



**MINUTES OF ORDINARY COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL  
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON  
ON 19 NOVEMBER 2018 at 7.02PM**

PRESENT	Cr. Michael O'Reilly (Mayor) Cr. Colin Hampton Cr. Sandra Mayer Cr. Glenn Aitken Cr. Brian Cunial Cr. Steve Toms Cr. Quinn McCormack Cr. Kris Bolam Cr. Lillian O'Connor
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Dennis Hovenden, Chief Executive Officer Mr. Tim Frederico, Director Corporate Development Dr. Gillian Kay, Director Communities Development Mr. Phil Cantillon, Director Community Assets Mr. Michael Papageorgiou, Manager Planning & Environment Mr. Taylor McVean, Coordinator Communications Ms. Michelle Tipton, Coordinator Council Business Support Ms. Vera Roberts, Executive Assistant to Mayor Ms. Tenille Craig, Councillor Support Officer
EXTERNAL REPRESENTATIVES:	Ms. Prue Digby, Municipal Monitor

*Cr Aitken entered the Chamber at 7.02pm*

**COUNCILLOR STATEMENT**

Councillor Mayer 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

**PRAYER**

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

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

Councillor Cunial 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



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**1. PRESENTATION TO COMMUNITY GROUPS****1.1 Written declaration by Cr O'Connor for Councillor Code of Conduct**

Cr O'Connor made a verbal and signed declaration to abide by the Councillor Code of Conduct.

**1.2 Letter Under Seal Presentation**

Letter under Seal to Dr John Dickman – for his contributions to the veterans and local communities.

*The Mayor acknowledged the presence of former Councillors Brad Hill and Judy Wachendorfer and Youth Mayor, Gerard Felipe*

**2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Ordinary Meeting No. OM13 held on 22 October 2018.

**Council Decision**

**Moved: Councillor Cunial**

**Seconded: Councillor Aitken**

That the minutes of the Ordinary Meeting No. OM13 held on 22 October 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

Special Meeting No. SP4 held on 31 October 2018.

**Council Decision**

**Moved: Councillor Cunial**

**Seconded: Councillor Aitken**

That the minutes of the Special Meeting No. SP4 held on 31 October 2018 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

**Carried Unanimously**

**3. APOLOGIES****Council Decision**

**Moved: Councillor Cunial**

**Seconded: Councillor Mayer**

That the apology be received and Councillor Hampton be granted leave from the meeting.

**Carried Unanimously**

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

Dennis Hovenden, CEO declared an interest on Item 12.2 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated – and will remain in the Chamber

Tim Frederico, Director Corporate declared a conflict of interest in Item 12.2 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated – will be representative on the board and will leave the Chamber

Chairperson's initials



## 5. PUBLIC QUESTION TIME

Two (2) people submitted questions with notice to Council. As one of the people were not present in the gallery, their questions and response will be taken on notice and a written response will be provided. At the request of the Mayor, the Chief Executive Officer read the other questions and answers to the gallery. The questions and answers are contained in Appendix.

One (1) person submitted questions without notice to Council. At the request of the Mayor, the Chief Executive Officer read the other questions and answers to the gallery.

## 6. HEARING OF PUBLIC SUBMISSIONS

Mr. Matthew Snell made a submission to Council regarding Item 12.10: Kananook Community Garden and Farmers Market Shed;

Ms. Hilary Poad made a submission to Council regarding Item 12.13: Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard;

Ms Pat Bentley made a submission to Council regarding Item 12.13: Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard;

Ms. Joan Cavanagh, on behalf of the Frankston Beach Association, made a submission to Council regarding Item 12.13: Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard;

*Mayor adjourned the meeting at 7.39pm*

*Meeting resumed at 7.41pm*

Mr Kevin English, on behalf of the Volunteer Coastguard Frankston, made a submission to Council regarding Item 12.13: Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard;

Mr Glen Cooper, on behalf of That's the thing about Fishing, made a submission to Council regarding Item 12.13: Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard;

Mr. Robert Thurley made a submission to Council regarding Item 12.6 Establishment of a Process to attract a new Signature Event to Frankston.

## 7. ITEMS BROUGHT FORWARD

### Items Brought Forward

#### Council Decision

**Moved: Councillor Cunial**

**Seconded: Councillor Toms**

That Item 12.10 Kananook Community Garden and Farmers Market Shed, Item 12.13 Olivers Hill Precinct Works – Safe Boat Refuge and Frankston Coast Guard, Item 12.16 Establishment of a Process to attract a new Signature Event to Frankston and Item 13.2 Response to 2018/NOM59 – Discretionary provision of commercial rate payer parking permits be brought forward.

**Carried**

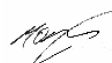
For the Motion: Crs Aitken, Mayer, McCormack, O'Reilly and Toms

Against the Motion: Crs Bolam, Cunial and O'Connor

## 8. PRESENTATIONS / AWARDS

Nil

Chairperson's initials





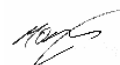
**9. PRESENTATION OF PETITIONS AND JOINT LETTERS**

Nil

**10. DELEGATES' REPORTS**

Nil

Chairperson's initials



**ITEMS BROUGHT FORWARD****12.10 Kananook Community Garden and Farmers Market Shed***(LD Community Development)***Council Decision****Moved: Councillor McCormack****Seconded: Councillor Aitken**

That Council:

1. Notes the 2018/19 capital works budget includes funding to establish a Community Garden at Kananook Reserve subject to community consultation;
2. Notes a community consultation event held on 10 November 2018 attracted approximately 35 participants who indicated support for the proposed community garden;
3. Notes the Seaford Farmers Market approach to construct a shed in the north-east corner of Kananook Reserve at their cost with request for Council to fund the concrete slab;
4. Notes all occupancies of Council land are required to be managed under a Lease or Licence agreement, with associated rents and / or fees determined by the nature of the use. All outgoings will be the responsibility of the Tenant or Licensee;
5. Provides in principle agreement to the location of the Seaford Farmers Market storage shed and develop the Kananook Community Garden in Kananook Reserve to enable the following actions to determine feasibility:
  - a) soil test on garden and shed location;
  - b) geo-tech report for the shed slab;
  - c) Landfill Gas Assessment;
  - d) community engagement on:
    - the proposed community garden layout; and
    - the proposed Seaford Farmer's Market shed; and
  - e) confirm costs for the construction of the shed slab.
6. A further report detailing progress to determine feasibility be provided to December Ordinary Meeting; and
7. Commits \$5,000 to the Mid-Year budget review to undertake the geo-tech report and Landfill Gas Assessment for the Seaford Farmers Market Shed.

**Carried Unanimously**

**12.13 Olivers Hill Precinct Works - Safe Boat Refuge and Frankston Coast Guard Building***(VG Community Assets)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Cunial**

That Council:

1. Notes the proposed concept designs for a safe boat refuge at Olivers Hill and a Frankston Coast Guard building at Olivers Hill;
2. Authorise Council officers to commence consultation with the wider community and interested groups on the proposed works with the outcomes of the consultation to be reported back at a Council meeting in February 2019;
3. Notes the draft preliminary environment and planning assessment undertaken by KBR which sets out the further technical assessments required to inform the environmental and planning approvals process for the project;
4. Supports the total estimated project cost of approximately \$24M (subject to further investigations) and proposes the following funding contributions:
  - Council Pledge \$8M;
  - State Government ask \$8M; and
  - Federal Government ask \$8M.
5. Notes the completion of the project within the identified timelines depends on funding being secured from State and Federal Government; and
6. Requests the Australian Volunteer Coastguard to make an appropriate contribution towards the project.

**Deferral Motion to another Council Meeting****Moved: Councillor Toms****Seconded: Councillor Aitken**

That the matter be deferred to the 10 December 2018 Council Meeting

**Lost**

For the Motion: Crs Aitken and Toms  
Against the Motion: Crs Bolam, Cunial, Mayer and O'Reilly  
Abstained: Crs O'Connor and McCormack

**The motion was put and Carried  
on the casting vote of the Mayor**

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

**12.16 Establishment of a Process to Attract a New Signature Event to Frankston City***(SJ Corporate Development)***Council Decision****Moved: Councillor McCormack****Seconded: Councillor Toms**

That Council:

1. Endorses the city hosting an additional Signature Event (in addition to The Big Picture Fest, appointed as the city's Signature Event in October 2018);
2. Endorses a strategic process to secure a Signature Event, via a two staged approach:
  - Stage 1: Research – municipal event capacity audit (including capacity to organically grow a Signature Event) and stakeholder engagement
  - Stage 2: Targeted event attraction negotiations with event organisers
3. Refers \$30,000 at the 2018-2019 Mid-Year Budget Review for consideration for a municipal event capacity audit; and
4. Acknowledges that Signature Event concept and funding model will be presented to Council in May 2019.

**Carried Unanimously**

**13.2 Response to 2018/NOM59 - Discretionary provision of commercial rate-payer parking permits***(LR Community Development)***Council Decision****Moved: Councillor Toms****Seconded: Councillor Aitken**

That Council:

1. Notes Council currently provides discretionary commercial rate-payer parking permits.
2. Supports continuance of issuing discretionary commercial rate-payer parking permits as outlined within this report.

**Carried Unanimously***The Mayor adjourned the meeting at 8.32pm*

**11. CONSIDERATION OF TOWN PLANNING REPORTS**

*The Mayor resumed the meeting at 8.39pm*

**11.1 Planning Application 316/2017/P/A - Shop 8/1095 Frankston-Dandenong Road, Carrum Downs**

*(MP Community Development)*

**Council Decision**

**Moved: Councillor Mayer**

**Seconded: Councillor Toms**

That Council resolves to issue an Amended Planning Permit in respect to Planning Permit Application number 316/2017/P for the supply and consumption of liquor for a restaurant and café licence associated with the use of part of the land as a food and drink premises (as of right) in a Commercial 1 Zone at Shop 8/1095 Frankston-Dandenong Road, Carrum Downs, subject to the following conditions:

**No Alterations**

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

**Patron Numbers**

2. A maximum of 143 patrons shall be permitted at any one time, unless with the prior written consent of the Responsible Authority.

**Liquor Licence Requirements**

3. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place within the approved red line plan and at the premises during the following hours:
  - Sunday to Thursday between 11:00am and 11:00pm.
  - On any other day between 11:00am and 11:00pm.
  - Good Friday & Anzac Day between 12:00 noon and 11:00pm.
  - Anzac Day (when it falls on Sunday to Thursday) between 12:00 noon and 11:00pm.

**Permit Expiry**

4. This permit will expire if one of the following circumstances applies:
  - The use of the land under clause 52.27 is not commenced within two years of the date of the permit.
  - The use of the land under clause 52.27 ceases to operate for a continued period of two years.

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

**Notes**

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.

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

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

- D. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.

**Carried Unanimously**

**11.2 Planning Application 317/2018/P - Factory 13/684-700 Frankston-Dandenong Road, Carrum Downs - To use the land for a restaurant, to sell and consume liquor and a waiver of Clause 52.34 bicycle facilities requirements of the Frankston Planning Scheme.**

*(MP Community Development)*

**Council Decision**

**Moved: Councillor Mayer**

**Seconded: Councillor Toms**

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 317/2018/P To use the land for a restaurant, to sell and consume liquor (On Premises Licence) and for a reduction of the Clause 52.34 bicycle facilities requirements at Clause 52.34 at Factory 13/684-700 Frankston-Dandenong Road, Carrum Downs, subject to the following conditions:

**Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) The provision of four (4) bicycle racks to be located at the front of the premises to the satisfaction of the Responsible Authority.
  - (b) Each separate activity area within the building (i.e. kitchen, amenities, stage, etc).

**No Alterations**

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

**Patron Numbers**

3. A maximum of 80 patrons shall be permitted at any time, unless with the prior written consent of the Responsible Authority.

**Liquor Licence Requirements**

3. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place within the approved red line plan at the premises within the hours of 11.00am and 11.00pm daily (Seven (7) days a week), excluding ANZAC Day and Good Friday when no alcohol may be served.

**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.

**Permit Expiry**

6. This permit will expire if one of the following circumstances applies:
- The use is not started within two years of the date of this permit.
  - The use of the land ceases to operate for a continued period of two years.

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

**Notes**

- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the periods referred to if a request is made in writing within the following prescribed timeframes:
- a. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
  - b. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.
- If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
- D. The owner/applicant of the subject site should join and comply with the Frankston Liquor Industry Accord, which requires the member to serve liquor in a responsible manner.

**Carried Unanimously**

**12. CONSIDERATION OF REPORTS OF OFFICERS****12.1 Resolution Progress Update***(MT Chief Executive Office)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor O'Connor**

That Council:

1. Receives the Notices of Motion Report as at 19 November 2018.
2. Approves the archiving of the following Notice of Motion from the Notices of Motion Report:
  - 2018/NOM20 - Traffic calming options at the top of Balmoral Street, Frankston
  - 2018/NOM24 - Frankston 'Future Fund'
  - 2018/NOM37 - Overflow Rubbish at Fast Food Sites
  - 2018/NOM54 – Tree Removal (Part 2)
  - 2018/NOM63 – Car Parking in Bayside (Lost)
  - 2018/NOM64 – Increased Audits (Withdrawn)
3. Notes that, since 9 October 2018, 39 resolutions have been completed, as detailed in the body of the report.
4. Notes that the report listed below will not be presented back to Council by its advised date and that a detailed explanation is provided in the body of the report:
  - Response to NOM1377 – McClelland Gallery Interconnectedness and Peninsula Link

**Carried Unanimously**

**12.2 Appointment of Frankston City Council's representative to the Board of Management of the Frankston Football Club Incorporated.***(BA Corporate Development)*

*Tim Frederico left the chamber at 8.43pm having declared a conflict of interest on this matter.*

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

That Council:

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.

**Carried Unanimously**

*Tim Frederico returned to the chamber at 8.45pm*

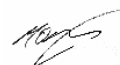
**12.3 Capital Works Quarterly Report - Q1 - July - September 2018/19***(OV Community Assets)***Council Decision****Moved: Councillor O'Connor****Seconded: Councillor Toms**

That Council receives and notes the quarterly progress report for the first Quarter (July - September 2018) for the 2018/19 Capital Works Program.

**Carried Unanimously**

**12.4 September 2018 Quarterly Financial Report***(KJ Corporate Development)***Council Decision****Moved: Councillor O'Connor****Seconded: Councillor Toms**

That Council receives and notes the Council Financial Report for the quarter ended 30 September 2018.

**Carried Unanimously**

**12.5 Council Plan Performance Report - Quarter one 2018-2019***(KJ Corporate Development)***Council Decision****Moved: Councillor Mayer****Seconded: Councillor O'Connor**

That Council receives and notes the Quarterly Council Plan Performance Report for quarter one, July – September 2018.

**Carried Unanimously**

**12.6 Waste Minimisation and Management Plan - Year 3 Progress Report**  
(OV Community Assets)**Council Decision****Moved: Councillor Toms****Seconded: Councillor Mayer**

That Council receives and notes this progress report.

**Carried Unanimously**

**12.7 Youth Mayor Youth Expo***(LD Community Development)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Toms**

That Council:

1. Notes planning has been undertaken with the Youth Mayor for a Youth Expo Event in accordance with Council's resolution OM10 (13 August 2018);
2. Approves for the "Youth Mayor Stay Safe Healthy Expo" to be held on 23 January 2019; and
3. Approves the expenditure of \$3,500 to deliver the "Youth Mayor Stay Safe Healthy Expo" event in January 2019 which is to be funded within the existing Youth Mayor budget.

**Carried Unanimously**



**12.8 Youth Grants Program 2018***(LD Community Development)***Council Decision****Moved: Councillor Toms****Seconded: Councillor O'Connor**

That Council:

1. Adopts the 2018 Youth Grants Program recommendations as contained in the confidential Youth Grants Summary and Recommendations report;
2. Notes there is a total recommended cost of \$9,887 out of a total pool of \$10,000;
3. Notes the names of persons who have received a donation or grant and the amount of each donation or grant will be included on the list of donations and grants, in accordance with the requirements of the Local Government Act 1989 and regulation 12(g) of the Local Government (General) Regulations 2015; and
4. Notes Council officers will commence processing grants immediately following approval, including notifying grant recipients that their applications have been successful.

**Carried Unanimously**

**12.9 Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions -  
July, August, September 2018***(LD Community Development)***Council Decision****Moved: Councillor Bolam****Seconded: Councillor Mayer**

That Council notes the funding allocations in relation to grants in the Miscellaneous Grants Program, and community concessions and discounts in the Frankston Arts Centre.

**Carried Unanimously**

**12.11 Response to Petition - Objection to proposed parking restrictions in Hallifax Street and Airlie Grove, Seaford***(DD Community Assets)***Council Decision****Moved: Councillor Aitken****Seconded: Councillor Bolam**

That:

1. Council notes the petition with 109 signatures objecting to the proposed parking restrictions in Hallifax Street and Airlie Grove in Seaford.
2. The proposed parking changes in Hallifax Street, Airlie Grove and Mersey Crescent are not implemented at this time.
3. Council writes to the Minister of Education, to advocate for improved traffic and parking arrangements within the Seaford North Primary School property.
4. The Head Petitioner be advised accordingly.

**Carried Unanimously**

**12.12 Annual Report on Council's Greenhouse Gas Emissions, Energy and Water Usage and Costs (2017-18)***(OV Community Assets)***Council Decision****Moved: Councillor Mayer****Seconded: Councillor McCormack**

That Council:

1. Receives and notes the organisation's annual greenhouse gas emissions, energy and water usage and costs for 2017/18, including a six-monthly summary.
2. Notes that a six-monthly report on Council's greenhouse gas emissions, energy and water usage and costs (for the period July to December 2018) will be presented to Council in 2019.

**Carried Unanimously**

**12.14 Compliance & Enforcement Policy***(LR Community Development)***Recommendation (Director Community Development)**

That Council:

1. Notes the Compliance & Enforcement Policy first adopted by Council May 2012 has been reviewed.
2. Endorses the policy to go out to public consultation for a period of 5 weeks with the expectation it will be resubmitted to Council in February 2019 with a summary of submissions.

**Deferral Motion to another Council Meeting****Moved: Councillor Cunial****Seconded: Councillor McCormack**

That the matter be deferred to the next Council meeting to allow for further discussions with Real Estate Agents relating to signage.

**Carried Unanimously**

**12.15 Public Open Space Contribution Rates - Report on public exhibition feedback and recommended planning scheme amendment approach.***(MP Community Development)***Council Decision****Moved: Councillor Toms****Seconded: Councillor O'Connor**

That Council:

1. Notes the Frankston Public Open Space Contribution Rates 2018 report submissions.
2. Adopts the Frankston Public Open Space Contribution Rates 2018 report.
3. Notes the Department of Environment, Land, Water and Planning's recommended approach to introduce Frankston-specific open space contributions into the Frankston Planning Scheme.
4. Authorises officers to commence preparation of a planning scheme amendment to introduce the recommended public open space contribution rates in a schedule to Clause 53.01 of the Frankston Planning Scheme.

**Carried Unanimously**

**12.17 Update to Response to Petition to provide 3 hours free car parking***(DD Community Assets)***Council Decision****Moved: Councillor Mayer****Seconded: Councillor Cunial**

That Council:

1. Notes the outcome of the meeting between Mayor, CEO and senior Council officers with Bayside Shopping Centre; and
2. A letter be sent to the Head Petitioner advising of the outcome

**Carried**

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

Against the Motion: Cr Toms

**13. RESPONSE TO NOTICES OF MOTION****13.1 Response to 2018/NOM56 - Notice of Rescission - Tree Removal Matter***(VG Community Assets)***Council Decision****Moved: Councillor Mayer****Seconded: Councillor Cunial**

That Council:

1. Notes all projects that are currently being delivered as part of the Capital Works Program FY2018/19 requiring substantial removal of all trees and/or native vegetation.
2. Notes that a separate report will be presented to Council in early 2019 regarding future tree planting along Cranbourne Road and Nepean Highway as part of the 'Boulevard Tree Planting' Program in the FY2018/19.

**Carried Unanimously**



**13.3 Response to 2018/NOM44 - Green Space in the CAD***(MP Corporate Development)***Council Decision****Moved: Councillor Mayer****Seconded: Councillor Cunial**

That:

1. Receives and notes the report.
2. Supports the utilisation of the open space development assessment tool as outlined in the Open Space Strategy 2016-2036, to evaluate land suitability in respect of potential new open space.

**Carried**

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

Against the Motion: Crs Aitken and Toms

**14. NOTICES OF MOTION****14.1 2018/NOM66 - Peninsula Link***(OV Community Assets)***Council Recommendation**

That 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).

*Cr Bolam sought leave of Council to amend his NoM*

**Sought Leave of Council****Moved: Councillor McCormack****Seconded: Councillor Cunial**

That Councillor Bolam sought leave of Council to amend his Notice of Motion.

**Carried Unanimously**

**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.

**Carried Unanimously**

**15. LATE REPORTS**

Nil

**16. URGENT BUSINESS****Urgent Business****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Toms**

That the matter of Candidate Electoral Signage be accepted as urgent business.

**Carried Unanimously****Urgent Business – Electoral Signage****Council Decision****Moved: Councillor Aitken****Seconded: Councillor Toms**

That Council writes to Vic Roads expressing grave concern that a government authority sees fit to grant consent for reserves under its control being used for candidate electoral signage. Council is of the view that government agencies or authorities should be seen as impartial politically.

**Carried Unanimously**

## 17. CONFIDENTIAL ITEMS

### Council Decision

**Moved: Councillor Cunial**

**Seconded: Councillor Mayer**

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 Minutes of the Frankston Arts Board - 23 October 2018**

Agenda Item C.1 Minutes of the Frankston Arts Board - 23 October 2018 is designated confidential as it relates to contractual matters (s89 2d)

**C.2 Issuing Frankston City Business Grants 2018-2019**

Agenda Item C.2 Issuing Frankston City Business Grants 2018-2019 is designated confidential as it relates to contractual matters (s89 2d)

**C.3 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 2019**

Agenda Item C.3 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the Year Awards for 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.4 Award of Contract 2018/19-32 - McClelland Reserve Car Park, Frankston North**

Agenda Item C.4 Award of Contract 2018/19-32 - McClelland Reserve Car Park, Frankston North is designated confidential as it relates to contractual matters (s89 2d)

**C.5 Award of Construction Contract - 2018/19-20 Frankston Arts Centre Refurbishment and Upgrade Works**

Agenda Item C.5 Award of Construction Contract - 2018/19-20 Frankston Arts Centre Refurbishment and Upgrade Works is designated confidential as it relates to contractual matters (s89 2d)

**C.6 Execution of Deed of Variation of Facilities Management Contract- Authorisation of affixing common seal**

Agenda Item C.6 Execution of Deed of Variation of Facilities Management Contract- Authorisation of affixing common seal is designated confidential as it relates to contractual matters (s89 2d)

**C.7 Award of Contract 2018/19-18 - Overport Park Sports Pavilion Redevelopment**

Agenda Item C.7 Award of Contract 2018/19-18 - Overport Park Sports Pavilion Redevelopment is designated confidential as it relates to contractual matters (s89 2d)

**C.8 Award of Consultancy Contract - Contract 2018/19-9 Jubilee Park Indoor Stadium Design Services**

Agenda Item C.8 Award of Consultancy Contract - Contract 2018/19-9 Jubilee Park Indoor Stadium Design Services is designated confidential as it relates to contractual matters (s89 2d)

**C.9 Kerbside Collection Contract**

Agenda Item C.9 Kerbside Collection Contract is designated confidential as it relates to contractual matters (s89 2d)

**C.10 Response to 2018/NOM61 - Proposal for laneway from Stiebel Place to Frankston Train Station**

Agenda Item C.10 Response to 2018/NOM61 - Proposal for laneway from Stiebel Place to Frankston Train Station 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.11 Community Kinders Plus, Placed Based Kindergarten Early Years Manager - Request seeking urgent funding assistance**

Agenda Item C.11 Community Kinders Plus, Placed Based Kindergarten Early Years Manager - Request seeking urgent funding assistance 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)

**Carried Unanimously**

.....  
Signed by the CEO

*The meeting was closed to the public at 9.14 pm*

CONFIRMED THIS

DAY OF

2018

.....  
CHAIRPERSON

**AUTHORITY TO STAMP INITIALS ON MINUTES**

I, Cr. Michael O'Reilly, 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 19 November 2018, confirmed on Monday 10 December 2018.

.....  
(Cr. Michael O'Reilly, Chairperson – Council Meeting)

Dated this

day of

2018