVE OFFICER**



**Frankston City Council**

30 Davey Street, Frankston, Victoria, Australia  
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094  
PO Box 490, Frankston VIC 3199  
info@frankston.vic.gov.au  
Website: frankston.vic.gov.au  
ABN: 49 454 768 065

Reference: A4131739  
Technical Enquiries: [REDACTED]  
Telephone: [REDACTED]

First Name Last Name  
Address.  
Address

16 January 2020

Dear Sir/Madam

**PROPOSED ROAD CLOSURE FOR VEHICULAR TRAFFIC – CLYDE STREET MALL,  
FRANKSTON**

I am writing to advise you about a proposal to close Clyde Street Mall between Balmoral Street and Ross Smith Avenue East to vehicular traffic excluding emergency services and utility authorities' vehicles.

Frankston City Council ('Council') resolved at its 18 November 2019 meeting to commence the statutory procedures to consider this proposal by exercising its power conferred by Section 207, Schedule 11, Clause 9 of the Local Government Act 1989 ('Act').

The location of the proposed road closure is shown hatched on the attached plan. The closure will enable delivery of the Clyde Street Mall Improvement Works including new paving, seating, trees, low level garden beds, lighting, bins, bicycle hoops and incorporation of the Frankston Hall of Fame.

Department of Transport (Roads), Emergency Services and Utility Services Authorities will be consulted as part of the statutory process relating to the proposed road closure to vehicle traffic.

As a part of the statutory procedure, you may make submission to this proposal by visiting Council website, [Frankston.vic.gov.au/Have Your Say](http://Frankston.vic.gov.au/Have>Your/Say) or email to [info@frankston.vic.gov.au](mailto:info@frankston.vic.gov.au). The submissions can also be hand delivered to Civic Centre. The deadline for public submissions is 5.00pm, Monday 17 February 2020.



Submissions should be addressed to:

Manager Engineering Services  
Frankston City Council  
PO Box 490  
Frankston, 3199

All submissions will be considered by Council in accordance with section 223 of the Act. Any person making a submission is entitled to request (in the submission itself) to be heard at a Council meeting in support of the submission, either in person or by a person acting on his or her behalf. Notice of the meeting date and time will be given to each person who has lodged a submission.

Submitters should note that Council is required to maintain a public register of submissions received during the previous 12 months. Unless a submitter requests to the contrary, copies of submissions (including the submitters' names and addresses) may also be included in the Council meeting agenda and minutes, which are a permanent public record, and which are published on Council's website.

As part of the Mall improvement program, works are also planned along Station Street in Frankston between Clyde Street Mall and Young Street. (Station Street Improvement Works Stage 2). These works will complement the recently completed works in Station Street Mall and the proposed Clyde Mall works to create a safer pedestrian precinct connected to Bayside Shopping Centre and the Frankston Station.

The Station Street Stage 2 works include new paving, seating, trees, low level garden beds, lighting, bins and bicycle hoops. There is no change to existing vehicle access to all on street and off street car parks. Vehicle access to Station Street and Station Street Mall will be restricted to the asphalt areas only. All existing brick paved areas will be accessible only to Emergency Services and Utility Services Authorities.

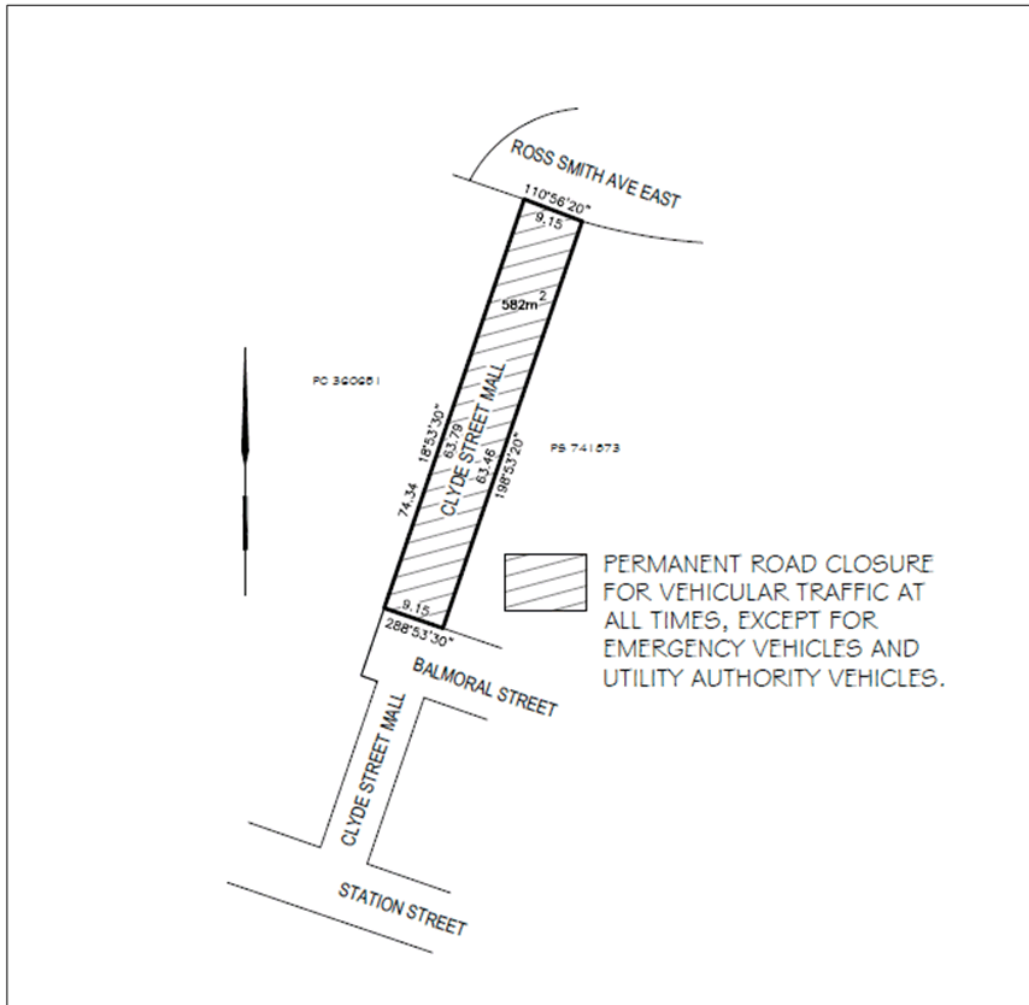
The plans for the Clyde Street Mall and Station Street Improvement works Stage 2 are available on Council's website at the following link.

[www.frankston.vic.gov.au/Our Community/Community Development/Connecting Malls Project](http://www.frankston.vic.gov.au/Our_Community/Community_Development/Connecting_Malls_Project).

For further information, please contact Council's Civil Infrastructure Team on 1300 322 322.

Yours faithfully

**MANAGER ENGINEERING SERVICES**





## Department of Transport

Metro Operations  
12 Lakeside Drive  
Burwood East Victoria 3151  
Private Bag 4  
Mount Waverley Victoria 3149

Ref: 18255129

Manager – Engineering Services  
Frankston City Council  
30 Davey Street  
Frankston VIC 3151

### **RE: PROPOSED ROAD CLOSURE FOR VEHICULAR TRAFFIC – CLYDE STREET MALL, FRANKSTON**

Thank you for your letter dated 21 January 2020 requesting a report from the Department of Transport (DoT) on the proposed closure of Clyde Street Mall between Balmoral Street and Ross Smith Avenue East, Frankston.

It is understood that Council has commenced procedures in accordance with Schedule 11, Clause 9 of the Local Government Act 1989 to close this section of road and that the purpose of the closure is to facilitate the Clyde Street Mall Improvement Works.

It is also understood that traders affected by the works as well as emergency services and utility authorities will be consulted as part of the statutory process in relation to the proposed road closure.

Lastly, it is noted that emergency services and utility authorities' vehicles will be permitted to obtain access to this section of Clyde Street Mall if required.

In situations where it is clear that a proposed closure of a local road will result in minimal impact, a report in response to a road closure proposal can be provided in the form of a letter from DoT to Council. As such, this letter is provided to advise that since all of the impacts that DoT is required to consider are expected to be minimal and that the impact on the arterial road network is assessed to be negligible, DoT does not object to the above road closure.

If you have any queries regarding this letter please contact [redacted] on [redacted].

Yours sincerely

Manager – Movement & Safety  
Metro South East

27 / 2 / 2020





*healthy  
water  
for life*

30 JANUARY 2020

Dear Sir/Madam,

**Re: Lot 1 14-16 Clyde Street Frankston**  
**Your reference: A4137623**  
**Our Reference: Case Number 35607438 File 17PD8288**

I refer to your letter regarding the proposed Road Discontinuance and Streetscape works to be carried out at the above location. The water and sewerage plans attached have been forwarded to assist you in identifying South East Water's water and sewerage assets, which may be affected by your proposal.

Based on your information provided and the asset information available, South East Water accepts the proposed works subject to the following conditions:

**WATER**

**Site Specific Conditions:**

- Refer to Protection of South East Water Supply Assets for general conditions.

**General Conditions:**

Please review South East Water's standard conditions available at South East Water's website '[www.southeastwater.com.au](http://www.southeastwater.com.au)'

- Building & development
- Developers | contractors
- Access water and sewer standards
- Works near our assets (other Authority works)
- Protection of our water supply assets

**SEWER**

**Site Specific Conditions:**

- Landscaping needs to be at least 1 metre from outer edge of manhole.
- 24/7 unobstructed access to manhole is required.

**General Conditions:**

- Refer to Protection of South East Water Sewerage Assets for general conditions.

Please review South East Water's standard conditions available at South East Water's website '[www.southeastwater.com.au](http://www.southeastwater.com.au)'

- Building & development
- Developers | contractors
- Access water and sewer standards
- Works near our assets (other Authority works)
- Protection of our sewerage assets

South East Water must be notified if any changes have been made to the scope, design or schedule of the proposed works.

**GENERAL INFORMATION**

South East Water has approximately 2027km of asbestos cement (AC) water mains that were installed and removed between the 1920's and 1970's 2018. Whilst these mains contain asbestos fibre, the asbestos is bonded within the cement pipe structure resulting in a non-friable product (one not able to be crumbled, pulverised or reduced to powder by hand pressure).

Care should be taken to identify the type of main prior to commencing work. In the event you will be working on or near AC mains, precautions as detailed in the WorkSafe Compliance Code "Removing Asbestos in Workplaces" must be followed for the removal and disposal of the non-friable asbestos containing material.

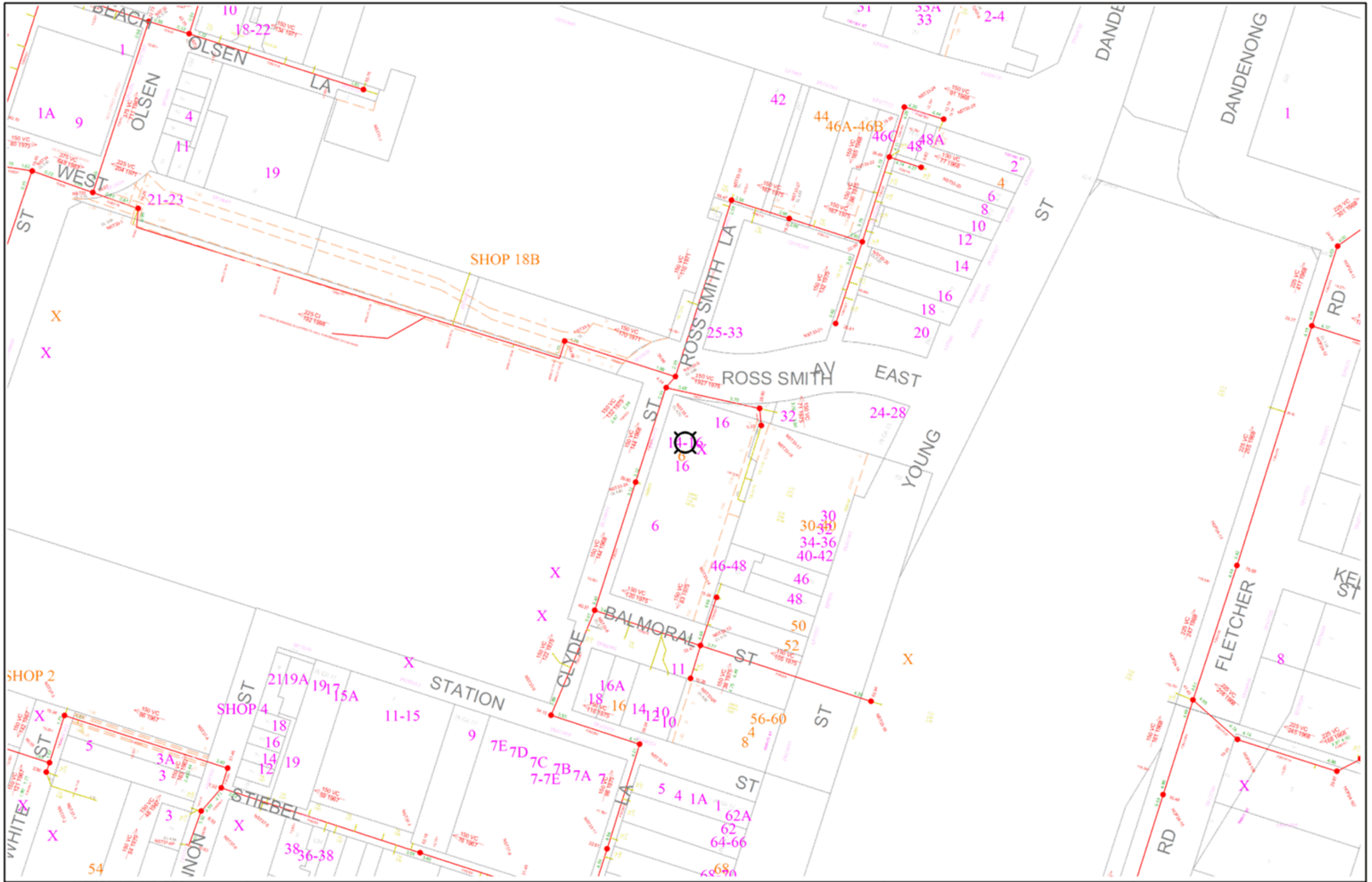
Although every effort is taken in the preparation of asset information provided, South East Water accepts no responsibility for loss, damage or injury suffered as a result of a discrepancy, and the location of all assets should be proven by hand on site prior to commencement of work.

Any damage resulting from failure to comply with this requirement may result in penalties being imposed as provided for in the current legislation including the Water Act 1989. In the event that damage is caused to South East Water's assets please contact Faults & Emergencies on 132 812.

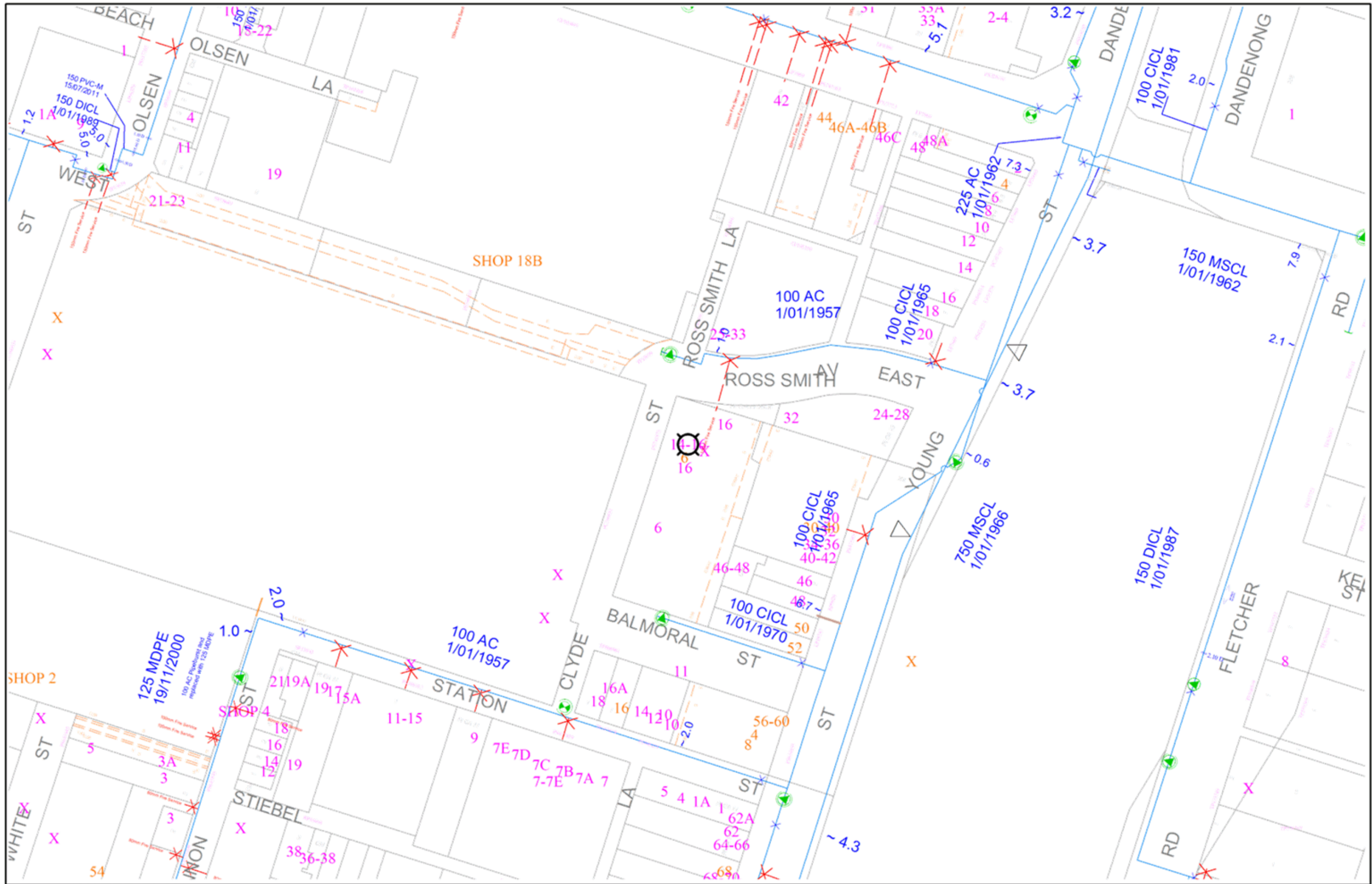
If you have any enquiries, please contact Property Development on 9552 3770.

Yours sincerely

**DEVELOPMENT SOLUTIONS MANAGER**



<b>SEWER PLAN</b>	Date: 28JANUARY2020	Development Location: Lot 1 14-16 CLYDE STREET FRANKSTON 3199	Scale 20 0 20 40 Scale in Metres		
This plan is issued solely for the purpose of assisting in design of the proposed sewer asset. It is not to be used for any other purpose including to identify any other assets, property boundaries and dimension. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work.	South East Water Ref: 35607438	Prepared by: Property Development			



<p><b>WATER PLAN</b></p> <p><small>This plan is issued solely for the purpose of assisting in design of the proposed water asset. It is not to be used for any other purpose including to identify any other assets, property boundaries and dimension. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work.</small></p>	<p>Date: 28JANUARY 2020</p>	<p>Development Location: Lot 1 14-16 CLYDE STREET FRANKSTON 3199</p> <p>South East Water Ref:</p> <p>Prepared by: Property Development</p>	<p>Scale</p> <p>Scale in Metres</p>	
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**Telstra Plan Services**

Date : **24/02/2020**

Level 7, 275 George Street  
Brisbane, QLD 4000

Your Ref: A4137625  
Our Ref: **MF296145-1**

Postal Address:  
Locked Bag 3820  
Brisbane, QLD 4000

Email: [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

**Re: Proposed Road Closure For Vehicular Traffic - Clyde Street Mall - Frankston**

Thank you for your original communication dated in relation to the location specified above.

Telstra's plant records indicate that there are **Telstra assets in the vicinity**. Subject to your compliance with the below conditions, **Telstra have NO OBJECTIONS** to the road closure.

We note that our plant records merely indicate the approximate location of the Telstra assets and should not be relied upon as depicting a true and accurate reflection of the exact location of the assets. **Accordingly, if you haven't already done so please contact Dial Before You Dig for a detailed site plan and a list of Telstra Accredited Plant Locators (APL) to establish the exact location of Telstra assets (phone 1100 or visit [www.1100.com.au](http://www.1100.com.au)).**

**The network located by a Telstra Accredited Plant Locators may ensure the network is located within the proposed closure.**

**In the event Telstra's assets require relocation**, please engage **Telstra's Asset Relocation** team to obtain a quote to relocate the assets from the location in question. The relocation of the assets would be carried out at your cost, however the relocation would ensure that the land/s and its projected use would not be hindered or restricted by easements. The existing network on this road cannot be built over.

Please phone 1800 810 443 (opt 1) or email [F1102490@team.telstra.com](mailto:F1102490@team.telstra.com) to arrange for asset relocation at the property.

As these assets comprise an essential component of the Telstra network, we take this opportunity to highlight Telstra's rights and requirements to ensure that they are understood. The following is stated for your information:

- (1) Telstra's existing facilities are grandfathered under the 1997 Telecommunications Act. This enables such facilities to legally occupy land in perpetuity for the duration of that facilities use.
- (2) Part 1 of Schedule 3 of the Telecommunications Act 1997 authorises a carrier to enter land and exercise any of the following powers:

- inspect the land
- install a facility
- maintain a facility



**In the case of installation and planned maintenance a notification will be afforded and such work will generally proceed during business hours. However, from time to time, certain activities need to be carried out without delay in order to protect the integrity of the network. Such activities may require vehicular access without notice and at any time of the day or night. 24/7 access for maintenance must be maintained.**

(3) If at any time in the future it becomes necessary, in the opinion of the carrier because of a subdivision of any land to remove, or alter the position of a facility, the carrier may enter the land and do anything necessary or desirable for that purpose. The person who proposes to subdivide the land is liable to pay the carrier the reasonable cost of anything reasonably done by the carrier in this regard.

(4) If at any time in the future it becomes necessary, in the opinion of the carrier or the land owner to remove, or alter the position of any Telstra assets, the carrier may enter the land and do anything necessary or desirable for that purpose. If the land owner is contemplating carrier relocation of these assets, then the land owner is liable to pay the carrier the reasonable cost of anything done in this regard.

(5) All individuals have a legal "Duty of Care" that must be observed when working in the vicinity of Telstra's communication plant. It is the constructors/land owner's responsibility to anticipate and request the nominal location of Telstra plant in advance of any construction activities in the vicinity of Telstra's assets. **All enquires for plant locations should be made through Dial Before You Dig's freecall "1100" enquiry number. On receipt of plans, notwithstanding the recorded location of Telstra's plant, the constructor/land owner is responsible for potholing and physical exposure to confirm the actual plant location before site civil work begins.** Telstra reserves all rights to recover compensation for loss or damage caused by interference to its cable network or other property.

Telstra would also appreciate due confirmation when this proposed acquisition proceeds so as to update its **Cadastre** records. Information regarding acquisition of the land would be of benefit to us and should be directed to the following location:

**VICTORIA**

Telstra - Cadastre Updates  
PO Box 61  
Ballarat VIC 3353  
Attention: - Team Leader  
[F1501634@team.telstra.com](mailto:F1501634@team.telstra.com)  
[F1103432@team.telstra.com](mailto:F1103432@team.telstra.com)

Please pass all information contained in this communication to all parties involved in this proposed process. Any difficulties in meeting the above conditions, or questions relating to them, please do not hesitate to contact Telstra Plan Services; email [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

Yours sincerely,

Telstra Plan Services

[F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

**Executive Summary****12.12 Response to Petition for 3 hours parking restriction on McKenzie Street, Seaford**

*Enquiries: (Doug Dickins: Infrastructure and Operations)*

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 the outcomes of community consultation following a petition seeking Council to introduce 3 hour parking restrictions in McKenzie Street, Seaford.

**Recommendation (Director Infrastructure and Operations)**

That Council:

1. Notes the community consultation undertaken with residents in McKenzie Street, Seaford in relation to the petition requesting 3 hour parking restrictions with residents excepted, on both sides of the street during weekdays;
2. Endorses the introduction of 3 hour parking restrictions between 9am and 5pm Monday to Friday with residents excepted on both sides of McKenzie Street from Park Street to the end of McKenzie Street at Seaford wetlands; and
3. Advises the Head Petitioner accordingly.

**Key Points / Issues**

- At Council's meeting 2019/OM15 on 16 December 2019, a petition was received containing 19 signatures. This petition sought;  
*"to give the wetlands end of McKenzie Street Seaford (below Park St) a week day parking limit of 3 hours (residents excepted), in line with Park Street, Harold Street and James Street Seaford"*
- McKenzie Street is a local no through street which provides access to residential properties and the Seaford Primary School. Seaford railway station is located approximately 300 metres west of this section of McKenzie Street.
- There are currently no parking restrictions on McKenzie Street between Park Street and Seaford wetlands, other than No Stopping restrictions at times the school crossing is operating.
- There are parking restrictions in a number of nearby streets. These restrictions are generally in place to allow for some resident parking which may otherwise be taken up by commuters and other all-day parking, and apply from 9am to 5pm on Monday to Friday. Attachment A shows the main parking restriction in the vicinity of McKenzie Street.
- There is no recorded history of issues raised in relation to parking in McKenzie Street. Council officers have observed a number of cars parked in the street, however this does not appear to have led to congestion.

**12.12 Response to Petition for 3 hours parking restriction on McKenzie Street, Seaford**  
**Executive Summary**

- The petition expressed concern that the use of on-street parking all day by rail commuters is leaving no space for residents and visitors to park on the street. The petition requested a 3 hour parking limit to prevent commuter parking, with residents excepted to allow for longer term parking by residents. This was requested on both sides of the street.
- Consultation as part of the investigation was undertaken with residents in McKenzie Street in the vicinity of the proposed parking changes. Letters including a plan of the proposed parking restrictions were sent to 38 residential properties. 12 responses were received of which 10 supported the proposed changes.
- The majority of respondents favoured the new parking restrictions and therefore it is recommended that the proposed parking restrictions be implemented on both the sides of McKenzie Street between Park Street and Seaford Wetlands be introduced.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 associated with the implementation of these parking restrictions, however, these signage costs can be accommodated within existing budgets.

**Consultation****1. External Stakeholders**

As part of the investigation, residents between Park Street and Seaford Wetlands were consulted by letter with a proposal for implementing a “3P 9am to 5pm Mon – Fri Authorised Residents Excepted” parking restriction on both sides of McKenzie Street. This letter including a plan of the proposed parking restrictions was sent to 38 residential properties and also sought feedback to determine the extent of support for the proposed changes to the parking restrictions (Attachment B).

Of the 12 responses received, 10 supported the introduction of the parking restrictions proposed. The response opposing the proposal was concerned at the lack of parking at the bends in McKenzie Street. This parking restriction is in place as a safety measure at these bends.

**2. Other Stakeholders**

Council’s Engineering Services and Community Safety Departments collaborated to develop this proposal to ensure it is consistent and able to be implemented and enforced.

**12.12 Response to Petition for 3 hours parking restriction on McKenzie Street, Seaford**  
**Executive Summary****Analysis (Environmental / Economic / Social Implications)**

The implementation of 3 hour parking restriction on both sides of McKenzie Street between Park Street and Seaford Wetlands will provide better opportunity for residents and their visitors to park on the street. It will also eliminate the difficulties faced by the residents while accessing their properties.

**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

The proposal has been developed to ensure it is able to be enforced.

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**

Implementation of this proposal will not expose Council to any additional risk.

**Conclusion**

The report provides a response to a petition received from residents in McKenzie Street concerned about the use of the street for long term parking by commuters other drivers. Officer investigation, consideration of other parking restrictions in the vicinity and consultation with residents in McKenzie Street indicates that implementation of the parking as proposed in this report is appropriate.

Therefore it is proposed to introduce "3P 9am to 5pm Mon – Fri Authorised Residents Excepted" parking restrictions along both sides of McKenzie Street between Park Street and Seaford Wetlands.

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**• ATTACHMENTS**

Attachment A:[↓](#) Parking Restrictions - Existing and Proposed

Attachment B:[↓](#) McKenzie St Seaford - Parking Survey Letter

Item 12.12 Attachment A: Parking Restrictions – Existing and Proposed





**Frankston City Council**

30 Davey Street, Frankston, Victoria, Australia  
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094  
PO Box 490, Frankston VIC 3199 » DX 19913 Frankston  
Website: frankston.vic.gov.au  
ABN: 49 454 768 065

Reference: A4144901  
Enquiries: \_\_\_\_\_  
Telephone: \_\_\_\_\_

The Resident  
\_\_\_\_ McKenzie Street  
**SEAFORD VIC 3198**

31 January 2020

Dear Resident

**CHANGES TO PARKING REGULATIONS – MCKENZIE STREET**

Council received feedback from some concerned residents on McKenzie Street regarding the lack of availability of on-street parking for residents due to the majority of parking being used by Rail Commuters and School Staff at Seaford Primary School.

Currently, there are no parking restrictions on McKenzie Street between Park Street and till end of McKenzie Street. To address the parking concerns, Council’s Engineers propose to introduce **“3P 9am to 5pm Mon – Fri Authorised Residents Excepted”** on both the sides of McKenzie Street between the properties numbered 38 and 48 (refer to plans on the back of this letter for parking changes).

However, the presence of one-lane slow point with the raised school crossing and continuous dividing white line on McKenzie Street between Park Street and Property No. 36 limits an opportunity to change the existing **“No Stopping”** Parking regulations.

Whilst it is expected residents may have mixed views, we seek your understanding that the proposed changes are targeted to improve parking and address the concerns raised by the residents along your street.

It would be greatly appreciated if you could provide your feedback on the proposed changes via the enclosed voting slip and return it in the reply paid envelope by Wednesday 19 February 2020 for Council officers to finalise their recommendation.

Should you have any queries regarding the proposed plan, please feel free to contact me via email ----  
----- or on \_\_\_\_\_.

Yours faithfully,

\_\_\_\_\_  
\_\_\_\_\_



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ABN: 49 454 768 065

**COMMUNITY CONSULTATION SURVEY: McKenzie Street, Seaford VIC 3198**  
Engineering Services Department  
Enquiries: \_\_\_\_\_

Please complete the survey below and return it in the attached reply paid envelope by Wed **19 February 2020**.

**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Please indicate:**     Owner/Occupier     Owner     Occupier/Tenant  
**Contact Number:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_

Do you support the proposal to change the parking restriction?  
Tick the appropriate box (✓)

<input type="checkbox"/>	I support the new parking restriction
<input type="checkbox"/>	I don't support the new parking restriction

COMMENTS:



**Executive Summary****12.13 Further Response to Petition - Provision of Parking Bays at Homestead Road, Langwarrin**

*Enquiries: (Doug Dickins: Infrastructure and Operations)*

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 the outcomes of community consultation following a petition seeking Council to investigate the provision of indented parking bays in Homestead Road, Langwarrin.

**Recommendation (Director Infrastructure and Operations)**

That Council:

1. Notes the community consultation undertaken with property owners in Homestead Road, Langwarrin, in relation to the construction of indented parking bays along the road through a Special Charge Scheme;
2. Does not proceed with further investigations to construct indented parking bays in Homestead Road through a Special Charge Scheme at this time due to lack of support from property owners; and
3. Advises the Head Petitioner accordingly.

**Key Points / Issues**

- At its Ordinary Meeting 2019/OM2 held on 18 February 2019, Council received a petition from some property owners of Homestead Road, Langwarrin. The petition read:

*“We the undersigned hereby petition Frankston City Council to issue the relevant information in the provision of parking bays in Nature-Strip areas in our road. This information is to include a description of the parking bay design and construction and associated costs to council and residents of the “Special Charge Scheme”.*
- Council considered a report on this matter at its meeting on 2 September 2019, and resolved:

*“That:*

  1. Council notes the review of current parking provisions along Homestead Road and options for indented car parking;
  2. Council authorise officers to undertake consultation with residents to determine whether there is support for construction of parking bays at a full cost contribution from residents as a Special Charge Scheme project;
  3. Council notes that a report will be presented to Council by February 2020 outlining outcome of the consultation; and
  4. The Head Petitioner be advised accordingly.”

**12.13 Further Response to Petition - Provision of Parking Bays at Homestead Road,  
Langwarrin****Executive Summary**

- Consultation with all 27 property owners who would contribute to a Special Charge Scheme for construction of indented parking bays in Homestead Road was undertaken in February 2020. The consultation advised them of the petition submitted in February 2019 and sought to determine the level of support for Council to further investigate constructing indented parking bays through a Special Charge Scheme.
- Frankston City Council's Contributory Schemes Policy (2019) guides the creation and implementation of contributory projects by special rates and charges. The policy indicates that for a Scheme to be initiated, at least 50% support is required from property owners who would be involved in the Scheme.

**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 four financial years has ranged between 2.0 per cent to 2.5 per cent and has been set at 2.0 per cent for 2020-2021.

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 would be no financial impact to Council in relation to this proposal for indented parking bays should it proceed as the project would be fully funded by property owner contributions under Special Charge Scheme provisions of the Local Government Act 1989.

**Consultation****1. External Stakeholders**

Consultation letter (see Attachment A for a sample) and questionnaire (see Attachment B for a sample) was mailed by registered post to the 27 property owners that would benefit from the construction of indented parking bays in Homestead Road.

At the end of the consultation period, 17 out of the 27 properties responded to the questionnaire with all 17 responses not supporting the proposal. This response equates to 63% of the property owners not supporting.

**2. Other Stakeholders**

No other stakeholders have been consulted as part of this report.

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

Council's Contributory Schemes Policy requires at least 50% support for a project to proceed. In this instance there was 63% opposition to the proposed indented car parking bays as requested in the petition. Therefore there is insufficient support for the project to proceed.

**12.13 Further Response to Petition - Provision of Parking Bays at Homestead Road,  
Langwarrin****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 implications associated with this report.

Policy Impacts

Any further development of the proposal 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**

At the end of the consultation period there was no support for further investigation of parking bays as a Special Charge Scheme. Much of the response expressed concern that the character of the street may be impacted by the proposal and there was not a significant parking issue in Homestead Road.

Frankston City Council's Contributory Schemes Policy (2019) states that for a Scheme to be initiated, at least 50% support is required from property owners who would be involved in the Scheme.

Therefore it is recommended that Council resolve not to further investigate construction of indented parking bays in Homestead Road through a Special Charge Scheme at this stage.

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**ATTACHMENTS**

Attachment A: [↓](#) Sample Letter to Homestead Road Residents

Attachment B: [↓](#) Sample Questionnaire to Homestead Road Residents



**Frankston City Council**

30 Davey Street, Frankston, Victoria, Australia  
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094  
PO Box 490, Frankston VIC 3199  
info@frankston.vic.gov.au  
Website: frankston.vic.gov.au  
ABN: 49 454 768 065

Reference: A4131694  
Enquiries: << COUNCIL OFFICER NAME >>  
<< CONTACT NUMBER >>

15 January 2020

<< ADDRESS >>

Dear << PROPERTY OWNER >>

**Re: Proposed Special Charge Scheme for Construction of Indent Parking Bays  
Homestead Road, Langwarrin**

**Property: << PROPERTY ADDRESS >>**

I refer to a petition received by Council in February 2019 from some property owners in Homestead Road requesting the provision of parking bays on the nature strip along Homestead Road, Langwarrin.

A review of the site has identified that there are approximately 15 on-street parking opportunities in Homestead Road. This is limited due to the narrow road and the lack of sight distance along the road. Further, there are seven feasible locations where indented parking bays can be constructed along Homestead Road taking into consideration the existing vegetation and topography of the road. An estimate to construct these parking bays is \$80,000.

Homestead Road is a residential no through road providing access to 28 abutting properties. Several site observations indicate only low numbers of vehicles parking on-street at most times. Indent parking bays on Homestead Road would be of benefit to properties in Homestead Road. Therefore it is proposed that any works would require full contribution from property owners in Homestead Road through the provisions of a Special Charge Scheme. There are indented parking bays in several other residential areas in Frankston, however these have generally been funded by developers or by individual property owners.

At its meeting 2019/OM11 on 2 September 2019, Council resolved to undertake consultation with property owners of Homestead Road to seek the views of all property owners in relation to construction of indented parking bays.

We would like your feedback on this proposal and also an indication of your level of support to further investigate constructing indented parking bays in Homestead Road as

a Special Charge Scheme. At this stage we are not seeking a commitment to pay, but rather an indication as to whether there is a high level of support to continue development of the project. Should the project continue there will be ongoing engagement with property owners in the road to ensure the project meets the needs and has a high level of support.

It is important for all owners to express their views, whether for or against, and any other comments, to ensure confidence in the level of support. If you do not return the questionnaire, it may be assumed that you have no preference, and will accept Council's decision.

It would be appreciated if you could please complete the attached owner survey and return it to Council's Engineering Services Department in the prepaid envelope supplied, or via email to [EngServices@frankston.vic.gov.au](mailto:EngServices@frankston.vic.gov.au) **by Wednesday 5 February 2020.**

If you have any comments or queries regarding this matter please do not hesitate to contact << COUNCIL OFFICER CONTACT DETAILS >>.

Yours faithfully

Douglass Dickins  
**MANAGER ENGINEERING SERVICES**

Encl. Community Consultation Survey and Reply Paid Envelope



**Frankston City Council**

30 Davey Street, Frankston, Victoria, Australia  
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094  
PO Box 490, Frankston VIC 3199  
info@frankston.vic.gov.au  
Website: frankston.vic.gov.au  
ABN: 49 454 768 065

Reference: A4131694  
Enquiries: << COUNCIL OFFICER NAME >>

NAME & ADDRESS: << ADDRESS >>

As owner of  
PROPERTY: << PROPERTY ADDRESS >>

**1. Comments regarding parking in Homestead Road**

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**2. Support to further investigate construction of indent parking bays in Homestead Road as a contributory scheme**

Do you wish Council to further investigate construction of indent parking bays in Homestead Road as a contributory scheme?

YES  NO

Comments

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I / we consent to have communications sent to me/us in relation to this project using the following details:

E-MAIL ADDRESS - \_\_\_\_\_  
PHONE NUMBER - \_\_\_\_\_

Please return this survey by 5 February 2020 in the reply paid envelope or scan and email to:  
[EngServices@frankston.vic.gov.au](mailto:EngServices@frankston.vic.gov.au)

**Privacy:** Frankston City Council is committed to protecting your privacy. Your comments may be included in a report to Council which will become a public document, made available on the internet. However private information such as names, contact details and full addresses will not be published. If you would prefer not to have your views published, please let us know by Friday 31 January 2020. 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](http://www.frankston.vic.gov.au) or contact Council's Privacy Officer on 1300 322 322.



**14.1 2020/NOM10 - Reforms**

On 2 February 2020 Councillor Bolam gave notice of his intention to move the following motion:

That Council:

1. Seeks to ensure that all future reports to Council with new and revised council policies and strategies are accompanied by a community engagement plan from 1 June 2020.
2. Ensures that Community Impact Statements accompany the making of Local Laws and meets the requirements for explanatory documents as per section 119(2A)(b) of the Local Government Act 1989.
3. Prepares a report for the Ordinary Meeting on 20 April 2020, that explores enhancing the independence of internal investigations, including:
  - a) The process for referral of internal investigations by the CEO to the Internal Ombudsman, the Audit and Risk Committee or IBAC;
  - b) Steps to safeguard against interference in how internal investigations are undertaken;
  - c) Guidance on options for how the public can request for an internal investigation to be undertaken.
  - d) Ensuring the independence of the Internal Ombudsman position and their investigations without undue influence or institutional favour

**COMMENTS BY ACTING CHIEF FINANCIAL OFFICER**

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?	<p>Item 1 - All reports to Council with new and revised council policies and strategies are accompanied by a community engagement plan</p> <p>Item 2 - Community Impact Statements accompany the making of Local Laws and meets the requirements for explanatory documents as per section 119(2A)(b) of the Local Government Act 1989.</p> <p>No further action is required to implement these items.</p>



## 14.1 2020/NOM10 - Reforms

Question for Consideration	
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 Note the Public Interest Disclosure Act 2012 prescribes how disclosures should be made to public bodies and referred to IBAC for investigation.
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
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?	3. 10 hrs to implement actions from report. Approximate total cost is \$850

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**ATTACHMENTS**

Nil

## 14.2 2020/NOM12 - Peninsula Link and Kananook Railway Station Masterplan Advocacy

On 27 February 2020 Councillor Bolam gave notice of his intention to move the following motion:

That Council:

1. Notes that a response to 2018/NOM66 – Peninsula Link (tabled at 19 November 2018 Council Meeting), has not been received by Southern Way Pty Ltd and Lendlease Operations in relation to the lack of maintenance on bike and walking paths bordering Peninsula Link;
2. a) Notes that a response to 2018/NOM67 – Kananook Railway Station Improvements (tabled at 10 December 2018), has been received from the Hon Jacinta Allan MP (Minister for Public Transport) for improvements in disability access at Kananook Railway Station and an overarching masterplan strategy for the Kananook Railway precinct that addresses various aspects ranging from enhanced public safety to improved amenity outcomes (ie. aesthetics)  
b) Notes, however, the response received is insufficient in detail and fails to provide a roadmap forward for the issues raised by Council;
3. Requests that the CEO forward further correspondence with the relevant authorities expressing Council's disappointment in the lack of response and fulsomeness to date, and seeks ample and timely replies to the matters raised in the respective past motions;
4. Receives a report at the June 2020 Ordinary Meeting in relation to the status of the aforementioned motions.

### COMMENTS BY ACTING DIRECTOR - COMMUNITIES

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?	NO
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	<p>YES</p> <p>1. Letters have been sent to Lend Lease 29/1/19, 8/1/20 &amp; Southern Way 29/1/19, 8/1/20 &amp; 19/2/20 – to date no responses have been received.</p> <p>2. Letter to the Hon. Jacinta Allan MP sent 12/8/19, response received 22/11/19 (Copy circulated in Cr Bulletin Jan 20). Both are attached under separate cover.</p>

14.2 2020/NOM12 - Peninsula Link and Kananook Railway Station Masterplan  
Advocacy

Question for Consideration	
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?	NO
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
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?	N/A
14. What is the estimated cost of implementing the NoM?	Approximately \$200 for managing additional correspondence. Year 1: \$ Nil Recurring: \$ Nil Comments: if applicable

**ATTACHMENTS**

- Attachment A: [↗](#) Letter sent to the Hon. Jacinta Allan MP regarding Kananook Train Storage matters (*Under Separate Cover*)
- Attachment B: [↗](#) Response from the Hon Jacinta Allan MP dated 22 November 2019 - Kananook Train Storage Facility matters (*Under Separate Cover*)

**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 Pines Forest Aquatic Centre - Tender Evaluation Group Structure**

Agenda Item C.1 Pines Forest Aquatic Centre - Tender Evaluation Group Structure is designated confidential as it relates to contractual matters (s89 2d)

**C.2 Frankston Health and Wellbeing Hub - Expression of Interest (EOI) update**

Agenda Item C.2 Frankston Health and Wellbeing Hub - Expression of Interest (EOI) update is designated confidential as it relates to contractual matters (s89 2d)

**C.3 Debrief of Ordinary Council Meeting**

Agenda Item C.3 Debrief of Ordinary Council Meeting 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):

.....  
Signed by the CEO