



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 14 OCTOBER 2019 at 7.00PM**

PRESENT	Cr. Michael O'Reilly (Mayor) Cr. Sandra Mayer Cr. Glenn Aitken Cr. Quinn McCormack Cr. Kris Bolam
APOLOGIES:	Cr. Colin Hampton Cr. Brian Cunial Cr. Lillian O'Connor
ABSENT:	Cr. Steve Toms
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Dr. Gillian Kay, Director Community Development Mr. Cam Arullanantham, Acting Director Community Assets Mr. Stuart Caldwell, Acting Manager Planning & Environment Mr. Vishal Gupta, Manager Capital Works Delivery Mr. Keith Black, Acting Coordinator Strategic Planning Mr. Robert Lean, Senior Strategic Planner Mr. Taylor McVean, Coordinator Communications Ms. Vera Roberts, Executive Assistant to Mayor Ms. Tenille Craig, Councillor Support Officer Ms. Sharon Lozsan, Project and Business Support Officer
EXTERNAL REPRESENTATIVES:	Nil.

COUNCILLOR STATEMENT

Councillor McCormack made the following statement:

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

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

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

Chairperson's initials *S. Mayer*

PRAYER

At the request of the Mayor, Councillor Bolam read the Opening Prayer.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Mayer acknowledged the Boon Wurrung and Bunurong peoples – the traditional custodians of the land on which we stand and recognised all Aboriginal and Torres Strait Islander peoples who have given to Australia’s identity – from the past, into the present and for the future.

Chairperson’s initials *S. Mayer*

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1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM12 held on 23 September 2019.

Council Decision

Moved: Councillor McCormack

Seconded: Councillor Aitken

That the minutes of the Ordinary Meeting No. OM12 held on 23 September 2019 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Apology

Council Decision

Moved: Councillor McCormack

Seconded: Councillor Aitken

That the apology be received and Councillor O'Connor, Councillor Hampton and Councillor Cunial be granted leave from the meeting.

Carried Unanimously

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Six (6) people submitted questions to Council. At the request of the Mayor, the Chief Executive Officer read the questions and answers to the gallery. One (1) person was not in the gallery, these questions and answers were not read out. The questions and answers will be published in the minutes of the next Ordinary Council Meeting

Councillor Bolam left the chamber at 7:12 pm.

Councillor Bolam returned to the chamber at 7:15pm

Councillor Aitken left the chamber at 7:15 pm.

Councillor Aitken returned to the chamber at 7:16 pm.

6. HEARING OF PUBLIC SUBMISSIONS

Mr. Simon Martin made a submission to Council regarding Item 11.2: Planning Permit Application 446/2017/P – 323 and 323A Nepean Highway Frankston – Section 72 amendment – Use and development of the land for a service station and car wash and advertising;

Mr. Michael Crowder made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Ms. Ginevra Hosking made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Ms. Jenny Hattingh made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Ms. Robin Clarey made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Mr. Henry Kelsall made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Mr. Peter Anscombe made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Ms. Louise Lowe made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Ms. Trudy Poole made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Mr. Ben Hawkins made a submission to Council regarding Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan;

Mr. Kevin English made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Mr. Glenn Cooper made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Councillor Mayer left the chamber at 8:02 pm.

Councillor Mayer returned to the chamber at 8:03 pm.

Senior Sergeant Louis Du Plessis made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Ms. Joan Cavanagh made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Mr. Brian Higginbotham made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Mr. Glenn Peverell made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Ms. Jessica Dell made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Ms. Kylie Quinn made a submission to Council regarding Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment;

Mr. Robert Thurley made a submission to Council regarding Item 13.1: Response to 2019/NOM10 – Boat Moorings at Kananook Creek.

7. ITEMS BROUGHT FORWARD**Items Brought Forward****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Mayer**

That:

- Item 14.5: 2019/NOM48 – Langwarrin Kindergarten and Library
- Item 11.2: Planning Application 446/2017/P – 323 and 323A Nepean Highway Frankston – Section 72 amendment – Use and development of the land for a service station and car wash and advertising
- Item 11.3: Adoption of the Frankston Green Wedge Management Plan – Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan
- Item 12.15: Frankston Coast Guard and Safe Boat Refuge Options Assessment
- Item 13.1: Response to 2019/NOM10 – Boat Moorings at Kananook Creek

be brought forward.

Carried Unanimously**8. PRESENTATIONS / AWARDS****8.1 Certificate of Visiting Therapy Dog**

The Mayor, Cr Michael O'Reilly presented to the Chamber the Certificate of Visiting Therapy Dog.

Odie is a rescue dog from Pawfect Pals Animal Rescue and has been adopted by Frankston City Council to perform the role as a wellness and therapy dog. Odie's trainer identified good temperament and behaviours and this led to a trial of a wellness dog in the workplace to create a positive change to our working environment to improve the mental and physical health in people. Odie has now successfully completed his accreditation as a certified visiting therapy dog in conjunction with his handler & trainer, staff member Jacqui Shannon.

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

ITEMS BROUGHT FORWARD**14.5 2019/NOM48 - Langwarrin Kindergarten and Library**

(TC Chief Executive Office)

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

That Council

1. Notes a petition, signed by 499 people objecting to the construction of a kindergarten and library in Pindara Boulevard, was received by Council at its Ordinary Meeting on 23 September 2019.
2. Ceases further engagement of the community in relation to siting the kindergarten and library at this location.
3. Requests officers to review alternative locations in Langwarrin.

Carried Unanimously

11.2 Planning Permit Application 446/2017/P - 323 and 323A Nepean Highway Frankston - Section 72 amendment - Use and development of the land for a service station and car wash and advertising

(SC Community Development)

Recommendation (Director Community Development)

That Council resolves to issue a Refusal to Grant a Section 72 Amendment to Planning Permit 446/2017/P which allows the use and development of the land for a service station and car wash and advertising signage at 323-323A Nepean Highway, Frankston subject to the following grounds:

1. The proposed amendment is not consistent with the objectives of the Planning Policy Framework including Clause 22.03 Nepean Highway Boulevard-Mile Bridge to Beach Street Policy; 22.07 Streetscapes Policy and Design and Development Overlay Schedule 5 of the Frankston Planning Scheme.
2. The proposed amendment fails to provide adequate setbacks to the Nepean Highway frontage consistent with the Design and Development Overlay Schedule 5 or adequate opportunities for landscaping for canopy vegetation to achieve a high standard of landscaping along Nepean Highway Boulevard.

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

That Council resolves to issue an Amended Planning permit in respect to Planning Application Number 446/2017/P for Use and development of the land for a service station and car wash and advertising signage at 323 and 325A Nepean Highway, Frankston, with the following (amended) 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 amendment application identified as Jasbe Nepean Hwy Pty Ltd, Project No. 17022, submitted to Council with the application on 15 May 2019, and further the amended site plan supplied on 14 October 2019, but modified to show:
 - (a) Acoustic absorption to the walls of the manual car wash bays 1 and 2 in accordance with the recommendations of the Acoustic Report prepared by Clarity Acoustics, dated 19/9/17;
 - (b) Acoustic treatment of the replacement wall along the eastern property boundary;
 - (c) Entry door to the automatic car wash with an insertion loss equal to comply with the recommendations of the Acoustic Report prepared by Clarity Acoustics, dated 19/9/17;
 - (d) Location and/or reduction in the size of the fire hydrant/booster enclosure so as not to substantially obscure visibility of the front of the service station building and the landscaped setback.
 - (k) Tree protection requirements noted in condition 7;
 - (l) Landscaping plan in accordance with condition 3.

Chairperson's initials *S. Mayer*

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.

Landscape Plans

3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - (a) the delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site;
 - (b) a planting schedule of all proposed trees, shrubs and ground covers (low maintenance species), including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
 - (c) Planting ratio to be minimum of 20% indigenous and 40% native; and a maximum of 40% exotic species.
 - (d) The provision of suitable canopy trees (minimum two metres tall when planted) within the site along the Nepean Highway frontage.
 - (e) The provision of three mature (8m planted height) palm trees within the site along the Nepean Highway frontage.

to the satisfaction of the responsible authority.

Completion of Landscaping

4. Before the occupation commences, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority at all times.
5. Prior to the commencement of building and works an updated Acoustic Report prepared by Clarity Acoustics, dated 19/9/17 to include a review of the mechanical services to be conducted when site specific equipment has been selected.
6. Prior to the completion of the development and installation of the mural, the design of the mural must be determined through a consultative process and to the satisfaction of the responsible authority.

Tree Protection

7. Prior to the commencement of the development, a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed surrounding the tree No.13 to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- (a) No vehicular or pedestrian access.
- (b) The existing soil level must not be altered either by fill or excavation.
- (c) The soil must not be compacted or the soil's drainage changed.

- (d) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- (e) No storage of equipment, machinery or material is to occur.
- (f) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible Authority to tunnel beneath;
- (g) Nothing whatsoever including temporary services wires, nails, screws or any other fixing device is to be attached to any tree.
- (h) No building or any other structure is to be erected.
- (i) Tree roots must not be severed or injured.

Drainage

- 8. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
- 9. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
- 10. Water Sensitive Urban Design principles (WSUD) must be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
 - On-site stormwater detention
 - Rainwater tanks for harvesting and re-use of stormwater for laundry, toilet flushing, landscape irrigation, etc.
 - Soil percolation
 - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
- 11. 300mm Stormwater Drainage Outfall is to be constructed down Kitson Lane to the existing system in Kitson Street, to the satisfaction of the responsible Authority.

Operational Requirements

- 12. No fuel deliveries or waste collections are to take place to or on the site between 2200 to 0700 hours.
- 13. Waste collection from the site is to take place between the day time period Monday to Friday 0700 to 1800 hours, Saturday 0700 to 1300 hours.
- 14. Auto car wash, manual car wash bays and vacuum bays can only operate between the hours of 7.00 am and 10.00 pm daily.

Car Parking

- 15. Prior to occupation of the dwellings hereby permitted by this permit, areas set aside for parking vehicle, access lanes and paths as shown on the endorsed plans must be:-
 - (a) Constructed to the satisfaction of the Responsible Authority;
 - (b) Properly formed to such levels that they can be used in accordance with the plans;
 - (c) Surfaced with an all-weather sealcoat; and
 - (d) Drained and maintained to the satisfaction of the Responsible Authority.

Chairperson's initials *S. Mayer*

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

16. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
17. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
18. Concrete kerbs and barriers shall be provided to the satisfaction of the responsible authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing to the satisfaction of the Responsible Authority.
19. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

Completion of Buildings and Works

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

Amenity

21. The amenity of the area must not be detrimentally affected by the development and/or use through the:-
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - (d) Presence of vermin;
 - (e) Others as appropriate; or
 - (f) In any other way.
22. All external lighting must be directed away from the sensitive uses to the east to prevent light spill and glare, to the satisfaction of the responsible authority.
23. No external sound amplification equipment or loudspeakers may be used for the purpose of announcements, broadcasts, playing of music or similar purposes, with the exception of emergency announcements.
24. Noise emitted from the premises must not exceed limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
25. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
26. All plumbing works, sewer pipes etc. associated with the buildings must be concealed from general view.

Power and telephone lines to all buildings must be placed underground from the main points of service outside the boundaries of the site.

Acoustic Fence

27. Before the uses allowed by this permit start, an acoustic fence must be erected along the eastern boundary of the site to a minimum height of 2.4 metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be to the satisfaction of the Responsible Authority and achieve as a minimum, the noise attenuation measures and limits required in the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

Waste Management

28. All waste from a vehicle wash area must drain into a public sewer or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.

Site Management Plan

29. Before the development starts, a Site Management Plan must be submitted to and be approved by the Responsible Authority, which may include but not be limited to the following components or a combination thereof:
- i. Hours during which construction activity will take place.
 - ii. Measures to control noise, dust and water runoff, including sediment control during construction.
 - iii. Stormwater management and on-site retention opportunities.
 - iv. Location of the siting of any portable buildings and the areas which will be used for the storage of buildings materials during construction.
 - v. Provision for the management of all building and construction waste, including recycling of all materials generated during construction.
 - vi. Opportunities to maximise energy efficiency and reduce reliance upon non-renewable resources and materials, including the use of solar and/or green power and appropriate building materials where appropriate.
 - vii. Car parking for all persons engaged in construction.
 - viii. Security fencing.

Storage

30. Goods must not be stored within the front setback, landscaped area, car parking or vehicle access areas at any time.
31. Prior to the commencement of buildings and works, a Functional Layout Plan (FLP) to include modifications to the parking lane on Nepean Highway and traffic signs must be submitted to Council in accordance with the requirements of conditions 30 and 31, to the satisfaction of VicRoads and the responsible authority.

VicRoads Conditions

32. Unless otherwise agreed in writing by VicRoads, before the use approved by this permit commences, a 'No Stopping' zone shall be established from Kitson Lane to south of the site's exit crossover to Nepean Highway, at no cost to VicRoads.
33. The crossovers and driveways are to be constructed consistent with Jasbe

Petroleum Drawing/Project number 17022, Revision P2, to the satisfaction of the Roads Corporation and the Responsible Authority, and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.

Signage conditions

34. The location and details of signs including those of the supporting structure, as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
35. All signs must be located wholly within the boundary of the land.
36. The intensity of the light in the pylon sign must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity, to the satisfaction of the Responsible Authority.
37. The pylon sign and its image must not:
 - a. Be animated;
 - b. Be moving or rotating
 - c. Contain any flashing or intermittent light.
38. The permit that relates to advertising signs expires 15 years from the date of this permit.

Permit Expiry

39. This permit will expire if one of the following circumstances applies:
 - The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.
 - The use is not commenced within four (4) years of the date of this permit.

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

Notes

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

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

- D. **VicRoads** – The proposed development requires the construction of crossovers.

Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Carried

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

Against the Motion: Cr McCormack

11.3 Adoption of the Frankston Green Wedge Management Plan - Report on public consultation and progress to a Planning Scheme Amendment to implement the Plan

(SC Community Development)

Recommendation (Director Community Development)

That Council:

1. Notes the submissions made to the Draft Green Wedge Management Plan during public consultation; and

2. Resolves to, either:

[OPTION 1]

Adopt the draft Green Wedge Management Plan with the recommendations arising from the public consultation, based on majority support from submissions (as per Attachment E), being:

- a. Remove third dot point on Page 86 of the draft GWMP 'Poultry Farm (name unknown) – located off Ballarto Road, Skye'.
- b. That the reference to the draft Westernport Green Wedge Management Plan prepared by City of Casey be amended to note that the Plan has been adopted on Page 24.
- c. That more rationale is provided in the section relating to Precinct 3 to justify Actions 42 & 43 for this area (please see note below RE Action 42 & 32).
- d. Amend the timeframe for Action 19 from Short to Immediate (Please see note below RE Action 19).
- e. Include an additional action in the draft Plan for Council to work with VicRoads to apply the appropriate land use zones to areas affected by the Peninsula Link Freeway. The timeframe for this action will be immediate as an Amendment is currently being prepared by VicRoads.
- f. That further clarification is provided to the statement on Page 86 that 'areas of land suitable only for grazing agricultural activities in Precinct 2 may be better utilised for purposes other than agriculture – e.g. for employment or residential uses'. If the intent of this statement is that it applies to large land holdings within Precinct 2 then it is not supported by Council officers and must be removed from the document.
- g. Remove the reference to Melbourne Water in Figure 30 on Page 118. Additionally, the land to the west of Stotts Lane and east of Frankston-Flinders Road be identified as part of the Precinct 5 logical inclusions in the draft GWMP document (as Action 42 describes).
- h. That the Legends of the Zoning Maps for all the precincts are amended so that colours shown in the legend reflect the colours shown on the maps. In particular, the Urban Floodway Zone should be shown as light blue in the legends and the Special Use Zone should be shown as a light green (Pages 31, 78, 88, 101, 111, 119 and 128).
- i. That the Skye Golf Driving Range & Golf Course not be nominated as a 'public course' and that this use is not nominated as a 'non-economic activity'.
- j. That the RCZ1 be noted as having a minimum lot size of 4ha in section 7.2.4 – Housing and Settlement on Page 101.
- k. That the final sentence of Page 100 be re-worded to acknowledge that the listed uses are innominate uses (not specifically defined in the Frankston

Chairperson's initials *S. Mayer*

planning scheme) and as such can be considered for approval under the current planning regime.

Note:

- i. Action 42 is to: Investigate the potential for UGB relocations in Precincts 1, 2, 3 and 5. Further investigate logical inclusions in these precincts.
- ii. Action 43 is to: Investigate the possibility of a reduction in minimum lot sizes.
- iii. Action 19 is to: Undertake an industrial land supply strategy for Green Wedge land abutting Carrum Downs Industrial Estate to be repurposed to increase industrial land supply.

and

Authorises officers to write to the Minister for Planning to request authorisation to prepare and exhibit a Planning Scheme Amendment to include the Frankston Green Wedge Management Plan into the Frankston Planning Scheme

and

Endorses the Action Plan noting that implementation will be subject to the annual budget process.

OR

[OPTION 2]

Adopt the draft Green Wedge Management Plan with the recommendations arising from the public consultation with further changes to remove controversial proposals (as per Attachment F), being:

- a. Remove third dot point on Page 86 of the draft GWMP 'Poultry Farm (name unknown) – located off Ballarto Road, Skye'.
- b. That the reference to the draft Westernport Green Wedge Management Plan prepared by City of Casey be amended to note that the Plan has been adopted on Page 24.
- c. Include an additional action in the draft Plan for Council to work with VicRoads to apply the appropriate land use zones to areas affected by the Peninsula Link Freeway. The timeframe for this action will be immediate as an Amendment is currently being prepared by VicRoads.
- d. That further clarification is provided to the statement on Page 86 that 'areas of land suitable only for grazing agricultural activities in Precinct 2 may be better utilised for purposes other than agriculture – e.g. for employment or residential uses'. If the intent of this statement is that it applies to large land holdings within Precinct 2 then it is not supported by Council officers and must be removed from the document.
- e. That any reference to the potential for reduced minimum lot sizes within the green wedge be removed from the draft. This would include the removal of any recommendation for further investigation into this potential.
- f. That any reference to the potential for the land east and west of Stotts Lane to be developed or re-zoned for residential be removed from the draft plan which would also include the removal of any recommendation to further investigate this potential.
- g. That any reference to the potential expansion of the Carrum Downs Industrial Precinct is removed from the draft which would also include the removal of any recommendation to further investigate this potential.

Chairperson's initials *S. Mayer*

- h. That the Legends of the Zoning Maps for all the precincts are amended so that colours shown in the legend reflect the colours shown on the maps. In particular, the Urban Floodway Zone should be shown as light blue in the legends and the Special Use Zone should be shown as a light green (Pages 31, 78, 88, 101, 111, 119 and 128).
- i. That the Skye Golf Driving Range & Golf Course not be nominated as a 'public course' and that this use is not nominated as a 'non-economic activity'.
- j. That the RCZ1 be noted as having a minimum lot size of 4ha in section 7.2.4 – Housing and Settlement on Page 101.
- k. That the final sentence of Page 100 be re-worded to acknowledge that the listed uses are innominate uses (not specifically defined in the Frankston planning scheme) and as such can be considered for approval under the current planning regime.

and

Authorises officers to write to the Minister for Planning to request authorisation to prepare and exhibit a Planning Scheme Amendment to include the Frankston Green Wedge Management Plan into the Frankston Planning Scheme;

and

Endorses the Action Plan noting that implementation will be subject to the annual budget process.

OR

[OPTION 3]

Not adopt the current draft Green Wedge Management Plan, and instead direct the Chief Executive Officer to revisit the scope and brief of the consultant study, re-starting the process of preparation of a plan again from the beginning.

OR

[OPTION 4]

Not produce a Green Wedge Management Plan at this time.

Councillor Bolam left the chamber at 8:40 pm.

Councillor Bolam returned to the chamber at 8:43 pm.

Council Decision

Moved: Councillor McCormack Seconded: Councillor Mayer

That Council:

1. Adopts the draft Green Wedge Management Plan with the following amendments:
 - a. Removal of third dot point on Page 86 of the draft GWMP 'Poultry Farm (name unknown) – located off Ballarto Road, Skye'.
 - b. Amendment of the reference to the draft Westernport Green Wedge Management Plan prepared by City of Casey to note that the Plan has been adopted on Page 24.
 - c. Include an additional action in the draft Plan for Council to work with VicRoads to apply the appropriate land use zones to areas affected by the Peninsula Link Freeway. The timeframe for this action will be immediate as an Amendment is currently being prepared by VicRoads.
 - d. In relation to the statement on Page 86 that 'areas of land suitable only for

Chairperson's initials *S. Mayer*

- grazing agricultural activities in Precinct 2 may be better utilised for purposes other than agriculture – e.g. for employment or residential uses’, affirms that this is not supported and be removed from the document.
- e. Removal of any reference to the potential for reduced minimum lot sizes and recommendations for further investigation in to reducing land sizes within the within the green wedge from the draft.
 - f. That any reference to the potential for the land east and west of Stotts Lane to be developed or re-zoned for residential be removed from the draft plan, including all recommendations to further investigate this potential.
 - g. That any reference to the potential expansion of the Carrum Downs Industrial Precinct is removed from the draft plan, including all recommendations to further investigate this potential.
 - h. That the Legends of the Zoning Maps for all the precincts are amended so that colours shown in the legend reflect the colours shown on the maps. In particular, the Urban Floodway Zone should be shown as light blue in the legends and the Special Use Zone should be shown as a light green (Pages 31, 78, 88, 101, 111, 119 and 128).
 - i. That the Skye Golf Driving Range & Golf Course not be nominated as a ‘public course’ and that this use is not nominated as a ‘non-economic activity’.
 - j. That the RCZ1 be noted as having a minimum lot size of 4ha in section 7.2.4 – Housing and Settlement on Page 101.
 - k. That the final sentence of Page 100 be re-worded to acknowledge that the listed uses are innominate uses (not specifically defined in the Frankston planning scheme) and as such can be considered for approval under the current planning regime.
2. Ensures that the Green Wedge Management Plan does not reduce minimum lot sizes, and does not recommend or endorse any changes to the existing green wedge boundaries;
 3. Authorises officers to write to the Minister for Planning to request authorisation to prepare and exhibit a Planning Scheme Amendment to include the Frankston Green Wedge Management Plan, pursuant to the above amendments, into the Frankston Planning Scheme;
- and
4. Endorses the Action Plan subject to the above and noting that implementation will be subject to the annual budget process

Extension of Time**Moved: Councillor Mayer****Seconded: Councillor Aitken**

That Cr McCormack be granted an extension of time.

Carried Unanimously**Extension of Time****Moved: Councillor Aitken****Seconded: Councillor McCormack**

That Cr Mayer be granted an extension of time.

Carried Unanimously

Extension of Time**Moved: Councillor Mayer****Seconded: Councillor McCormack**

That Cr Aitken be granted an extension of time.

Carried Unanimously**The Motion was put****And Carried**

For the Motion: Crs Aitken, Bolam, Mayer and McCormack

Against the Motion: Cr O'Reilly

12.15 Frankston Coast Guard and Safe Boat Refuge Options Assessment

(VG Community Assets)

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

That Council:

1. Approves the extension of the existing occupancy agreement for the use of Mechanics Hall by Frankston Coast Guard (FCG) for another 15 months until January 2021;
2. Commits \$400,000 to the 2020/21 budget from the Strategic Reserve to undertake fit out and associated building works to the first floor of the Frankston Yacht Club facility to provide permanent accommodation for FCG at the Frankston Yacht Club facility subject to an appropriate occupancy agreement and approvals;
3. Authorises officers to initiate development of the occupancy agreement for the proposed use of Frankston Yacht Club by FCG incorporating terms and conditions of use, with a draft agreement to be brought back to Council for approval;
4. Notes Council will continue to pursue a suitable tenant/s for the first floor and ground floor premises, alongside the FCG, once the building rectification works are completed;
5. Authorises officers to investigate potential options and external funding sources for the FCG's secondary vessel storage facility in the vicinity of the Frankston Foreshore, including consultation with stakeholders such as the FCG and DELWP, with the findings to be brought back to Council for consideration;
6. Notes the outcome of the assessment of alternate options for the Safe Boat Refuge, including viable options for a Safe Boat Refuge which have been identified at both Olivers Hill and Kananook Creek;
7. Notes the challenge for Council to further develop and advance a project of this magnitude, community interest and importance for broader levels of government;
8. Notes Council officers will now forward the detailed technical assessments to the State and Federal Government to consider the outcomes and provide its further advice on the project; and
9. Rescinds Council's prior \$8M financial pledge (resolved at Ordinary Meeting 19 November 2018) towards the project, without any future commitment at this time, except for the \$400,000 required from the Strategic Reserve to complete the building fit out works to accommodate the FCG at the Yacht Club Facility.

Carried Unanimously

11. RESPONSE TO NOTICES OF MOTION**13.1 Response to 2019/NOM10 - Boat Moorings at Kananook Creek**

(DD Community Assets)

Recommendation (Director Community Assets)

That Council:

1. Notes the outcomes of the investigation into feasibility to reintroduce permanent boat moorings in Kananook Creek; and
2. Does not pursue development of boat mooring in Kananook Creek at this time due to the high estimated cost of the works required.

Council Decision

Moved: Councillor Aitken

Seconded: Councillor Bolam

That Council notes the outcomes of the investigation into feasibility to reintroduce permanent boat moorings in Kananook Creek.

Carried Unanimously

Meeting was adjourned at 9.18pm

Meeting resumed at 9.25pm

11. CONSIDERATION OF TOWN PLANNING REPORTS

11.1 Town Planning Application 820/2004/P/A - 27 Wells Street, Frankston - To amend the permit by further increasing the licenced area.

(SC Community Development)

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Bolam

That Council resolves to issue an Amended Planning Permit in respect to Planning Permit Application number 040820 for the use of Tenancies G07, G09, G12, Kiosk 2, Restaurant 1, Restaurant 2, Gold Class Cinemas and the Function Room under an On-Premises licence to be issued under the Liquor Reform Act 1998, at part of 21 Wells Street and part of the Wells Street road reserve Frankston, in accordance with the endorsed plans at Tenancies G07, G09, G12, Kiosk 2, Restaurant 1, Restaurant 2, Gold Class Cinemas and the Function Room, 21 Wells Street and part of the Wells Street Road Reserve, Frankston, subject to the following conditions:

1. The use and layout as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. Prior to commencement of the use, the operator of this permit must submit a Management Plan in which the following matters are addressed, to the satisfaction of the Responsible Authority:
 - A. How the operator will manage the following on and around the premises:
 1. People.
 2. Security.
 3. Safety.
 4. Transport.
 - B. The method of addressing the following principles of Council's liquor accord:
 - To minimise or eliminate practices that lead to rapid or excessive consumption of alcohol.
 - To eliminate underage patronage at licenced premises.
 - To minimise movement of crowds between licenced venues particularly at late night or early hours.
 - To ensure that alcohol is consumed on licenced premises or in the home.
 - To maintain public order and a safer environment for the Frankston community.
 - To maintain a free and competitive market between venues.
 - An Accord should be self regulating.
 - C. How the operator will manage the responsible serving of alcohol, and the actions to achieve this.

The management plan, once approved shall form part of this permit.

A request to enable the operator to submit the above Management Plan within three (3) months of the commencement of the use may be approved by the

Chairperson's initials *S. Mayer*

Responsible Authority, provided such request is received, in writing, prior to the commencement of the use hereby approved.

3. The use authorised by this permit shall after it is commenced be continued to the satisfaction of the Responsible Authority.
4. Alcohol may only be served subject to the prior approval and conditions of the Victorian Commission for Gambling and Liquor Regulation (VCGLR)
5. The applicant shall comply with all requirements of its liquor licence issued under the *Liquor Control Reform Act 1998*.
6. No liquor shall be sold or consumed outside the authorised premises as identified on the endorsed plan.
7. Liquor may only be sold and consumed with the licenced areas allowed by this permit in the tenancies listed, during the following hours:
 - G07 – Yoyogi (food and drink premises) – 12 midnight
 - G09 – Coffee Club (food and drink premises) – 12 midnight
 - G12 – Nandos (food and drink premises) – 12 midnight
 - Kiosk 2 – Fish Bar – 12 midnight
 - Restaurant 1 – Paesano – 1:00am
 - Restaurant 2 – 1:00am
 - Cinemas – Gold Class area and Function Room – 1:00am
8. The amenity of the area must not be detrimentally affected by the use, through:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any building, works or materials.
 - c. Emission of artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d. Generation of noise or nuisance.

This permit will expire if the use is not started within two years of the date of this permit. The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Notes

- A. Any request for time extension or variation/amendment of this Permit or any condition shall be lodged with an administration fee of not less than \$90.00 per request.
- B. The placing of tables and chairs on the Wells Street reservation will require a further permit from the Frankston City Council Local Laws Department. All requirements of the Local Laws permit must be complied with.
- C. Membership to the Frankston Liquor Industry Accord is encouraged as part of the planning permit.

Carried

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

Chairperson's initials *S. Mayer*

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

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

- 12.1: Notice of Motion and Deferred Report Status Update for 14 October 2019
- 12.2: Councillor Ward Meetings Protocol
- 12.4: Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form
- 12.5: Youth Grants Program 2019
- 12.6: Australian Street Art Awards
- 12.7: Healthy Choices Policy
- 12.8: Draft Investment Policy
- 12.9: Draft Statutory and Discretionary Reserve Policy
- 12.11: Review of Audit and Risk Committee Charter
- 12.12: Frankston City Council – Annual Report 2018-2019
- 12.14: Draft Roads Asset Management Plan – Public Consultation

Carried Unanimously

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Notice of Motion and Deferred Report Status Update for 14 October 2019**

(PC Chief Executive Office)

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

That Council:

1. Receives the Notices of Motion Report as at 14 October 2019.
2. Notes and accepts there are 3 Notices of Motion that have been reported as being complete.
 - 2019/NOM41 – Recognition of Community Groups
 - 2019/NOM42 – Frankston-Dandenong Road Tree Planting
 - 2019/NOM43 – Pines Pool Masterplan
3. Notes the reports 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:
 - Response to 2019/NOM12 – Legal Advice
 - Response to 2019/NOM15 – Consultancy Fees Report

Carried Unanimously

Note: Refer to Page 23 of the Minutes where this item is block resolved

12.2 Councillor Ward Meetings Protocol

(PC Chief Executive Office)

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

That Council endorses the Councillor Ward Meeting Protocol.

Carried Unanimously

Note: Refer to Page 23 of the Minutes where this item is block resolved

12.3 Councillor Delegate for Frankston Susono Friendship Association

(BA Corporate Development)

Recommendation (Director Corporate Development)

That Council:

1. Supports the nomination of a Councillor Delegate to the Frankston Susono Friendship Association;
2. Determines the Councillor nominee as delegate at the Special Statutory Meeting in November 2019, when the full Councillor Delegates List is considered.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council not nominate a Councillor, but the CEO be requested to nominate an officer to attend the meetings

Carried Unanimously

12.4 Proposed Public Commemorative Tribute and Memorial Application Policy and Application Form

(BA Corporate Development)

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

That Council:

1. Notes the Public Commemorative Tribute and Memorial Policy (Policy) and Application Form were publicly exhibited for consultation with the community for a period of four weeks and no submissions were received;
2. Endorses the Policy and Application Form; and
3. Notes the Donated Memorials on Council Land Policy, adopted by Council at its meeting on 4 May 2009, will be superseded by this Policy and Application Form.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.5 Youth Grants Program 2019

(TB Community Development)

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

That Council:

1. Approves the 2019 Annual Youth Grants Program recommendations as contained in the confidential Youth Grants Summary and Recommendations report (Appendix A) (not for public release).
2. Authorises officers to advise the recipients of the grants immediately following the Council Meeting.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.6 Australian Street Art Awards

(PC Chief Executive Office)

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

That Councillor O'Connor be nominated to attend the Australian Street Art Awards on 6 November 2019 in Maroochydore, Queensland.

Carried Unanimously

Note: Refer to Page 23 of the Minutes where this item is block resolved

12.7 Healthy Choices Policy

(TB Community Development)

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

That Council:

1. Notes some submissions have been received from the community as input into the development of the draft Healthy Choices Policy;
2. Endorses the draft policy and places it formally for public exhibition for 6 weeks of public consultation.
3. Notes a further report will be submitted to Council in January following the conclusion of the formal public consultation process.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.8 Draft Investment Policy

(KJ Corporate Development)

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

That Council:

1. Notes the updated Draft Investment Policy and supports it to being publicly exhibited for consultation with the community for a period of four weeks; and
2. Seeks a report back to Council no later than the December 2019 Ordinary Meeting to consider the community feedback and to adopt these updated financial policies.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.9 Draft Statutory and Discretionary Reserve Policy

(KJ Corporate Development)

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

That Council:

1. Notes the draft Statutory and Discretionary Reserve Policy (Policy) and agrees for it to be publicly exhibited for consultation with the community for a period of four weeks; and
2. Seeks a report back to Council no later than the December 2019 Ordinary Meeting to consider the community feedback and to adopt this updated policy.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.10 Stronger Families Policy - Respectful Relationships Action Plan

(GK Community Development)

Recommendation (Director Community Development)

That Council:

- 1a. Notes the draft Stronger Families Policy and supports engagement of the community for its feedback and input over 6 weeks; and
- 1b. Notes a further report outlining submissions to the draft Policy will be presented to Council by January 2020.
2. Endorses the Family Violence Action Plan
3. Notes officers are preparing applications to the Commonwealth for funding of prevention approaches to family violence.
4. Supports, should the application be unsuccessful, referral of \$70K to the 2020/21 annual budget for consideration to fund 2 initiatives in the Family Violence Action Plan; specifically the development of:
 - a. A Fathers and Sons as Role Models filmed forum at an estimated cost of \$35K; and
 - b. A co-designed upgrade of the 'Choose Respect" app for young people, including suitability for LGBTI, at an estimated cost of \$35K
5. Refers, noting external funding for early intervention approaches in the Family Violence Action Plan is not available, \$20K in the 2020/21 annual budget to embed legal support 1 day per week in the MCH service.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Mayer

That Council:

- 1a. Notes the draft Stronger Families Policy and supports engagement of the community for its feedback and input over 6 weeks; and
- 1b. Notes a further report outlining submissions to the draft Policy will be presented to Council by January 2020.
2. Endorses the Family Violence Action Plan
3. Notes officers are preparing applications to the Commonwealth for funding of prevention approaches to family violence.
4. Supports, should the application be unsuccessful, referral of \$70K to the 2020/21 annual budget for consideration to fund 2 initiatives in the Family Violence Action Plan; specifically the development of:
 - a. A Fathers and Sons as Role Models filmed forum at an estimated cost of \$35K; and
 - b. A co-designed upgrade of the 'Choose Respect" app for young people, including suitability for LGBTI, at an estimated cost of \$35K
5. Refers, noting external funding for early intervention approaches in the Family Violence Action Plan is not available, \$40K in the 2020/21 annual budget to embed legal support 2 days per week in the MCH service.
6. Refers \$10k, in recurrent funding, starting from Budget 2020-21, to advertise - through multiple mediums (ie. pamphlets, newspapers, social media etc) - family

Chairperson's initials *S. Mayer*

violence support services available in the Frankston area.

Carried Unanimously

Chairperson's initials *S. Mayer*

12.11 Review of Audit and Risk Committee Charter

(TF Corporate Development)

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

That Council adopts the changes to the Audit and Risk Committee Charter as recommended by the Audit and Risk Committee.

Carried Unanimously

Note: Refer to Page 23 of the Minutes where this item is block resolved

12.12 Frankston City Council - Annual Report 2018-2019

(SJ Corporate Development)

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

That Council:

1. Endorses the Frankston City Council Annual Report 2018–2019 (Attachment A);
2. Advises the Minister for Local Government of its endorsement of the Frankston City Council Annual Report 2018–2019.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

12.13 Endorsement of the Procurement Policy 2019/20

(MP Corporate Development)

Recommendation (Director Corporate Development)

That Council:

1. Notes the Procurement Policy 2019/20 was publicly exhibited for consultation with the community for a period of four weeks and no submissions were received;
2. Formally endorses the updated Procurement Policy 2019/20.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor McCormack

That Council:

1. Notes the Procurement Policy 2019/20 was publicly exhibited for consultation with the community for a period of four weeks and no submissions were received;
2. Formally endorses the updated Procurement Policy 2019/20.
3. Provides a report back to the December Ordinary Meeting on a Social Procurement strategy / scoring component with a view to implement in the 2020 version of the Procurement Policy.

Carried Unanimously

12.14 Draft Roads Asset Management Plan - Public Consultation

(LU Community Assets)

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

That Council:

1. Notes the draft Roads Assets Management Plan (Plan) and agrees for it to be publicly exhibited for a period of six (6) weeks from 21 October 2019 to 2 December 2019; and
2. Seek a report back to Council no later than the January 2020 Ordinary Meeting to endorse the Plan, taking into account any feedback received by the community.

Carried Unanimously**Note:** Refer to Page 23 of the Minutes where this item is block resolved

14. NOTICES OF MOTION**14.1 2019/NOM38 - Economic Incentives**

(TC Chief Executive Office)

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

14.2 2019/NOM45 - Karingal Bulls

(TC Chief Executive Office)

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

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

Against the Motion: Cr Mayer

14.3 2019/NOM46 - Seaford Foreshore Activation

(TC Chief Executive Office)

Councillor Recommendation**Moved: Councillor Bolam****Seconded: Councillor Aitken**

1. Council officer's advocate and negotiate with DELWP for expanded use 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

Leave of Council**Moved: Councillor Bolam****Seconded: Councillor Aitken**

That Cr Bolam be granted leave of Council to amend 2019/NOM46 – Seaford Foreshore Activation.

Carried Unanimously

Councillor Recommendation**Moved: Councillor Bolam****Seconded: Councillor Aitken**

1. Council officer's advocate and negotiate with DELWP for enhanced use 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

Leave of Council**Moved: Councillor Bolam****Seconded: Councillor Aitken**

That Cr Bolam be granted leave of Council to amend 2019/NOM46 – Seaford Foreshore Activation.

Carried Unanimously

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

14.4 2019/NOM47 - Intercontinental Sporting Competitions Grant

(TC Chief Executive Office)

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

That a report be provided to Council in December 2019 on the creation of a specific grants category within the Miscellaneous Grants pool to support the participation of Frankston residents seeking to represent both Frankston and Australia in any of the following international events: the Commonwealth Games, the Olympic Games, the Paralympic Games or a World Championship.

The report is to consider conditions, eligibility, funding amount per participant and any branding/promotional commitments in lieu of potential Council support.

Carried

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

Against the Motion: Cr McCormack

14.6 2019/NOM49 - Glyphosate Herbicide

(TC Chief Executive Office)

Councillor Recommendation

That Frankston City discontinue the use of the current herbicide regime ie. Glyphosate. This applies to Council staff and contractors employed by Frankston City Council.

Leave of Council

Moved: Councillor Aitken

Seconded: Councillor Mayer

That Cr Aitken be granted leave of Council to amend 2019/NOM49 – Glyphosate Herbicide.

Carried Unanimously

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

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Bolam****Seconded: Councillor Aitken**

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 Chief Executive Officer's Quarterly Report - October 2019

Agenda Item C.1 Chief Executive Officer's Quarterly Report - October 2019 is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

C.2 Outcomes of the Audit and Risk Committee meeting

Agenda Item C.2 Outcomes of the Audit and Risk Committee 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)

C.3 Acquisition and Offset Opportunities

Agenda Item C.3 Acquisition and Offset Opportunities is designated confidential as it relates to matters affecting the security of Council property (s89 2g), and Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

Carried Unanimously

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Signed by the CEO

18. OUTCOME OF CONSIDERATION OF CONFIDENTIAL ITEMS**C.3 Response to NOM25 Investment in CCTV (considered at 2018/OM10 on 13 August 2018)**

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (a) 'Personnel Matters' and (h) 'Any other matter which the Council or special committee considers would prejudice the Council or any person'.

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

That Council:

1. Notes the information provided in response to 2018/NOM 25 including proposed new locations for CCTV and the possible financial impacts.
2. Commits \$10K at the 2018/19 mid-year budget review to undertake a feasibility study of the proposed locations
3. Refers \$40K for further consideration in the 2018/2019 Mid-Year Budget Review for purchase of 6 mobile bollard cameras to enable covert investigations.
4. Subject to the recommendations of the feasibility study seek grants of up to approximately \$250K from State and /or Federal Government and, if successful, commit \$100K to the 2019/2020 capex program and budget to further advance the Safe City CCTV Network; and
5. Also commits \$20K to the 2019/20 capex budget and program for ongoing maintenance and repairs to the Safe City CCTV Network to increase the current annual capital works budget (currently \$80K).
6. Notes an update report will be provided to Councillors in July 2019 to advise any grant applications made or being considered.
7. That the following locations be considered for the inclusion of new CCTV units:
 - Excelsior Drive shopping strip, Frankston North;
 - Ballam Park toilets, Karingal; and
 - Nat's Track walking path, Karingal/Frankston North
8. Should the above recommendations be carried; the recommendations be released following the finalisation of any subsequent tender approval.

The motion was put and Carried

C. 3 U3A Update (considered at 2019/OM7 on 3 June 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

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

That Council:

1. Notes Karingal Neighbourhood House has formally voted to wind up and a liquidator attended the centre the week ending 17 May
2. Notes Council officers have been based at Karingal Place to assist the community users to transition to alternatives services. Hirer's agreements of the

Chairperson's initials *S. Mayer*

- Neighbourhood House classrooms will be honoured until the end of the term in late June.
3. Notes Licence negotiations with U3A, as approved by Council 13 May 2019 have commenced.
 4. Notes key elements of a Licence agreement sought by / discussed with U3A include:
 - a) Approval a 5 + 5 year Licence term following a temporary licence for 6 months to help clarify operating requirements
 - b) Agreement to commence relocation into Karingal Place the week of 8 July 2019 with a view to commence operation for participants by 15 July 2019
 - c) A comparable rental to other community / U3A organisations occupying Council buildings
 5. Notes officers have discussed and seek for U3A to cover the cost of utilities and cleaning for their Licenced area of Karingal Place.
 6. Supports Commercial Services negotiating an exit from the lease agreement with John Paul College.
 7. Supports key elements outlined in part 3 and 4 of the recommendations and authorises officers to continue negotiations on this basis.

The motion was put and Carried

C. 3 Investment in CCTV (considered at 2019/OM8 on 1 July 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Aitken

That Council:

1. Notes the attached feasibility study completed in relation to requested CCTV locations and that the identified projects are listed in priority order at a total current cost of \$807,950 (including 10% contingency);
2. Notes the current commitment of \$100,000 in the 2019/2020 Capital Works Budget towards the expansion of the CCTV network is subject to a successful grant application for \$250,000 from the Public Safety Infrastructure Fund;
3. Notes in the event Council is successful in receipt of the Public Safety Infrastructure Fund grant of \$250,000:
 - a) that the identified very high priority CCTV cameras will be implemented at a cost of \$329,450; and
 - b) approves a further \$35,000 recurrent funding at the mid-year budget review for ongoing maintenance costs of camera /network; and
 - c) the remaining sum is to be referred to the 2020/2021 annual budget for consideration
4. Supports that should grant funding not be awarded in 2019/20, the full list of CCTV cameras will be presented for consideration as part of each year's capital works budget process.
5. Notes that the Long Term Infrastructure Plan currently provides for \$265,000 over the three year period from 2019/20 to 2020/21 for CCTV installations which includes \$100,000 allocated in 2019/20.

Chairperson's initials *S. Mayer*

6. That, given it has already been funded in 2019/2020, Ballam Park Masterplan monies, the CCTV request for Ballam Park Toilet be removed from the CCTV list in the report.
7. That, given ongoing rates of pronounced anti-social behaviour at this location, the Excelsior Drive CCTV installation and network connection (\$10,500) is to proceed with funding from the 2019/2020 CCTV line-item (\$100k). This CCTV unit is to be operational by October 2019. Therefore, this CCTV request is to also be removed from the CCTV list in the report.
8. That \$130,000 is referred to the 2019/2020 Midyear Budget for consideration for CCTV coverage at both ends of 'Nat's Track' (Frankston North-end and Karingal-end) plus four signs advising of CCTV monitoring / how to report anti- social behaviour. These are to be located between the aforementioned entrances.

The motion was put and Carried

C.3 Ballam Park South West Soccer Pitch Reconstruction Contract No 2018/19-86 (considered at 2019/OM9 on 22 July 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

Council Decision

Moved: Councillor Cunial

Seconded: Councillor O'Connor

That Council:

1. Approves the acceptance of the tender from Hendriksen Contractors Pty Ltd (ACN 093 866 758) for the reconstruction of Ballam Park South West Soccer Pitch;
2. Notes that a project contingency will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of any variations from that sum;
3. Authorises the Chief Executive Officer to sign the Contract and the Common Seal to be affixed; and
4. The recommendation (without commercially sensitive information) be released at the next open meeting of Council following signing of the Contract.

The motion was put and Carried

C.2 Award of Contract for the provision of Internal Audit Services (considered at 2019/OM10 on 12 August 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

Council Decision

Moved: Councillor Mayer

Seconded: Councillor Hampton

That:

1. Council approves the acceptance of the tender from HLB Mann Judd for Internal Audit Services for a three (3) year initial term with one (1) further two (2) year extension option exercisable by the Chief Executive Officer.

Chairperson's initials *S. Mayer*

2. Authorises the Chief Executive Officer to sign the Contract and the Common Seal to be affixed; and
3. The recommendation (without commercially sensitive information) be released in the public minutes of this meeting.

The motion was put and Carried

C. 2 Award of Contract No 2019/20-18 - Construction of Lawton Reserve, Car Park, Langwarrin South (considered at 2019/OM12 on 23 September 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Mayer

That Council:

1. Approves the acceptance of the tender from Parkinson Group (Vic) Pty Ltd (ACN: 168 742 925) for Contract 2019/20-18 - Construction of Lawton Reserve Car Park;
2. Notes a project contingency will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of variations from that sum;
3. Authorises the Chief Executive Officer to execute the contract; and
4. Releases the recommendation (without commercially sensitive information) at the next open meeting of Council.

The motion was put and Carried

C.3 Award of Contract - Minor Asphalt Patching (considered at 2019/OM12 on 23 September 2019)

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under Section 89(2) (d) 'Contractual Matters'.

Council Decision

Moved: Councillor Cunial

Seconded: Councillor Mayer

That Council:

1. Approves the acceptance of the tender from Parkinson Group (Vic) Pty Ltd (ACN: 168 742 925) for Contract 2019/20-18 - Construction of Lawton Reserve Car Park;
2. Notes a project contingency will be reserved outside of the contract sum and vests specific authority in the Chief Executive Officer to authorise the payment of variations from that sum;
3. Authorises the Chief Executive Officer to execute the contract; and
4. Releases the recommendation (without commercially sensitive information) at the next open meeting of Council.

The motion was put and Carried

The meeting was closed to the public at 10:01 pm

DRAFT MINUTES
CONFIRMED THIS

DAY OF

2019

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CHAIRPERSON

The meeting was closed to the public at 10:01 pm

CONFIRMED THIS

DAY OF

2019

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CHAIRPERSON

AUTHORITY TO STAMP INITIALS ON MINUTES

I, Cr. Sandra Mayer, Chairperson – Council Meeting hereby authorise the use of an electronic stamp of my initials to initial each page of these Minutes of the Council Meeting held on Monday 14 October 2019 confirmed on Monday 16 December 2019.

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(Cr. Sandra Mayer, Chairperson – Council Meeting)

Dated this

day of

2019

QUESTION TIME

These Questions With Notice were presented at the Ordinary Meeting 2019/12 – 23 September 2019. As the submitter was in the gallery at the time, the questions and answers were read out publicly. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published at the next Ordinary Council Meeting Minutes.

Mr Michael Phillips**Question 1**

Frankston council is about to spend \$1,000,000 on lights for the football oval in the hope of getting four football games there. These games might be televised no contracts have been guaranteed at this time. Surely there are other much more worthy projects we can spend \$1,000,000 on.

Response by Director Community Assets

Council has worked closely with the AFL, State Government and Federal Government to achieve funding for new sports ground lighting at Frankston Park. The lighting will provide a wide range of lighting options for the sports ground from basic sports training, night matches to broadcast quality lighting.

The total project costs are anticipated to be \$2.5M which includes contributions from Federal Government (\$850K), and from the State Government (\$650K).

Frankston Park is an iconic sports ground for the region hosting AFL Southeast finals, the festival of rugby, soccer matches and in recent years the Frankston Gift. It also is home to the Frankston Dolphins VFL team. The facility is one of only two AFL sports grounds in the municipality without a centre cricket wicket giving greater flexibility in the use of the ground.

Council will work closely with the AFL on the future use of this venue using the sports lighting including VFL and VFLW night matches, NAB League (formerly TAC Cup) matches and AFLW matches. Other opportunities may exist with rugby and soccer for night matches. Unfortunately it is not possible to establish broadcast quality matches until the lights are completed. It will be one of only a few venues available in Melbourne for broadcast quality matches outside of the major stadiums. It has the potential to bring substantial economic benefit to Frankston. This potential has been recognised by all levels of government with the funding provided to this project.

Ms Hilary Poad**Question 1**

Could council please make sure that the seats to be installed in the new Station Street renovations have back rests on them?

Response by Director Community Assets

Station Street Mall Improvement Works includes provision of seating surrounding circular planters at six locations and some of the seats do have back rests.

These Questions Without Notice were presented at the Ordinary Meeting 2019/12 – 23 September 2019. As the submitter was in the gallery at the time, the questions and answers were read out publicly. In accordance with the Public Submissions and Question Time Policy, the questions and response(s) are published at the next Ordinary Council Meeting Minutes.

Ms Hilary Poad

Question 1

Seats in the George Pentland Frankston Botanical Gardens.

Could Council please provide seats in the George Pentland Botanical Gardens. Currently there is very little opportunity to sit there except on the grass. There is a need for seating along the paths and on the lawns in both sunny and shady areas. Older or disabled people need to rest during exercise and cannot manage to sit on or get up from the ground. Other users should be able to read, commune with nature or even wait to visit dear ones receiving treatment in the adjacent hospital without being expected to sit on the grass.

Long seating can be designed with an arm rest in the centre so as to prevent recumbent individuals from monopolising these facilities.

IMPORTANT the seating should be designed for people and have back rests. The current backless bench type seating so beloved by graphic designers is not appropriate.

There is a need for at least twelve to be installed to begin with and more to be added as these facilities become more well known and used.

Response by Director Community Assets

It is noted that range of seating arrangement is available through the George Pentland Botanical Gardens.

However, Council is happy to consider additional seating as per request as part of the park improvement budget in early 2020.