



FRANKSTON CITY  
COUNCIL

# Ordinary Meeting

# A G E N D A

4 September 2017







## COUNCIL CHAMBERS

<b>Dennis Hovenden</b> Chief Executive Officer	<b>Cr Brian Cunial</b> Mayor	<b>Tim Frederico</b> Director Corporate Development
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Council Core  
Business Support  
Coordinator

Cr. McCormack

Cr. Mayer

Cr. Aitken

Cr. Hampton

Cr Bolam

Cr. O'Reilly

Cr. O'Connor

Cr. Toms

EMT

EMT

MEDIA

MEDIA

Guest Speaker

**Gallery**





# THE COUNCIL MEETING

## Welcome to this Meeting of the Frankston City Council

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

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

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

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

## When are they held?

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

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

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

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

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

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

*must not be accepted by the Chair.*

**88. Chair May Remove**

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

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

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

**The Formal (Ordinary) Meeting Agenda**

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

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

• **Items Brought Forward**

These are items for discussion that have been requested to be brought forward by a person, or a group of people, who have a particular item on the Agenda and who are present in the Public Gallery. Before the start of the meeting, an Officer will ask those in the Public Gallery whether they wish a matter to be considered early in the meeting.

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

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

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

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

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

• **Presentation of Petitions and Joint Letters**

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

· **Presentation of Reports**

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

· **Presentation of Delegate Reports**

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

· **Urgent Business**

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

· **Closed Meetings**

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

· **Opportunity to address Council**

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

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

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

**Disclosure of Conflict of Interest**

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

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

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

## **Agenda Themes**

The Council Agenda is divided into three (3) themes which depict the Council Plan's Strategic Objectives, as follows:

1. Planned City for Future Growth.
2. Liveable City.
3. Sustainable City.

**MAYOR**



## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that an Ordinary Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 4 September 2017 at 7pm.

### COUNCILLOR STATEMENT

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

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

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

### OPENING WITH PRAYER

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

### ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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





## BUSINESS

### 1. PRESENTATION TO COMMUNITY GROUPS

Nil

### 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting No. OM305 held on 14 August 2017.

Special Meeting No. SP204 held on 28 August 2017.

### 3. APOLOGIES

Nil

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

### 5. PUBLIC QUESTION TIME

Nil

### 6. HEARING OF SUBMISSIONS

Nil

### 7. ITEMS BROUGHT FORWARD

### 8. PRESENTATIONS / AWARDS

Nil

### 9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

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Dennis Hovenden

**CHIEF EXECUTIVE OFFICER**

31/08/2017

**Executive Summary****10.1 Delegates Report - National General Assembly, Canberra - June 2017**

*Enquiries: (Councillor. Steve Toms)*

Council Plan

Community Outcome:	3. A Well Governed City
Strategy:	3.1 Accountable Governance
Priority Action	3.1.1 The elected representatives will provide clear and unified direction, transparent decision makers and good governance

**Purpose**

To brief Council on the Deputy Mayor's attendance at the National General Assembly of Local Government, held in Canberra from 18 – 21 June 2017.

**Recommendation**

That Council

1. Receives this Delegates report from the Deputy Mayor on his attendance at the National General Assembly of Local Government 2017.
2. Formally send letter of thanks to Mr Chris Crewther MP and his staff for their assistance in scheduling a comprehensive list of appointments.

**Key Points / Issues**

- The National General Assembly (NGA) is convened by Australian Local Government Association (ALGA) as a service to the National Local Government Community.
- The theme for this year's NGA was 'Building Tomorrow's Communities' with a strong focus on making our cities smarter, more efficient and more resilient.
- The opportunity to meet with Federal Ministers and Federal Shadow Ministers in Canberra is paramount to the success of Frankston City's Advocacy Campaign and the South East Melbourne's groups' implementation of its Regional Plan.
- This year Cr Toms attended the NGA supported by Executive Manager Frankston Revitalisation Kate Jewell.

Outcomes from the NGA and meeting with Ministers, Shadow Ministers and Government Advisors:

- Enhancing relationships between Frankston City and the Turnbull Government and Shorten opposition.
- Identifying Frankston City's key priorities to Government Ministers and Shadow Ministers.
- Highlighting Federal funding opportunities in Frankston City.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

**10.1 Delegates Report - National General Assembly, Canberra - June 2017****Executive Summary**

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

<b>Costs</b>	<b>Cr Toms</b>	<b>Kate Jewell</b>
Registration for National General Assembly Registration for Regional Development Forum (Pre-release price)	836.10 202.50	
Registration for National General Assembly Registration for Regional Development Forum (Early bird price)		929.00 225.00
Social Functions Buffet Dinner and NGA Dinner at Parliament House	\$230.00	\$230.00
Accommodation - Four nights	\$960.00	\$960.00
Airfare (Melbourne to Canberra Return)	\$364.70	\$364.70
Airport Parking	\$62.50	\$62.50
Breakfasts/Meals/Refreshments	\$120.99	\$106.00
Taxis	\$83.20	\$50.30
<b>Totals</b>	<b>\$2859.99</b>	<b>\$2927.75</b>

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

Deputy Mayor, Cr Steve Toms and Kate Jewell met with the following Government and Opposition representatives regarding Council's priorities:

<b>Appointment</b>	<b>Council Priorities</b>	<b>Outcome</b>
<b>Hon Anthony Albanese MP</b> Shadow Minister for Infrastructure, Transport, Cities and Regional Development Shadow Minister for Tourism	<ul style="list-style-type: none"> <li>Constructing a safe boating harbour at Olivers Hill and a new Coast Guard building</li> <li>Electrification of the rail line to Baxter, including train stabling and maintenance facilities</li> <li>Stage 2 of the Frankston Station Precinct</li> <li>Redevelopment</li> </ul>	<ul style="list-style-type: none"> <li>Interest expressed in all projects</li> <li>Baxter was seen as a key priority</li> </ul>

## 10.1 Delegates Report - National General Assembly, Canberra - June 2017

**Executive Summary**

Appointment	Council Priorities	Outcome
<p>Office of Minister for Communications, Minister for the Arts - Senator the Hon Mitch Fifield</p> <p>Meeting with Advisors from Minister Fifield's office:</p> <p><b>Denise Ryan – Arts Advisor</b></p> <p><b>Janelle Frewin – NBN advisor</b></p>	<ul style="list-style-type: none"> <li>• Further developing Frankston City as a premier arts and culture destination and sculpture city</li> <li>• Ensure timely delivery of the National Broadband Network</li> </ul>	<ul style="list-style-type: none"> <li>• NBN rollout hampered by technology deficit was service providers.</li> <li>• Keen interest in arts/sculpture destination – required further information to provide to Minister Fifield.</li> </ul>
<p>Shadow Minister for Regional Services, Territories and Local Government</p> <p><b>Stephen Jones MP</b></p>	<ul style="list-style-type: none"> <li>• Relocation or establishment of Government department to complement the redeveloped Frankston train station</li> </ul>	<ul style="list-style-type: none"> <li>• Very good reception – Shadow Minister very interested in relocation of a government department to Frankston.</li> </ul>
<p>Shadow Minister for Sport</p> <p><b>Senator the Hon Don Farrell</b></p>	<ul style="list-style-type: none"> <li>• Developing a regional tennis facility</li> </ul>	<ul style="list-style-type: none"> <li>• Keen interest in project, but as is Shadow Minister can lobby government only.</li> </ul>
<p>Minister for Infrastructure and Transport</p> <p><b>Hon Darren Chester MP</b></p> <p><b>Matt Harris - Senior Infrastructure Advisor</b></p>	<ul style="list-style-type: none"> <li>• Electrification of the rail line to Baxter, including train stabling and maintenance facilities</li> <li>• Stage 2 of the Frankston Station Precinct Redevelopment</li> </ul>	<ul style="list-style-type: none"> <li>• Very interested in all projects.</li> <li>• Minister suggested Frankston would be a great candidate for a City Deal under the Smart Cities program.</li> </ul>
<p>Office of Shadow Minister for Communications</p> <p>Michelle Rowland MP</p> <p><b>Shervin Rafizadeh - Senior Advisor</b></p>	<ul style="list-style-type: none"> <li>• Ensure timely delivery of the National Broadband Network</li> </ul>	<ul style="list-style-type: none"> <li>• Reiterated issues with providers technology.</li> <li>• Commitment to lobby for a faster rollout.</li> </ul>

## 10.1 Delegates Report - National General Assembly, Canberra - June 2017

**Executive Summary**

Appointment	Council Priorities	Outcome
Office of Minister for Regional Development Senator the Hon Fiona Nash Meeting with: Advisor from Minister Nash's office: <b>Nick Hannan – Advisor</b>	<ul style="list-style-type: none"> <li>Relocation or establishment of Government department to complement the redeveloped Frankston train station</li> <li>Constructing a safe boating harbour at Olivers Hill and a new Coast Guard building</li> <li>Developing a regional tennis facility</li> </ul>	<ul style="list-style-type: none"> <li>High level of interest for decentralised government department.</li> <li>High level of interest in regional tennis centre – suggested a multi sport facility to improve access to funding.</li> </ul>
Minister for Urban Infrastructure <b>Hon Paul Fletcher MP</b>	<ul style="list-style-type: none"> <li>Frankston Station redevelopment – stage 2</li> <li>Electrification to Baxter</li> </ul>	<ul style="list-style-type: none"> <li>High level of interest in both projects.</li> </ul>

**2. Other Stakeholders**

National General Assembly 2017 attracts Mayors, Councillors and Officers from all from metropolitan, regional and rural Councils across Australia.

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

There are no implications involved with this Delegates report.

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

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

Legal

There are no legal issues currently.

Policy Impacts

There are no impacts to Council policies.

Officer's Declaration of Interests

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

**Risk Mitigation**

There is no risk mitigation identified.

**10.1 Delegates Report - National General Assembly, Canberra - June 2017****Executive Summary****Conclusion**

Frankston City being represented at the National General Assembly of Local Government by Deputy Mayor, Cr Steve Toms and Executive Manager Frankston Revitalisation Kate Jewell was highly worthwhile and beneficial. There were many opportunities to promote Frankston City's key priorities from our Council Plan with Federal Government and Opposition representatives.

Officers will continue to advocate for the key priority areas, with the addition of Smart City funding opportunity exploration.

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**ATTACHMENTS**

Attachment A: National General Assembly 2017 - Program

## National General Assembly of Local Government 2017

### SUNDAY 18 JUNE

9.30AM	<b>REGIONAL CO-OPERATION AND DEVELOPMENT FORUM</b> - ALGA President's welcome
9.40AM	Keynote address
10.30AM	Government Address – Senator the Hon Fiona Nash, Minister for Regional Development
11.00AM	MORNING TEA
11.30AM	Intelligent Communities – Brian Lee Archer, Director SAP Institute for Digital Government
11.45AM	Panel Session – The National Perspective
12.30PM	LUNCH
1.30PM	Regional Industry Case Study
2.00PM	Workshop – The Regional Perspective
3.00PM	AFTERNOON TEA
3.30PM	Opposition Address
4.00PM	ALGA President's Close

## National General Assembly of Local Government 2017

5.00PM	Welcome Reception and Exhibition Opening for <b>NATIONAL GENERAL ASSEMBLY</b>
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### MONDAY 19 JUNE

9.00AM	<b>NATIONAL GENERAL ASSEMBLY</b> - Opening Ceremony
9.10AM	ALGA President's Opening
9.20AM	<b>The Hon Malcom Turnbull MP</b> Prime Minister (invited)
9.50AM	Keynote Speaker, <b>Laura Tingle</b>
10.30AM	MORNING TEA
11.00AM	3D City Infrastructure Modelling <b>Mayor Mark Jamieson</b> Sunshine Coast Council
11.20AM	Panel Session: <i>Building Tomorrow's Communities</i>
12.30PM	LUNCH
1.30PM	Panel Session: <i>Governing into the Future</i>
3.00PM	AFTERNOON TEA
3.30PM	Debate on Motions
4.30PM	<b>The Hon Bill Shorten MP</b> Leader of the Opposition (invited)
5.00PM	Close
7.00PM	Buffet Dinner, The Ballroom, National Convention Centre



## National General Assembly of Local Government 2017

### TUESDAY 20 JUNE

- 9.00AM **Senator, the Hon Fiona Nash**  
Minister for Local Government and Territories
- 9.30AM Panel Session: *Building Liveable Cities*
- 10.30AM MORNING TEA
- 11.00AM **The Hon Angus Taylor MP**  
Assistant Minister for Cities and Digital Transformation
- 11.30AM Debate on Motions
- 12.30PM LUNCH
- 1.30PM Panel Session: *Empowering Indigenous Communities*
- 3.00PM AFTERNOON TEA
- 3.30PM Debate on Motions
- 4.30PM **Senator Richard Di Natale**  
The Australian Greens (invited)
- 5.00PM Close
- 7.00PM **Official Dinner**  
Parliament House

### WEDNESDAY 21 JUNE

- 9.00AM Panel Session: *City Deals*
- 10.00AM Delegate Workshop
- 10.30AM MORNING TEA
- 11.00AM National Policy Initiatives
- 11.30AM Panel Session: *Harnessing tomorrow's technology*
- 12.30PM Delegate Workshop
- 1.00PM ALGA President Close

**Executive Summary****11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City for Future Growth
Strategy:	1.2 Enhance transport connectivity
Priority Action	1.2.4 Improve car parking in the city centre

**Purpose**

To brief Council on the submissions received during the exhibition period of Amendment C111 (application of the Parking Overlay in the FMAC) and recommend that Council request an Independent Planning Panel to review the submissions.

**Recommendation (Director Community Development)**

That Council:

1. Notes the submissions to Frankston Planning Scheme Amendment C111.
2. Continues to progress Planning Scheme Amendment C111.
3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C111.
4. Advises all submitters of Council's decision.

**Key Points / Issues**

- At the Council Meeting on 8 August 2016 Council adopted the Frankston Metropolitan Activity Centre (FMAC) Parking Plan and Action Plan and authorised officers to lodge a request with the Minister for Planning to prepare a Planning Scheme Amendment to implement the Parking Overlay into the Frankston Planning Scheme.
- The Amendment seeks to apply Schedule 1 to the Parking Overlay (PO1) to the FMAC Structure Plan area.
- Following authorisation to prepare and exhibit Planning Scheme Amendment C111 from the Minister for Planning, the Amendment was exhibited from 16 May 2017 to 19 June 2017.
- A total of eight (8) submissions were received during the exhibition period. A summary of the submissions and the officer's response is included later in this report.
- It is recommended that Council progress the Amendment by formally requesting an independent Planning Panel to consider submissions. Council has forty (40) business days from the closing date of submissions to request the appointment of a Planning Panel, being 11 August 2017. This date has now had to be extended due to the deferral of the matter by Council at its meeting held on 24 July 2016.
- The hearing dates for an independent Planning Panel have been re-booked with the Directions Hearing set-down for the week commencing 25 September 2017 and the Panel Hearing set-down for the week commencing 16 October 2017.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel****Executive Summary**

- This report was presented at the July 24, 2017 Council Meeting but was deferred to allow Council Officers to meet with Submitter F, Committee for Greater Frankston, to discuss the background to the Proposed Amendment. Officers attended the meeting with Committee for Greater Frankston representatives on 1st August 2017.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian Councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

Progression of this Planning Scheme Amendment and the associated costs has been provided for in the Strategic Planning 2017-2018 budget.

**Consultation****1. Exhibition**

Planning Scheme Amendment C111 was placed on exhibition for 5 weeks from 15 May 2017 to 19 June 2017. The exhibitions included:

- Formal notice of the Amendment published in the Frankston Leader on 15 May 2017.
- Information of the Amendment posted on Council's website.
- Information of the Amendment posted on the Department of Environment, Land, Water and Planning website.
- Notice given to prescribed Ministers and relevant authorities.
- Notice published in the Government Gazette on 18 May 2017.
- Letters to over 4,000 landowners, occupiers and residents.

**2. Other Stakeholders**

A total of 8 submissions were received during the exhibition period.

- Three (3) submissions object to specific components of the Amendment,
- Two (2) submissions suggests changes and provide comments to the Amendment, and
- Three (3) submissions offer no objection to the Amendment.

A summary of the key issues raised by the submitters is as follows:

- **Objecting submission** – SJB Planning Consultants on behalf of SPG Investments Pty Ltd – Considers that the proposed Planning Scheme Amendment C111 is premature in the absence of the strategic overview of the FMAC Structure Plan area, which is to be implemented by proposed Amendments C123 and C124.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel****Executive Summary**

- **Objecting submission** – Resident, Frankston – Objects to the location of potential multi-deck car parks as illustrated within the FMAC Parking Plan.
- **Objecting submission** – Resident, Frankston – Has made the following comments:
  - The proposed Amendment fails to recognise a former Council parking contribution scheme.
  - The cash in lieu amount of \$19,500 per car space will not meet the cost of provision of car parking spaces.
  - The terms of the Amendment are vague and inconsistent.
  - Contributions from office developments have been excluded from Schedule 1, item 3, Table 1.
  - Will existing permits sought to be renewed be amended upon renewal to include the levy?
  - When will the amendment become operative?
  - The Amendment is informed by a deficient adopted policy, the Frankston Metropolitan Activity Centre Parking Precinct Plan, August 2016.
  - There are no sites specifically zoned for parking purposes.
- **Comments / suggested changes** – Committee for Greater Frankston submitted the following comments:
  - The committee is supportive in principle of the objectives of Planning Scheme Amendment C111, however, questions the evidence and analytical rigour within the FMAC Parking Plan.
  - Further independent car parking and transportation analysis is required.
  - Requests that the State Government addresses the future car parking needs of Frankston, rather than accepting partial solutions or popular planning trends.
- **Comments / suggested changes** – Resident, Frankston – submitted that that potential multi-level car parking locations will be 'eye sores'.
- **No objection** – The following authorities offer no objection to the Amendment:
  - Country Fire Authority
  - South East Water
  - Transport For Victoria

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

Associated active transport and streetscape initiatives will provide a secure basis for social and environmental improvements to the safe, and attractiveness of the city centre.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel****Executive Summary***Economic*

The Amendment will create clarity, certainty and guidance for planning proposals and associated parking provision within the FMAC. It will also provide a mechanism for Council to collect funds from parking shortfalls for parking improvements.

*Social*

The Amendment will facilitate and create significant improvements to the access and management of car parking throughout the FMAC.

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

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

Legal

Procurement procedures and protocols are not relevant to this matter.

Policy Impacts

The proposed overlay changes within the Frankston Planning Scheme will require an amendment to the Frankston Planning Scheme.

Officer's Declaration of Interests

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

**Risk Mitigation**

The application of the Parking Overlay will allow for car parking rates that are appropriate for a Metropolitan Activity Centre. The financial contributions requirement for any parking reduction or waiver will assist Council to strategically plan for future parking provision and improve access and circulation around the FMAC by using the financial contributions on projects specified in the FMAC Structure Plan and the FMAC Parking Precinct Plan.

**Conclusion**

In response to the exhibition of Frankston Planning Scheme Amendment C111, 8 submissions have been received.

- 3 submissions to the exhibition object to specific parts of the amendment.
- 2 submissions to the exhibition provide comments and suggested changes.
- 3 submissions to the exhibition offer no objection to the amendment.

The matters raised in the submissions cannot all be resolved. It is considered that these matters should be thoroughly considered by an independent Planning Panel.

It is therefore requested that Council authorise officers to request an independent Planning Panel to further review the submissions.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of  
Submissions to the Amendment and Progression to a Planning Panel****Executive Summary**

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**ATTACHMENTS**

- Attachment A: Frankston Metropolitan Activity Centre Parking Precinct Plan  
September
- Attachment B: Parking Overlay Schedule 1 (PO1)
- Attachment C: Parking Overlay Map
- Attachment D: Submission A - Country Fire Authority
- Attachment E: Submission B - South East Water
- Attachment F: Submission C - Transport For Victoria
- Attachment G: Submission D - Resident, Frankston
- Attachment H: Submission E - Resident, Frankston
- Attachment I: Submission F - Committee for Greater Frankston
- Attachment J: Submission G - Resident, Frankston
- Attachment K: Submission H - SJB Planning on behalf of SPG Investment  
landholdings

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment****Background**

At its Ordinary Meeting of 8 August 2016, Council resolved to adopt the Frankston Metropolitan Activity Centre (FMAC) Parking Precinct Plan and authorised officers to lodge a request with the Minister for Planning to prepare a Planning Scheme Amendment to implement the Plan into the Frankston Planning Scheme.

The FMAC is currently experiencing a high level of development, and this is projected to continue. This is due to ongoing infrastructure investment and the attractive location and status of this Metropolitan Activity Centre. Additional strategies and controls are needed to manage the impacts of expected new development, including addressing the forecast car parking implications.

Planning Scheme Amendment C111 seeks to implement the FMAC Parking Precinct Plan and include it in the Frankston Planning Scheme. This is in order to provide greater statutory guidance for car parking provisions and car parking infrastructure within the FMAC.

The Amendment also seeks to implement Schedule 1 to the Parking Overlay, which includes lower minimum parking rates (in accordance with Column B in Clause 52.06), as well as a financial contribution scheme in lieu of parking waivers for provision of car parking below the Column B rates. The financial contribution scheme proposes to use funds collected from parking waivers for the delivery of publicly-accessible off-street parking facilities. These proposed controls will assist Council to better manage the parking assessment process for new developments as well as to improve the parking infrastructure in and around the activity centre.

The exhibition has yielded a total of 8 submissions. Of these, 3 submissions (CFA, SE Water and Transport for Victoria) offer no objection to the Amendment. 3 submissions (SJB Planning and 2 residents) object to specific components of the Amendment. 2 submissions (Committee for Greater Frankston and 1 resident) provide comments and suggested changes to the Amendment.

A total of 8 submissions are considered a very low number given the status of the Frankston City Centre as a designated Metropolitan Activity Centre and that notification of the amendment was far reaching and included over four thousand letters being posted to affected property owners and occupiers.

**Financial Implications**

The Amendment will have no adverse financial impact on Council. The panel costs will be covered by the Strategic Planning 2017-18 budget. Once in operation, the Car Parking Overlay will allow for the accrual of cash-in-lieu funds for the improvement of car parking in the FMAC area.

**Submissions**

Council has received 8 submissions to Frankston Planning Scheme Amendment C111. The issues raised by these submissions are summarised as follows:

**A. Submission – CFA**

The CFA has offered no objection and provided the following comment:

*‘CFA has reviewed the proposed planning scheme amendment and the amendment does not appear to have implications relating to bushfire and / or service delivery for CFA. CFA supports the amendment in its current iteration.’*

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment****B. Submission – SEW**

SEW has offered no objection and provided the following comment:

*'SEW as the Water Supply and Sewerage Authority has no objection to proposed Amendment C111 of the Frankston Planning Scheme'.*

**C. Submission – Transport for Victoria**

TFV has offered no objection and provided the following comment:

*'TFV supports the proposed amendment as it presents opportunities to strengthen pedestrian and cycling connections within the centre and encourage the use of public transport'.*

**D. Submission – Resident, Frankston**

The submission makes eight (8) comments in relation to Amendment C111. Comment 1 (statement) is summarised as follows:

1. *The proposed Amendment fails to recognise the former City of Frankston parking contribution scheme which ceased with the council amalgamation in 1994.*

The submitter states that all the documents supporting the Amendment have ignored that many properties in the FMAC would already have made contributions to the cost of properties bought to construct Central Park, Balmoral and North of Beach Street (Evelyn Street Car Park), which is currently used by South East Water.

**Officer Response:** Council records indicate that the City of Frankston did have a Parking Contribution Scheme implemented in 1987. An initial rate of \$10,000 per car space not provided on-site by new developments was required at the time. No record of the Contribution Scheme being used by Council can be found after Council amalgamations in 1994.

The proposed amendment only relates to future planning permit applications. New developments that seek parking waivers will be required to contribute a cash-in-lieu fee. The proposed cash-in-lieu scheme is not retrospective and will not target existing developments that sought previous parking waivers.

2. *The set amount of \$19,500 per car space will not meet the cost of provision of car parking spaces and the ratepayer will probably have to make up the shortfall in some way.*

The submitter also asks how long it will take to raise funds to construct car parking infrastructure. The submitter states that a business plan needs to be developed to ascertain what can or cannot be achieved with a range of financial and timescale parameters.

**Officers Response:** A similar comment was made within the Planning Panel Report (16 September 2013) for Wyndham Planning Scheme Amendment C151 (Werribee Parking Overlay). This Amendment introduced the Parking Overlay over the Werribee Activity Centre. Wyndham C151 was approved in 2015. This is how the Wyndham C151 Planning Panel responded to the comment:

*'One of the drawbacks of cash-in-lieu schemes is that it takes some time to collect sufficient funds to construct car parking. This often results in car parking shortfalls for a period, until Council can fund and build a project.'*



**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment**

*Deferring development until a suitable car park has been built, however, would likely place additional financial burden on the Council as it would be required to borrow money to bring the project forward. The Panel believes that such an approach may be counter-productive as the flow of income from cash-in-lieu payments would be interrupted, and the economic benefits of new development lost or deferred.'*

The Panel went on to conclude that the request of the submitter that 'no further development of cash-in-lieu payments should be approved until a multi-storey car park is built' is not practical.

Council agrees with the Panel's position. Council's proposed cash-in-lieu rates were developed through the use of robust methodology and generally align within the range of approved cash-in-lieu schemes for other Metropolitan Municipalities.

This methodology was informed by analysis of existing conditions within the centre, future development projections and strategic policy relating to the FMAC.

In addition, proposed Schedule 1 to the Parking Overlay allows for payment of any required financial contributions to be made in instalments over an agreed-to time period (up to 5 years) in order to make it affordable for smaller businesses.

*3. The terms of the amendment are vague and inconsistent.*

The submitter states that there is no apparent attempt to provide parking in the industrial and residential areas which are beyond the 400m distance from public transport, yet any concessions given, including visitor and customer parking in those areas will attract the levy. The submitter states that this leaves a very vague and selective situation where broken processes can emerge if Council officers under delegation grant permits without financial contribution.

**Officers Response:** Currently the Victorian Planning Provisions allow for parking waivers, and provides Council with the discretion to revise the required parking rates as well as implement a cash-in-lieu scheme. Council is unable to remove the ability for an applicant to apply for a waiver, nor revise the parking rates without adequate justification.

Due to the strategic location of the FMAC with excellent access to public transport and services, the appropriate car parking rates have been determined by independent transport consultants to be slightly lower than the existing rates.

Council will continue to rigorously assess the strategic justification of each application to waive car parking, and the cash-in-lieu scheme provides a formal process to ensure that, where waivers are granted, the broader community is not disadvantaged.

In the case of a development proposal in a part of the FMAC area that is considered to be distant from potential new public car park facilities or from possible transport system improvements, Council has the option to reject a cash-in-lieu arrangement and to insist upon the provision of the required car park spaces on site.

*4. Contributions from office developments have been excluded from Schedule 1 to the Parking Overlay*

**Officers Response:**

This is a misreading of the operation of Schedule 1. The parking rate for Office defaults to a column B figure in Table 1 of Clause 52.06. This was done for a reason: This is the exact same rate as what is nominated for shop and for food and drink premises by Schedule 1. This will have the benefit of not triggering new parking requirements as tenants of a commercial premises change between these three types of use: office, shop and food and drink premises.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment**

Council's proposed car parking rates were informed by the methodology that was discussed earlier in the report. These rates are determined to be appropriate for the future operation of the activity centre, assuming the same level of public infrastructure exists.

*Will existing permits sought to be amended, be required to contribute to the cash in lieu scheme if the permit was granted a waiver for parking spaces?*

**Officers Response:** Existing permits will not be amended to request the Overlay's cash-in-lieu requirements retrospectively. The proposed amendment will ensure that, for future planning permit applications, developers that seek parking waivers will contribute towards the parking and transport network as an appropriate offset.

5. *When will the amendment become operative?*

**Officers Response:** It is recommended that Council progress the Amendment by formally requesting an independent Planning Panel to consider submissions. The hearing dates for an independent Planning Panel have been pre-set with the Directions Hearing set-down for the week commencing 25 September 2017 and the Panel Hearing set-down for the week commencing 16 October 2017. Planning Panels Victoria is required to provide a report 20 to 30 business days after the Panel Hearing. The report will be released with options for Council to adopt the Amendment as exhibited, adopt with recommend changes to the Amendment, or abandon the Amendment. If Council chooses to adopt the Amendment, then it may take 3 to 6 months for the Minister for Planning to approve the Amendment.

6. *The amendment has been informed by a deficient adopted FMAC Parking Precinct Plan, August 2016.*

The submitter states that the FMAC Parking Plan fails to show how it integrates with all modes of transport and fails to recognise the issue of transportation around Frankston. The submitter states that input from VicRoads is needed and that the requirements of the Transport Integration Act have not been adequately responded to. The notion that availability of public transport justifies a concession on parking ratios needs to be strongly challenged and that the public transport map is grossly misleading as it does not identify and quantify the limited services provided on evenings and weekends, especially for bus services. As there is intent to reduce the car parking ratios in the FMAC there needs to be an increased effort to improve public transport in the FMAC

**Officers Response:** The Transport Integration Act 2010 has objectives relating to *Social and Economic Inclusion, Economic Prosperity, Environmental Sustainability and Integration of Transport and Land Use* amongst others. It is considered that the FMAC Parking Plan and Amendment C111 accords with such objectives as it plans for the future car parking provision and associated parking improvements within the FMAC. It also seeks to provide for an integrated and sustainable private and public transport system.

Council is also working with Public Transport Victoria in regards to the bus system not only in the FMAC but within the whole municipality. VicRoads was notified of the Amendment, however Council received no response. Transport for Victoria provided a submission supporting the amendment.

7. *There are no sites specifically zoned for parking purposes.*

The submitter states a 'public purposes' overlay should be placed over all land between Cranbourne Road and Hastings Road, west of a line drawn extending from Yuille Street to Olive Grove.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment**

**Officers Response:** The FMAC Parking Plan illustrates potential locations for car parking at the corner of Cranbourne and Fletcher Roads, as well as possible locations at Chisholm and PARC. There is no such mechanism in Victorian Planning Schemes as a Public Purposes Overlay. A Public Acquisition Overlay could be used; however Council does not yet have a budget allocated to fund the compulsory acquisition of land for car parking. This option could be further explored in future, should this be considered desirable to achieve the objectives of the FMAC Car Parking Strategy.

**E. Submission – Resident, Frankston**

The submission's comments are summarised as follows;

- 1. If the potential multi deck car parks are built on the corner of Cranbourne and Fletcher Roads (Fletcher Road Railway Car Park and Chisholm Tafe and PARC), it will create a major loss of residential amenity.*

This submission goes on to state that if the potential multi-deck car parking was to be constructed, that it would cause overlooking issues, and states that this would increase the risk of crime related activities such as burglaries, home invasions and graffiti. The submission also states that a multi-deck car park at the gateway to the FMAC would present as a poor building form to residents and visitors. The submitter also notes such a building form would decrease property values in the local area.

**Officers Response:** If a multi-deck car park was to be constructed on the potential locations as identified in the FMAC Parking Plan, it is likely that the application would be assessed by numerous Council departments, including Town Planning which would assess issues like overshadowing or overlooking and would seek to achieve the best possible design outcome. Any proposed multi-deck car park would be required to be designed to minimise amenity impacts and utilise best practice urban design. It is also possible for a proposed multi-deck carpark to be included within a mixed use development form, which would enable a much improved urban design environment at this location. It is not considered likely that a public car park that is integrated in an urban context will contribute to any crime related concerns

*Potential multi deck car parking facilities located within the vicinity of the Fletcher Road and Cranbourne Road intersection would cause safety issues for motorists.*

**Officers Response:** Should the development of a multi-deck car park proceed at this location, Council and VicRoads traffic engineers would require ingress and egress movements are designed and constructed to Australian Standards.

It is noted that this submission goes onto support other multi-deck car park locations within the FMAC Car Parking Plan.

**F. Submission – Committee for Greater Frankston**

The submission's comments are summarised as follows:

- 1. The Committee's own analysis has found that public transport deficiencies make car ownership a necessity in Frankston. The Committee is supportive in principle of the objectives of Planning Scheme Amendment C111, however questions the evidence and analytical rigour within the FMAC Parking Plan.*

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment**

The submission also questions the objective to encourage greater use of public transport within Frankston as the Committee states the FMAC Parking Plan provides no strategies to address car dependency that affects the vast majority of Frankston residents that don't live in and around the FMAC. The Committee suggest that the "Park & Ride" initiative could be used, (as in Doncaster) where residents park their cars and then take a bus from areas such as Frankston South, Langwarrin and Carrum Downs to the Frankston Transit Interchange. The Committee also state that the FMAC Parking Plan has not provided any forecast scenarios of Frankston's demand for car parking over the next 30 years. The FMAC Parking Plan has also failed to articulate where or how Council could construct the shared car parking or achieve any additional efficiency out of Frankston's existing parking infrastructure.

**Officers Response:** Council is currently working with public transport providers to improve the frequency and routes of buses. The FMAC Parking Plan will be reviewed on a biennial basis. These reviews will consider its effectiveness by considering parking supply and demand changes, as well as updating building and planning permit data. The reviews will also assess the level of car parking waivers issued and the progress with contributions and expenditure of cash-in-lieu funds.

The FMAC Parking Plan does show potential locations where shared car parking facilities could be located. These sites include existing surface level car parking locations such as Davey/Young Street, the Sherlock & Hay site and Fletcher Road. Existing parking areas will be evaluated and improvements undertaken to address any deficiencies such as lighting and directional signage which may be discouraging better utilisation.

Amendment C111 focuses on the provision of car parking, the application of the Parking Overlay to the Frankston Planning Scheme, and the implementation of the cash in lieu funding mechanism. The provision of possible "Park & Ride" bus services within Frankston City would be complementary to these objectives but is outside the scope of Amendment C111.

Council officers met with the Committee of Greater Frankston at their monthly meeting on 1 August 2017. Questions were raised by the Committee regarding the logic and reasoning behind the car parking rates of the proposed Schedule 1 to the Parking Overlay. It was advised that Council's draft amendment had been prepared with input from consultants and reference to similar overlays and the State Government's own Practice Notes. Numerous car parking studies within the FMAC and also recent Activity Centre Car Parking Plans undertaken by other Councils in Victoria, such as the Moonee Ponds Parking Amendment C123 prepared by Moonee Valley City Council and Wyndham City Council's Parking Amendment C151 for the Werribee town Centre have been used to inform the development of the FMAC Parking Precinct Plan.

The Committee advised that they are supportive in principle of the objectives of Planning Scheme Amendment C111, however they continue to question if the proposed rates are the right rates. Council officers advised the Committee that this question can best be raised and further explored at an Independent Planning Panel Hearing.

*2. Further independent car parking and transportation analysis is required.*

The submission suggests Planning Panels Victoria (PPV), not Council, commission detailed research by independent economic experts to forecast current and future demand for car parking in the FMAC and the demand for the needs of "Park & Ride" facilities within the municipality. Also PPV could accurately plot Frankston's car parking space prices and assess the recommendations of C111 in regards to the proposed car parking provision rates.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of Submissions to the Amendment and Progression to a Planning Panel**  
**Officers' Assessment**

**Officers Response:** PPV are an independent body that will hear submissions to the Amendment, and make recommendations on the merits of Planning Scheme Amendment C111. It is unlikely that PPV would be in a position to undertake this research as proposed by the submitter.

**G. Submission – Frankston, Resident**

The submission objects to the location of potential multi-level car parking facilities.

**Officers Response:** The locations of potential car parking facilities as illustrated in the FMAC parking plan are indicative and in the main focus on Council owned land. Council's independent transport consultant has prepared an initial list of potential sites for future off-street consolidated car parking facilities, which include vacant or Council owned land. However further work would need to be undertaken to investigate the location and timing of the development of a car park once the Overlay is implemented. This investigation would include further consultation with the community.

**H. Submission – SJB Planning on behalf SPG Investments Pty Ltd**

The submission considers that proposed Planning Scheme Amendment C111 is premature in the absence of the strategic planning recommendations of the FMAC Structure Plan, which are to be implemented by proposed Amendments C123 and C124.

**Officers Response:** Regardless of the status of the Amendments seeking to implement the recommendations of the FMAC Structure Plan, the FMAC is expected to undergo residential and commercial growth. This growth is accompanied by unique challenges in providing the appropriate infrastructure such as car parking facilities. The FMAC Parking Plan and associated Amendment C111 are considered appropriate and not premature as these documents establish the need for a “cash-in-lieu” scheme and the requirement for a Parking Overlay to the Frankston Planning Scheme. Cash generated from parking provision shortfalls will provide funding for future parking facilities in the FMAC. The Amendment also outlines necessary transport improvements and initiatives to better manage parking within the FMAC.

As mentioned above, currently the Victorian Planning Provisions allow for parking waivers, and provide Council with the discretion to revise the required parking rates and implement a cash-in-lieu scheme via the application of the Parking Overlay to the Frankston Planning Scheme. Council is unable to remove the ability for an applicant to apply for a waiver, nor revise the parking rates within the Frankston Planning Scheme without adequate justification.

Council will rigorously assess the strategic justification of each application to waive car parking, and the cash-in-lieu scheme provides a formal process to ensure, that where waivers are granted, the broader community is not disadvantaged.

Currently, if Council refuses to grant a parking waiver, they are often then approved at VCAT.

**Conclusion**

As the matters raised in the above submissions cannot be negotiated to an agreed outcome, it is appropriate to refer the amendment and submissions to an Independent Planning Panel for review.

**11.1 Frankston Planning Scheme Amendment C111 - Report on the Review of  
Submissions to the Amendment and Progression to a Planning Panel****Officers' Assessment****Recommendation (Director Community Development)**

It is recommended that Council:

1. Notes the submissions to Frankston Planning Scheme Amendment C111.
2. Continues to progress Planning Scheme Amendment C111.
3. Writes to Planning Panels Victoria to formally request an independent Planning Panel be convened to consider the submissions to Amendment C111.
4. Advises all submitters of Council's decision.



# Frankston Metropolitan Activity Centre Parking Precinct Plan



*opportunity » growth » lifestyle*

Adopted by Frankston City Council  
8 August 2016

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## Acknowledgements

*This Parking Precinct Plan has been informed by recent Activity Centre Car Parking Plans undertaken by other Councils in Victoria, including the Moonee Ponds Parking Amendment C123 prepared by Moonee Valley City Council and Wyndham City Council's Parking Amendment C151 for the Werribee town centre.*

## Part A: Summary Recommendations

### Introduction

The provision and operation of car parking is an important consideration for any activity centre. In Frankston, car parking demand and supply are addressed within the expected range of uses and activities to be accommodated within the City Centre by 2031 and beyond.

The supply of a sufficient amount of well-located car parking opportunities is important to ensure the success of the Frankston Metropolitan Activity Centre. The physical demands of car parking infrastructure are intended to be balanced with close regard to the context of the efficient use of land and floorspace within the centre. However, as further development occurs in an activity centre, additional car parking supply must be appropriately provided.

This document has been prepared to support and implement the actions of the *Frankston Metropolitan Activity Centre Structure Plan* (FMAC) and *FMAC Activity Centre Zone* which set out the 20 year vision and the planning framework for the further development of the Frankston Metropolitan Activity Centre.

### Purpose

The purpose of this Parking Precinct Plan is to set out a comprehensive strategy to facilitate the efficient provision of on-site and off-site car parking opportunities in the Frankston City Centre.

The major objectives of this Plan are to reduce vehicle congestion, actively manage the demand for car parking spaces and to enhance the use of the city centre's streets as places for pedestrians by:

- Improving streetscapes and street design to allow for equitable and safe access for pedestrians, cyclists and vehicles.
- Consolidating car parking into large, well located, easily accessible facilities.
- Improving pedestrian and off road cycling linkages throughout the FMAC
- Providing for the collection of financial contributions towards the construction of shared car parking facilities.

### Parking Precinct Area

This strategy applies to the area within the Frankston Metropolitan Activity Centre Structure Plan Boundary shown (Area A) on Figure 1. This area extends over 318 hectares.

The blue lines shown on the map in Figure 1 represent the 1km and 2km walking distances from the Frankston railway station.

Area B (blue line) shown on Figure 2 is the area that was subject of the previous car parking studies undertaken for Frankston City in 2010 and 2014. This is the core of FMAC and contains the most intensive commercial and retail developments. This includes all the land both bounded by and abutting the Ring Road and Nepean Boulevard, Fletcher Road, Davey Street and the Nepean Highway. This area comprises a total of 30 hectares.

Area C (orange line) shown on Figure 2 was included in the 2014 parking study by Ratio Consultants and was used for the preparation of a Car Parking Overlay proposal at that time. This area comprises a total of 88 hectares.

This work formed the basis of the current initiative for a car parking overlay that now includes the whole of the FMAC area.

Both Area B and almost all of Area C are within the 1km walking catchment of the Frankston Rail Station.

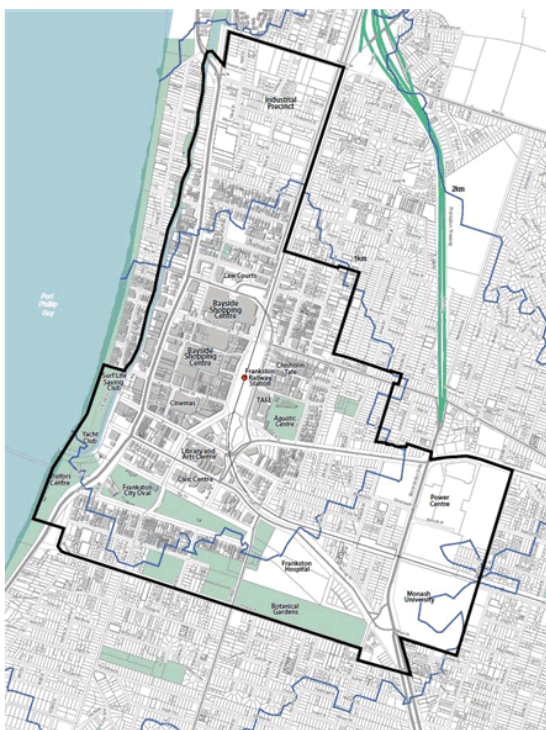


Figure 1- FMAC Parking Precinct Area – Study boundaries

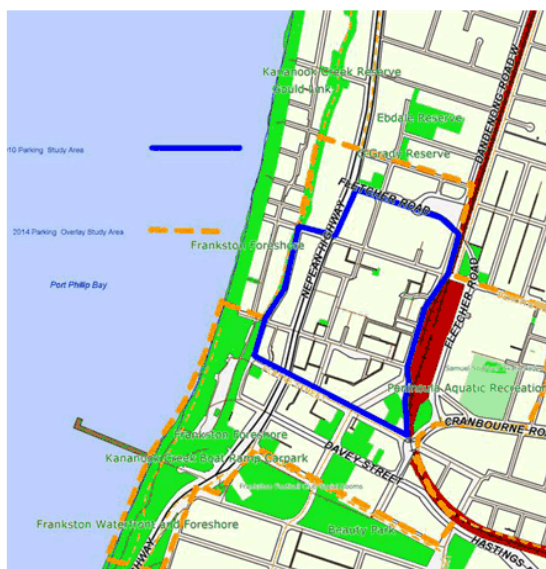


Figure 2 - Comparison of the 2010 and 2014 CAA Parking Study Areas

## Supporting Strategic Documents

Council has undertaken extensive strategic work that supports and aligns with the recommended actions of this Parking Precinct Plan. The key studies that inform this plan include:

- Frankston Metropolitan Activity Centre Structure Plan (FMAC) MPA – adopted May 2015
- Draft Parking Overlay report (Ratio) - May 2014

## FMAC Area Overview

The FMAC Structure Plan's objective is to encourage and facilitate higher density commercial, retail and residential development in and around the city centre. This will provide opportunities for employment and new development. It also provides for residential living in close proximity to jobs, public transport and entertainment.

## Demographics

There were 3,103 residents living within the FMAC area at the 2011 census. This population is expected to increase significantly as new development occurs with the FMAC area. In 2011 there were approximately 2,000 dwellings in the FMAC area. Council has identified opportunities for the number of new dwellings in the FMAC to increase by 2,250 by 2031. Growth has been estimated as follows:

- a low growth scenario of an additional 700 dwellings (or 35 new dwellings per year)
- a mid-range scenario of 1,600 additional dwellings (or 80 new dwellings per year)
- A high growth scenario of 2,250 additional dwellings (or 113 new dwellings per year).

At the high growth rate, at current dwelling occupancies, this would represent a residential population increase of 3,600 persons by 2031 for the FMAC area.

## Employment Growth

There were over 11,300 jobs located within the FMAC in 2011. This was forecast to have capacity to grow at around 240 jobs per year, suggesting a figure of over 12,500 in 2016 (Charter Keck Cramer, 2011)

There is considerable scope for redevelopment activity within the FMAC boundary under the existing planning controls. This will increase as new zones are introduced to implement the FMAC Structure Plan.



The new South East Water headquarters, completed in 2016, is the most recent major new office complex in the FMAC. It comprises an eight storey building featuring approximately 11,700 square metres of office space and approximately 550 square metres of retail space. The complex accommodates some 650 employees. This translates to a job density of 5.3 employees per 100 square metres of new commercial floor space.

Three new commercial buildings are currently nearing completion in the FMAC area: these are located at 336 Nepean Highway, 411 Nepean Highway and 49 Beach St.

Council has identified opportunities for increased development within the FMAC as follows;

- a low growth scenario of an additional 1,000 square metres of commercial floor space (and 53 new jobs) per year.
- a mid-range scenario of an additional 3,000 square metres of commercial floor space (and 159 new jobs) per year
- A high growth scenario of an additional 6,000 square metres of commercial floor space (and 300 new jobs) per year

At the high growth rate, at current floorspace occupancies, this would represent an increase of 6,000 jobs by 2031 for the FMAC area (This includes jobs growth in the health and education sectors).

### Public Transport Infrastructure and Services

The Frankston Transit interchange located at the Frankston Rail Station is the main hub for public transport services with a train station, taxi rank, train commuter parking and bus interchange. This serves the majority of bus routes in Frankston. It is centrally located to the major office and retail areas, Chisholm Institute, Monash University and health providers. The greater part of the FMAC area is within 800m of the train station and 400m of bus stops.

Figure 3 shows that the FMAC area is well serviced with public transport with the entire area within 400m of bus stops. Figure 4 shows that the most of the FMAC is well within 800m of the train station.



Figure 3- Public Transport in Frankston and FMAC area



Figure 4- FMAC Area Public Transport Provision

### Pedestrians and Cyclists

The provision of good pedestrian and bicycle access between attractors such as jobs, shops, services, transport and housing is one of the key factors in creating a successful vibrant city. Improved pedestrian and cyclist strategies will activate and enhance Frankston's street life, strengthen street based retail, and improve safety and surveillance.

Figure 5 shows where new and improved pedestrian links and access improvements are required. This infrastructure includes footpaths/shared path improvements and new pedestrian crossings.

The preferred locations of possible new multi-deck car parking facilities are proposed here to show a strong relationship to pedestrian and active transport improvements.

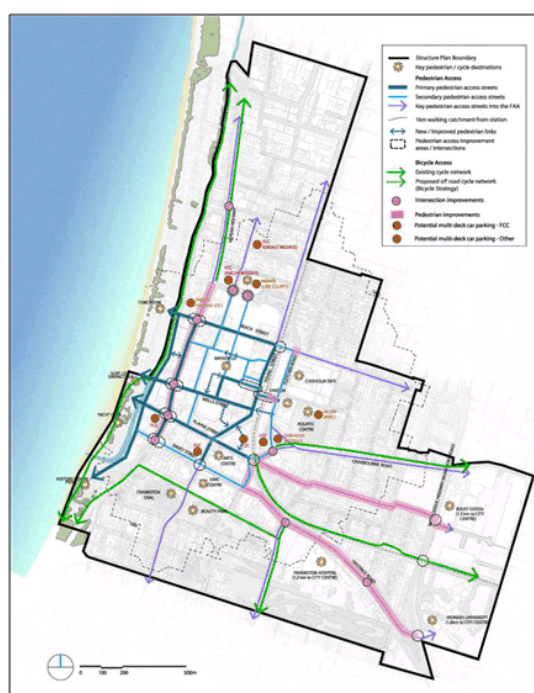


Figure 5- Potential new Multi-deck parking provision

### Existing car parking supply

The FMAC area benefits from an extensive supply of car parking. The main types of car parking provided are:

- On and off street parking
- Public and private parking
- Long stay and short stay parking
- FMAC central business district and commuter parking

Car park usage studies have been undertaken for the wider FMAC area (Area A) in 2016 and for Areas B and C in 2010 and 2014. (Area C was also studied in 2016 to determine on-street parking turnover.)

The 2016 Frankston City Car Parking Study Part A – Frankston Metropolitan Activity Centre and Surrounds SALT report analysed parking supply and demand across the whole FMAC area and the also the smaller 2014 survey area. Over the whole FMAC area there is a parking supply of 13,112 spaces (4,061 on-street and 9,061 off-street) and in the 2014 survey area a total of 7,457 spaces (1,075 on street and 6,382 off-street) was recorded (See Figure 2 and Appendix A of that report).

The total car space figure will increase by 500 spaces in 2017 with the completion of the Frankston Hospital's 750 spaces, multi deck car park. This car park replaces 250 at grade spaces.

Previously discounted early bird parking was available at Bayside Shopping Centre at \$4.50/day and was used by approximately 450 users. This has recently been replaced (in 2016) by all day parking at \$10/day or \$1/hr. up to four hours where it increases to \$7 up to 5 hours then \$10/day with the hours from 06:00am to 01:00am. A number of parking facilities will become temporarily inaccessible when the Young Street and Frankston Railway Station redevelopment occurs in 2016 and 2017.

### Existing car parking demand

For comparative reasons the 2016 Parking Study (SALT study) analysed two areas, one being the wider FMAC area and also the area covered by the earlier 2010 and 2014 parking studies.

Over the whole FMAC area peak parking occupancy occurred at 12 noon with 64% occupancy at this time.

Over the 2014 survey area the peak on-street parking occupancy of 80% occurred at 1pm. This approaches

Council's preferred 85% occupancy design value. The off-street car parks recorded peak occupancy of 64% at 12pm.

In the wider area (excluding the 2014 study area) peak on-street parking occupancy occurred at 1pm with 49% of spaces occupied. Peak off street car parking occupancy of 68% occurring at 1pm.

Within Area C on-street car parking occupancy has increased from 81% to 91% in conjunction with the loss of on-street car parking supply. The off-street car parking occupancy has decreased in particular within the Young Street East and the Station Street car parks which are both paid car parking areas.

## Parking Precinct Policy

### Overview

The actions and initiatives that are listed here are supported by the extensive background documentation and studies applicable to the FMAC area. To operate effectively these are adopted and implemented as an integrated package.

### Centralised Parking

Where possible, the public car parking required as part of new developments is to be located within centralised public parking facilities in or near the locations shown in Figure 5. These facilities may be achieved through private investment, through public provision and/or private/public partnerships for development.

Figure 5 (*illustrated locations are indicative only*) shows a network of large easily locatable and evenly distributed public parking facilities, proposed to be established over time as development occurs utilising cash in lieu of providing parking provision.

These facilities are intended to be supplied in the form of multi-storey car parks, incorporating bicycle parking, public toilets and active ground level uses and preferably being sleeved by office or residential uses at above street levels, along street frontages.

This will ensure the car parking facilities are provided in the appropriate locations in a form that does not detract from the preferred amenity of the area.

These car parking facilities are intended to be directed to medium and long-stay parking users, in order to

prioritise on street and at-grade parking for short stay parking users

### Parking Provision Rates

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

There is an additional requirement to provide 1 bicycle and 1 motorcycle space per 10 car spaces. This acknowledges the reduction in the parking requirements allowed here and is a deliberate incentive to encourage these forms of travel within the FMAC.

Table 1- Parking Provision Rates

Use	Rate	Measure
Food and Drink Premises	3	Car spaces to each 100 sq. m of leasable floor area
Office other than listed in Table 1 of Clause 52.06	3	Car spaces to each 100 sq. m of net floor area
Residential Building	0.3	Per bed provided on site.
Shop	3	Car spaces to each 100 sq. m of leasable floor area

*Note: The rates for multi-unit dwellings remain consistent with the requirements of Clause 52.06-5*

### Financial Contributions Requirement

The policy for considering a financial contribution is as per Schedule 1 to the Parking Overlay at Clause 45.09 and repeated below.

Within the precinct defined in this schedule, the responsible authority may, at its absolute discretion, consider accepting a financial contribution in-lieu of one or more car parking spaces required under this Clause 45.09 and/or Clause 52.06, provided the following criteria are met, to the satisfaction of the responsible authority:

- The applicant demonstrates that the car parking requirement cannot be practically provided on site or nearby;



- ii. The small number of car parking spaces to be provided will not achieve on-site the objective of consolidating car parking into large, well located, easily accessible and locatable facilities; and
- iii. The applicant agrees, under Section 173 of the Planning & Environment Act 1987, to the financial contribution being applied to the provision of public shared parking, at any site in or adjacent to the Frankston Metropolitan Activity Centre Area, as determined by the responsible authority.

A financial contribution is required in lieu of each car parking space that is provided.

The financial contribution rate is \$19,500 (plus GST) for each car space. The amount of contribution for each space specified above requirements of Clause 52.06-5 will be adjusted by the responsible authority on 1 July each year, commencing from 1 July 2017, by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook. If that index is unavailable, an equivalent index will be applied by the responsible authority.

The financial contributions specified above must be made before the use or development commences unless a permit condition allows payments by instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*. This agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

Until Council is paid the contribution the permit must contain a condition to the following effect:

*Prior to the commencement of the use or development allowed under this permit a payment of \$19,500 excl GST (2016 figure, indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) must be paid to the responsible authority in respect of each car parking space required under the Scheme, but which is not provided on the land.*

*Or alternatively:*

*Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the responsible authority in which the owner agrees to a payment of \$19,500 excl GST (2016 figure, indexed annually by applying the*

*Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) in respect of each car parking space required under the Scheme, but which is not provided on the land*

*The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.*

*All funds collected by the responsible authority must be utilised on public parking projects within the Frankston Metropolitan Activity Centre or adjacent to the Frankston Metropolitan Activity City Centre in accordance with the Frankston Metropolitan Parking Precinct Plan, including (where appropriate) multi storey facilities.*

The financial contribution cash-in-lieu rate per car space charged by Frankston City is less than the full cost of providing multi-storey car parking. This has been set as an incentive to facilitate development. It recognises the inherent benefits to multiple users of consolidating car parking into large publically accessible facilities. It also recognises the actions of this parking precinct plan to promote active transport and public transport enhancements in addition to the provision of increased supply of car parking spaces.

Frankston City may consider accepting a financial contribution at its full discretion and is not obligated to do so.

## Parking Management

Parking time limits and restrictions are enforced to maintain car parking efficiency. Penalties are applied where allotted car parking periods are exceeded to maintain car park space turn over and the effectiveness of short term car parking provision.

Parking fees for long term car parking are set to encourage long term use in specified locations whether at grade or multi-level.

On-street time and use (resident) restrictions are to be regularly monitored and reviewed to ensure the effectiveness of these controls in terms of increasing utilisation of parking spaces.

Council will consider and review the introduction of paid on-street parking as demand for car parking within the FMAC area increases.



An on-street parking policy will be prepared and presented to Council to formalise changes to on-street parking including the potential introduction of residential or business on-street parking permits for selected areas with the FMAC.

- improve the frequency and routes of buses
- Increase parking availability at Frankston Station
- Provide 'Park and Ride' facilities
- Continue and improve the frequency of 24 hour bus and train services

## Parking Information

A car parking signage plan for both private and public parking will be undertaken to determine the appropriate location and form of parking signage within the FMAC area. This integrated signage is intended to direct people to major parking areas and to increase utilisation of off-street parks. This signage plan will investigate the provision of Intelligent Transport Systems and dynamic parking signage.

New car parking signage is to be installed in the FMAC area in conjunction with new developments by private businesses.

Car parking information will be developed and made available to customers and visitors at key locations in the Frankston City Centre to inform them of parking options and availability. This will include working with external providers such as Public Transport Victoria (PTV), Chisholm Institute and Frankston Hospital along with Council's services to disseminate the information as widely as possible. Information methods will include websites, wayfinding signage, and promotional brochures and flyers.

## Infrastructure Improvements

Existing parking areas will be evaluated and improvements undertaken to address any deficiencies such as lighting and directional signage which may be discouraging utilisation.

Cycling and pedestrian improvements are to be undertaken to improve lighting, safety perceptions and enhance the activation of streets along with improving access to parking facilities.

Additional and improved on-street car parking will be provided within existing areas (where possible) through amended road layouts including indented parking bays and new road markings to increase parking supply.

## Public Transport Improvements

Council will advocate for public transport providers including PTV, VicTrack and State Government to:

## Other Actions

The Parking Precinct Plan will be reviewed on a biennial basis. These reviews will consider its effectiveness by considering parking supply and demand changes, as well as updating building and planning permit data. The reviews will also assess the level of car parking waivers issued and the progress with contributions and expenditure of cash in lieu funds.

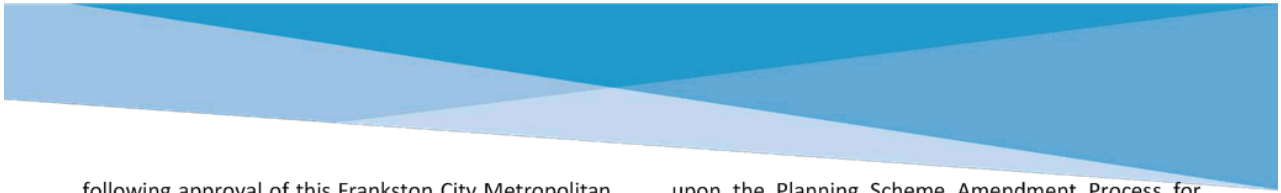
Council will provide the base data used for the 2016 parking supply and demand data as open source material to development applicants to ensure that they have access to standardised, accurate and up-to-date data. This will ensure that Traffic Impact Assessments utilise accurate and current data and may potentially result in savings by reducing unnecessary duplication of car parking studies.

## Implementation Strategy

The centralised public car parking facilities are to be developed over time, subject to demand and funding. The development of these facilities is intended to occur in conjunction with new private development to maximise mixed use opportunities within the FMAC. Private and public sites will be considered for car parking developments subject to availability, suitability and economic return.

The 'Parking Provision Rates' and 'Financial Contributions Requirement' amounts will take effect upon (and subject to) the incorporation of *Schedule 1 to the Parking Overlay at Clause 45.09* and the *Frankston Metropolitan Activity Centre Parking Precinct Plan* as a reference document into the Frankston Planning Scheme. (A Planning Scheme Amendment process will determine whether the *Overlay and Plan* are incorporated into the *Frankston Planning Scheme* in their current form or whether they are amended).

The actions and policies identified under 'Parking Management', 'Parking Information', 'Infrastructure Improvements', 'Public Transport Improvements', and 'Other Actions' will be progressively implemented at appropriate times, subject to funding and resources,



following approval of this Frankston City Metropolitan Activity Centre Parking Precinct Plan by Frankston City Council. These policies and actions are not dependent

upon the Planning Scheme Amendment Process for implementation.

## Part B – Background Report

## Introduction

This document has been prepared to support and implement the actions of the adopted *Frankston Metropolitan Activity Centre Structure Plan* (FMAC) and *Frankston City Centre Activity Centre Zone* which set out the 20 year vision and the planning framework for the further development of the Frankston Metropolitan Activity Centre.

The parking objective of the FMAC Structure Plan which is to *'reduce vehicle congestion, decrease demand for car parking and activate the streets for pedestrians'* will be achieved by implementing the actions and policies in this plan.

This report has utilised the extensive background reports, studies and reviews prepared for Council and has also benefited from the best practice work undertaken by other Councils.

## Purpose

The major objectives of this Plan are to reduce vehicle congestion, actively manage the demand for car parking spaces and to enhance the use of the city centre's streets as places for pedestrians by:

- Improving streetscapes and street design to allow for equitable and safe access for pedestrians, cyclists and vehicles.
- Consolidating car parking into large, well located, easily accessible facilities.
- Improving pedestrian and off road cycling linkages throughout the FMAC
- Providing for the collection of financial contributions towards the construction of shared car parking facilities.

## Parking Precinct Area

This strategy applies to the area within the Frankston Metropolitan Activity Centre Structure Plan Boundary. This area is shown in Figure 6. The Central Activities Area (CAA) is the land contained within the Ring Road and Nepean Boulevard being Fletchers Road, Davey

Street and Nepean Highway. (This term has been in common use over the past decade and preceded the identification of the enlarged area as the FMAC).

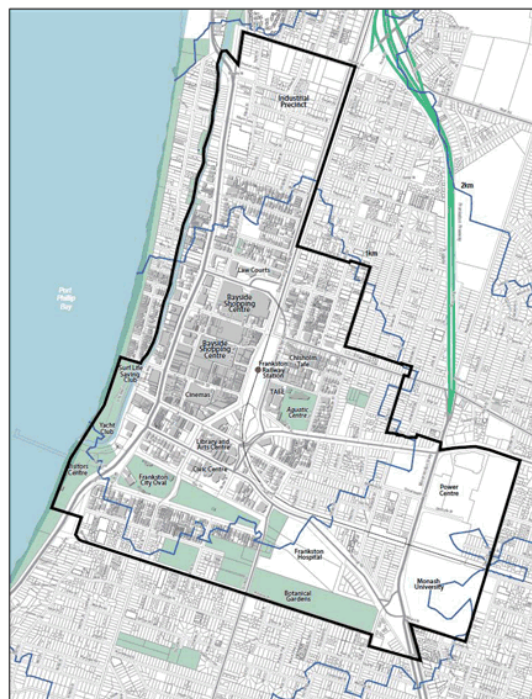


Figure 6 - Parking Precinct Plan base map

## Supporting Strategic Documents

Council has undertaken extensive strategic work that supports and aligns with the recommended actions of this Parking Precinct Plan (see reference documents). In particular:

- Frankston City Car Parking Study – Part A – Frankston Metropolitan Activity Centre and Surrounds – (SALT)- May 2016
- Frankston Metropolitan Activity Centre Structure Plan (FMAC) – adopted May 2015
- Draft Parking Overlay Report (Ratio) - May 2014

This report draws on and is informed by these and other studies commissioned by Council and further related studies.



## FMAC Area Overview

As a Metropolitan Activity Centre, the Structure Plan's objective is to encourage and facilitate higher density commercial and residential development in and around the City Centre by 2031. This will provide opportunities for residential living and employment in close proximity to services, public transport and entertainment. A key aim of the FMAC Structure Plan is to improve the retail and hospitality amenity to foster increased hours and offerings with the long term goal being a '24 hour precinct'. This precinct will require publicly accessible parking facilities outside the normal 8am to 5pm business hours.

The *Charter Keck Cramer – Market Feasibility Study (2011)* estimated that by 2031 there will be an additional demand for 13,170m<sup>2</sup> of retail floor space and 6,800m<sup>2</sup> of commercial space in the CAA. This translates to approximately 1,000m<sup>2</sup> of additional commercial floorspace per annum over the forecast period. Council has identified this rate as its conservative low growth scenario. The medium growth scenario is for 3,000m<sup>2</sup> of new commercial floor space per annum. The high growth scenario is for 6,000m<sup>2</sup> of new commercial floorspace per annum. Infrastructure investment and local and regional market conditions will impact on the likely growth scenarios for the FMAC. Annual monitoring and review of new development activity will continue to inform the actions of this Car Parking Precinct Plan.

In 2011 there were approximately 2,000 dwellings in the FMAC area. Council has identified opportunities for the number of new dwellings in the FMAC to increase by 2,250 by 3031. Growth has been estimated as follows:

- a low growth scenario of an additional 700 dwellings (or 35 new dwellings per year)
- a mid-range scenario of 1,600 additional dwellings (or 80 new dwellings per year)
- A high growth scenario of 2,250 additional dwellings (or 113 new dwellings per year).

At the high growth rate, at current dwelling occupancies, this would represent a residential population increase of 3,600 persons by 2031 for the FMAC area.

Annual monitoring and review of new development activity will continue to inform the actions of this Car Parking Precinct Plan.

The FMAC plan identifies 13 precincts as shown in Figure 7. For the purpose of this Parking Precinct Plan they will be treated holistically: *Clause 45.09 Parking Overlay Schedule 1* of the Frankston Planning Scheme applies over the whole structure plan area with actions responding to diverse locations experiencing the greatest demand. (Note that the recently exhibited amendment C123 introduces the Activity Centre Zone to those precincts located within the central parts of the FMAC.)

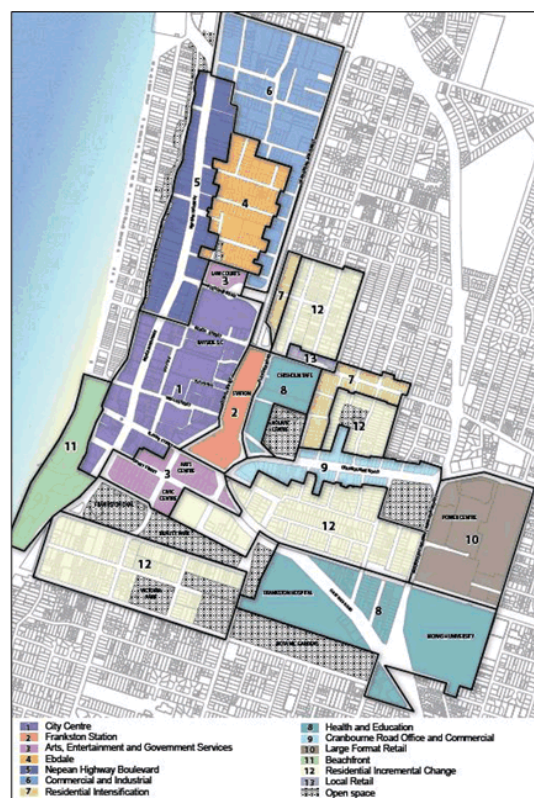


Figure 7 - Structure Plan Precincts

## Car Parking Demand Issues

### Considerations for the planning and management of car parking within the FMAC

Addressing the demand for car parking facilities in activity centres requires a balanced consideration of efficiency and equity matters. There is strong competition between different land uses and activities for both land and floorspace within diverse mixed use centres. Settling on the most appropriate level of supply of car parking spaces is more complex than in less dense, single land-use locations. Typically the provision and management of car parking facilities is designed to promote the overall social, economic and environmental objectives for the activity centre in an integrated way. This includes incentives to promote desirable traffic and transport behaviours within the activity centre.

### Planning Scheme Requirements and implications for the FMAC

Developments are required to provide the amount of car parking specified by the Frankston Planning Scheme for residents, employees and visitors in response to the demand created by the development. Allowance is made for car parking credits that may legally apply to the site. Car parking for non-residential developments is usually shared, with spaces not necessarily allocated to particular types of users. Due to the concentration of uses within the FMAC not all car parking demand is accommodated on site. This may result in a residual demand for car parking for customers on the street nearby and for staff in suitable long term car parking locations elsewhere in the FMAC area.

### Demographics

Residential land uses within activity centres produce quite specific car parking demands. There were 3,103 residents living within the FMAC area at the 2011 census. This population has been relatively consistent since the early 1990s.

Frankston City overall has a more pronounced aged population cohort with 11% of the population 14 years or younger and 19% aged 65 and over, compared to

19% and 13% respectively for metropolitan Melbourne respectively. This aging trend will create further demand for additional housing and infrastructure support. It also will result in demand for living alternatives with reduced demand for car use: this is the type of development for which the FMAC area is ideally suited due to the close proximity of health, retail and recreational destinations.

Currently the FMAC area contains a mix of existing detached housing, emerging townhouse and apartment developments with some limited aged care, student and affordable (boarding) residential dwellings. As the FMAC area further matures the opportunities inherent in its central city attractions are now being realised with significant development potential approved in high density apartments (inner precincts of the FMAC) and multi-unit dwellings (Ebdale and the Nepean Highway locations).

In 2011 there were approximately 2,000 dwellings in the FMAC area. Opportunities have been identified for the development of a further 2,250 dwellings within the FMAC area by 2031. The Ebdale precinct in particular is experiencing significant infill development. A number of developments in the Ebdale Precinct have recently been approved containing upwards of 20 dwellings on 1000m<sup>2</sup> lots: this results in average land densities of 50m<sup>2</sup>/dwelling.

### Car Ownership

Levels of car ownership in activity centre locations are usually lower than the municipal and metropolitan averages.

An analysis of car ownership patterns was undertaken by Ratio Consultants based on the 2011 Census responses to the question *"How many registered motor vehicles owned or used by residents of this dwelling were garaged or parked at or near this dwelling on the night of Tuesday, 9 August 2011?"*. This Frankston residents' data has been compared to the car ownership of residents of Greater Melbourne.<sup>1</sup>

To provide a comparison of the Frankston Area, the FMAC area and Greater Melbourne the number of cars by the percentage of dwellings were multiplied to provide a weighted average.

<sup>1</sup> Note: this data will be revisited in the 2016 Census.

Table 2 - Car Ownership Data for Frankston CAA area

Number of Motor Vehicles per Dwelling	% of Dwellings FMAC (2011)	Weighted number of motor vehicles	% of Dwellings Frankston City Council (2011)	Weighted number of motor vehicles	% of Dwellings Greater Melbourne (2011)	Weighted number of motor vehicles
No Motor Vehicles	15.7	0	6.8	0	9.0	0
1 motor vehicle	43.6	43.6	34.5	34.5	33.9	33.9
2 motor vehicles	23.1	46.2	36.5	73	35.5	71.0
3 or more motor vehicles	6.6	19.8	15.6	31.2	15.4	46.2
<b>Total</b>		<b>109.6</b>		<b>138.7</b>		<b>151.1</b>

The above data shows that Frankston CAA residents have only 73% as many cars as the Greater Melbourne average. This is possibly a reflection of the relative age of residents choosing a central city area location and the proximity provided to services and a facilities including public transport. The 2011 Census data identified that the wider Frankston City area has a car ownership rate of 1.39, which is still less than that of the Greater Melbourne area at 1.51.

## Travel Patterns

The FMAC area is relatively well serviced by public transport. As the location for the Frankston Station, it is also an important commuter destination.

The Victorian Integrated Survey of Travel and Activity (VISTA) 2007 and 2012 survey data consistently shows:

- Most trips in Frankston both start and end within the municipality
- In order of listing the neighbouring municipalities of Mornington Peninsula, Casey, Greater Dandenong and Kingston generate significant trips to and from the Frankston City Council area.
- Frankston residents' public transport work journeys are significantly longer in terms of length and time than the average, probably due to the number and length of train journeys from Frankston to the Melbourne CBD
- A higher proportion of workers commute by car with lower proportions commuting by public transport and by foot relative to the outer Melbourne average

## Car Running Costs and Infrastructure Requirements

### Car Spaces

Provision of car parking spaces in central city areas is relatively expensive. It is generally considered that a car space within a building requires approximately 30m<sup>2</sup> within a 75m<sup>3</sup> 'room' including circulation areas such as access ramps and corridors to enable vehicles and users to access the car park. On street car spaces occupy a foot print of 15m<sup>2</sup>. Multi-level car park spaces cost between \$25,000 - \$47,000/space including land costs (taken from the Young Street site and Sherlock and Hay site investigations undertaken by Council). The provision of on street car spaces is considered to cost around \$10,000/space (excluding land costs). Industry construction indices include the following cost structures:

Table 3 - General Car Parking Construction costs

	Low (\$ per car space)	High (\$ per car space)
Open deck multi-storey	\$18,700	\$31,500
Basement	\$35,000	\$75,000
Undercroft	\$20,250	\$24,750

Table 4 - Rawlinsons (2015) construction cost estimate

	Low (\$ per car space)	High (\$ per car space)
Surface, sealed open lot (Not including land cost)	\$2,950	\$3,205
On-street (equivalent to street construction costs)	\$10,500	\$11,700

Note: does not include land costs



### Costs of running a car

A consideration for FMAC residents, visitors and workers is the relative cost of maintaining a private vehicle compared to active transport and public transport alternatives. The RACV in 2016 estimated the average cost of running a new car over 5 years and driving 15,000km/year or 41km/day. The rate varied from \$40.6c/km for a micro car to \$113.0c/km for a SUV. These rates equate to \$16.60/day to \$46.33/day exclusive of parking charges.

### Parking Charges in Frankston City Council

On street car parking is free within the FMAC area however it is time restricted. Generally off street car parking is charged within the FMAC area.

Car parking charges vary in Frankston from \$3.50/hr to \$5.50/day at Council owned sites. The rates vary from to \$1/hr and \$11/day at private car park providers. There are long term leases available at approximately \$400/quarter or \$1,600/yr.

Frankston Health provides car parking with rates starting at \$7 for the first hour to a maximum daily rate of \$15.00.

For comparison, in the City of Melbourne on-street car parking is charged at \$5.50/hr.

Melbourne off-street car parking rates vary from \$8-\$19/hr with all day parking varying from \$55-\$79 and early bird (before 9am) from \$15-17/hr.

## Public Transport

### Overview

Public and non-motorised transport use is a key objective of the FMAC Structure Plan as it supports multiple desirable goals including a reduction in car travel (and its associated infrastructure needs) along with assisting in stimulating street activation. Improving public transport options and uptake creates a corresponding reduction in demand for car parking facilities. Relevant studies and traffic impact assessments consider that good accessibility to public transport and to diverse services warrants a reduction in car parking provision. The FMAC Structure Plan Vision sets out the following aspiration: *“Frankston is a great place to live, with a range of housing choices that are close to everything. Residents benefit from opportunities for walking, cycling or using public transport to access their daily needs.”* It is important to

note that the community members have raised concerns over perceptions of safety within the FMAC area. The attractiveness, vitality and amenity of the streetscape can contribute to a safer urban environment. Further work is required to build on the Wells and Young Street public realm redevelopments to improve street activation and safety.

This section details, where available, the costs of various transport forms and their location.

### Public Transport Costs

Public Transport users pay with Myki for both buses and trains. The cost of all-day 'Myki money' for Zones 1 and 2 is detailed below. There is an option available of prepaying for a set period of travel using a Myki Pass which provides a discount of approximately 40% with an annual cost of \$1,521 and equivalent daily cost of \$4.68.

Table 5 - Myki costs (PTV website 2016)

Myki money 2 hour fare table (April 2016)			
2 hour	Zone 1	Zone 2	Zone 1 +2
Full Fare	\$3.90	\$2.70	\$3.90
Concession	\$1.95	\$1.35	\$1.95
Myki money Daily fare table			
Weekly rate 7 day Pass	Zone 1	Zone 2	Zone 1 +2
Full Fare	\$7.80	\$5.40	\$7.80
Concession	\$3.90	\$2.7	\$3.90
Weekly 7 day Myki pass fare table			
Weekly rate 7 day Pass	Zone 1	Zone 2	Zone 1 +2
Full Fare	-	\$27.00	\$39.00
Concession	-	\$13.50	\$19.50
Daily rate for 28-365 day Myki pass			
Weekly rate 7 day Pass	Zone 1	Zone 2	Zone 1 +2
Full Fare	-	\$3.24	\$4.68
Concession	-	\$1.62	\$2.34

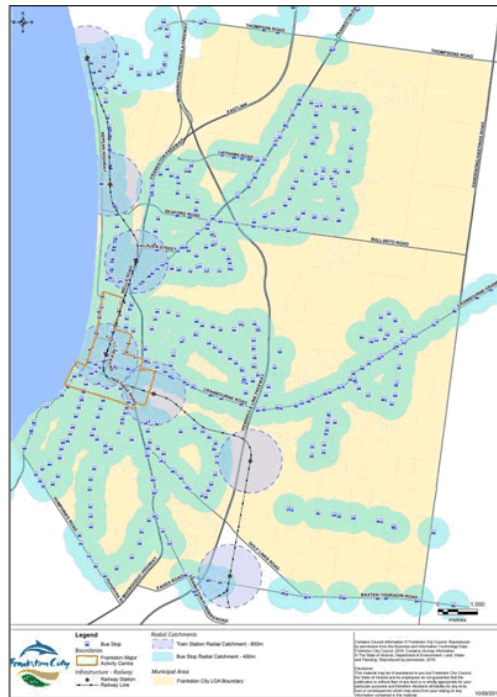


Figure 8 - Public Transport in Frankston and FMAC Area

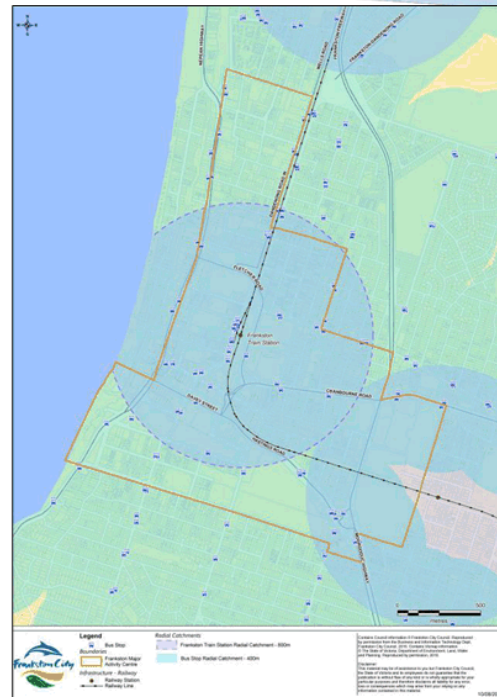


Figure 9 - FMAC Area Public Transport Provision

## Public Transport Infrastructure and Services

The Planning Scheme under Clause 56.03 describes the following distances as walkable:

- 400m from bus stops,
- 600m from tram stops and
- 800m from railway stations.

Figures 8 and 9 show that most of the FMAC area can be characterised as being within these thresholds. Figure 10 shows where new and improved pedestrian links and access improvements are required. This infrastructure includes footpaths and separated or marked bike lanes to provide a safe and efficient means for FMAC residents to access schools and community facilities along with commuting to work.

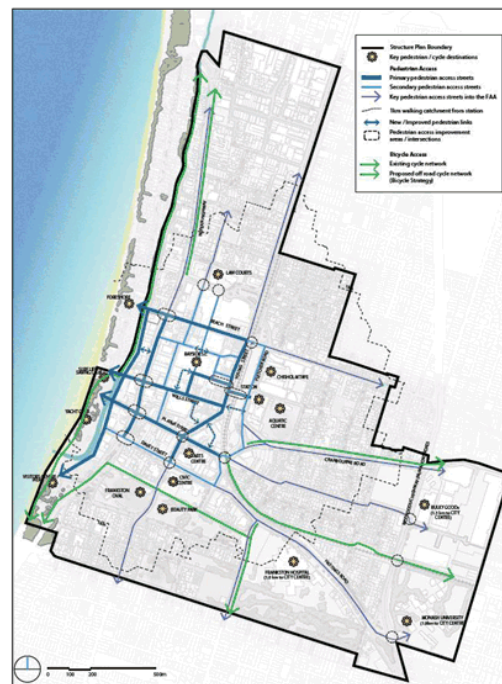


Figure 10 - Public Transport Initiatives and Multi Deck Parking Provision



### Rail Services

The Frankston Transit interchange located at the Frankston Rail Station is the main hub for public transport services with a train station, taxi rank, train commuter parking, and bus interchanges serving the majority of bus routes in Frankston. It is centrally located to the major retail areas, Chisholm Institute, Monash University and health providers.

Weekday trains to Melbourne from Frankston Station run from 4:15am - 2:45am with services varying from intervals of 20 minutes to every hour outside the peak period of 5:45am to 7:45pm with services approximately every 10 minutes during this period.

Periodic weekend services run 24 hrs at 20-30 minute intervals from 5:40am to 1:45am and generally every 30 - 60 minutes outside this time.

PTV entry surveys from the Financial Year 2013 /14 (latest available) suggest that over an average weekday approximately 5,280 station customers enter the station with just under half of these occurring before 9.30am, two thirds of which occur before 7am. Of the weekday station entries, 41% occur by car which includes both car passengers and drivers (Aurecon, 2016)

It is estimated (Hale, 2015) that Frankston station will have 17,000 passenger movements per day (PAX) when the redeveloped station is opened in 2017, growing to 25,000 PAX at around 2028, and some 35,000 PAX by the year 2037 with approximate growth of 4% pa from 2015 predicted.

### Bus Services

Most residential areas of Frankston are within 400m of a bus service with coverage gaps in Langwarrin, Carrum Downs, Frankston North, Sandhurst and industrial areas.

Community consultation undertaken as part of the 2013 Integrated Transport Strategy identified that bus services are considered to be infrequent and require an increase in services along with more accessible and frequent public transport stops.

### Pedestrians and Cyclists

The FMAC Structure Plan has identified the provision of good pedestrian and cycle access between attractors such as jobs, shops, services, transport and housing is a key factor in creating a successful vibrant city. Seven of the Structure Plan's top twelve priorities

relate to improved streetscape amenity and connections. Improved pedestrian and cyclist strategies will activate and enhance Frankston's street life, strengthen street based retail, and improve safety and surveillance (SGS Economics and Planning, 2008). By increasing the amenity and activation of the streetscape it is expected that a behavioural change will follow, resulting in increased numbers of pedestrians and cyclists commuting to the FMAC area with a corresponding reduction in car parking demand. This is particularly so for those people who combine residence, recreation and work within this area. This will be important for encouraging reduced demand for car parking.

As a comparison, the Pedestrian Access Strategy (DOT 2010) identifies that the City of Melbourne and Yarra City had 70% of short trips (2km or less) walked. In other areas like Maribyrnong and Port Phillip this approximated 50% of short trips and in outer metropolitan areas it varied from 26% (Hume and Whittlesea) to 16% in Cardinia. That study also reported that in 1976, 8% of all journeys to work were by walking and that this had declined to 4% in 2006.

In Frankston approximately 11% of all trips are walked and the *Integrated Transport Strategy* sets a goal of 14% by 2025. There are significant opportunities to achieve this in the FMAC area through improvements to the pedestrian and cycling infrastructure in the area and in particular those improvements associated with Young Street and the Frankston Station redevelopment. This expected modal shift in transport choices will assist in freeing up the existing car parking resource for more geographically distant commuters with constrained travel choices.

There is currently reasonable provision of pedestrian facilities within the FMAC area. There are limited cyclist only or shared path facilities with frequent disconnections within the FMAC and wider Frankston area.

### Car Share Services

There are a number of Councils in Victoria including Port Phillip and Melbourne City that actively encourage and support 'car sharing services' such as GoGet, Flexicar and GreenShareCar along with neighbour to neighbour car sharing platforms such as Car Next Door. These Councils do so on the basis that for each 'car share' vehicle there will be 7 to 10 fewer privately owned vehicles (Phillip Boyle and Associates 2016). These share cars are available to be hired by the

hour or the day and have dedicated on-street car spaces set aside for them. The rental cost covers all expenses, including petrol, insurance, registration and maintenance.

### Car Share Costs

Costs for memberships vary depending on usage and/or company and range from \$49/yr to \$30/month depending on usage. Hire rates range from \$6.35-\$13.50/hr and can include \$/km charges i.e. \$0.40/km (GoGet include petrol and insurance) or \$55-85/day with 150km free travel included.

There are currently no car share services in the Frankston FMAC.

Recent work by Phillip Boyle and Associates for Port Phillip Council<sup>2</sup> identifies that:

- People who drive less than 5,000km per year will likely find car sharing will save them money.
- The service needs to be 'immediate and with convenient access'
- The benefits of car sharing are that every car share takes 7-10 cars off the road and that members reduce their car use by 50%.
- It reduces parking demand and the number of cars on our streets.
- The schemes work best in areas with high frequency public transport, residential densities over 30 dwellings per hectare and many households with low car ownership.

These car share services are suitable for use by businesses and in the established areas can provide a range of vehicles from small cars to vans.

### Park and Ride

Park and ride amenities are car parks with connections to public transport that allow commuters to leave their vehicles and transfer to public transport services such as buses, trams (in Melbourne) or trains. The commuter car park provided on Victrack land adjacent to the Frankston Station operates as a park and ride facility.

### Kiss and Ride (5min drop off zones)

These facilities are designed for convenience and provide a short term 2 to 3 min space directly adjacent

to public transport or destinations to drop the user off. This allows for rapid turnover of vehicles.

There are three Kiss and Ride zones located within the FMAC area:

- corner Wells Street near Park Lane,
- Keys Street just off Wells Street and
- on Nepean Highway outside Quest.

A number of schools also have these zones to facilitate school drop off and pickups.

### Private Shuttle Bus Services

Monash University runs a free shuttle bus for its Frankston Campus students and staff into the Frankston Station approximately every 30min from 7:45am to 5:30pm. This is intended to address a perceived shortfall in bus services and to reduce travel costs for their staff and students. Frankston Hospital is also considering a shuttle service during the Hospital car parking upgrade in 2016/17.

### On Street Parking Permit

Currently Council has no formal 'On- Street Parking Permit' process or policy for the FMAC. Residents currently are required to write a letter to apply and obtain a resident parking permit within their street of residence. This street name is detailed on the permit affixed to the vehicle. Where restricted on-street parking is put in place existing dwellings may receive three permits upon request. It is common to have free restricted parking of 1 to 3hrs in those areas where resident parking restrictions exist.

On-street resident parking permit restrictions apply around the PARC facility and in Williams Street and are being investigated for Ebdale Precinct streets and the area bounded by Cranbourne Road, Hastings Road and Moorooduc Highway due to a high level of residential complaints.

In terms of employee parking, PARC staff have been issued 300 of these permits and Frankston Hospital is seeking a number for staff to address parking reductions arising from the new hospital car park construction.

### Frankston Foreshore Parking Permit

Frankston ratepayers receive two foreshore permits per year and tenants receive one upon request. This allows the residents to park at nominated foreshore locations for free, subject to time restrictions.

<sup>2</sup> Research for the City of Port Phillip's Car Share Policy Review – Feb 2016, Phillip Boyle and Associates

## Enforcement

Enforcement is a key component of car parking management to maintain the integrity, and safety of parking provisions. This ensures compliance and therefore effectiveness of restrictions which promote turnover and appropriate usage.

Enforcement data for two areas of the FMAC area has been analyzed. This shows that overall the number of infringements issued per year is increasing by between 4% and 8%. With the construction of PARC and its high usage numbers, the incidence of offences in that area has increased from 389 in 2014 to 575 in 2015.<sup>3</sup> The O'Brien 2015 parking study further analyzed parking turnover in this area and determined that it was generally compliant.

The number of fines issued and their location provides an indication of higher incidence non-compliance locations and can inform enforcement activities: this includes when, where and how often enforcement is required to be undertaken to ensure compliance with restrictions. This data is used to review on-street parking restrictions in terms of effective length of time of restrictions and numbers i.e. provision of more 5 minute parking spaces adjacent to public transport. It can also indicate the need to provide additional off-street car parking to meet the community's emerging requirements.

To be effective parking enforcement must be consistent with relevant processes and signage. Officers are aware of a number of areas where signage is not compliant and any infringements challenged in these areas would fail. Accordingly a necessary action is to undertake an on-site audit of existing signage to determine condition and compliance with relevant standards and where identified bring this up to standard. An estimated cost of an on-street parking signage audit for the CBD area is \$12,500.

## Information on car parking availability

A key limitation on the effectiveness and efficiency of car park use is inadequate information to inform users

<sup>3</sup> It is noted as well that Council provided approximately 300 on street 'resident parking permits' for PARC staff during 2014/2015 and the 2015/2016 years.

of the location, numbers, costs and availability of parking and alternative transport options. This information can be provided on-line, at information centres, businesses or public facilities. The current provision of information for the FMAC area is considered to be inadequate with its availability fragmented and out of date. It is a recommendation that the location, numbers and costs of car park spaces along with cycling and pedestrian facilities be incorporated into a comprehensive and professionally developed information package which should also identify locations and means of information dissemination.

## Wayfinding Signage

An important component of information provision is Wayfinding Signage. Wayfinding information is important for drivers to identify, locate and access suitable parking facilities promptly and safely. Drivers looking for information are distracted and a risk to other road users.

In Frankston there are a range of car parking providers including Council and private operators. The signage provided for these facilities is often solely for an individual carpark, inconsistent in design styles, number and location. This can result in fragmented and inconsistent messages to intending car park users. Generally the access to parking facilities, particularly the smaller ones, is off the main streets with significant legibility issues to short term users.

The ideal wayfinding signage is *Integrated Traffic Signage* and/or *Dynamic Signage*. Integrated Traffic Signage incorporates **ALL** parking facilities, both public and private, within its signs and should be placed at the most visible and safe locations irrespective of land ownership. It is of a consistent format and therefore has strong legibility and is easily understood by car park users. Dynamic signage provides real time information on current availability of vacant car spaces.

All recent parking studies have identified that reviewing and updating Wayfinding Signage is a significant opportunity at a low cost to improve the efficiency of the existing car parking resource.

Provision of Integrated Traffic Signage and consideration of Dynamic Signage is an area where Council is best placed to lead the necessary coordination and to obtain agreements on signage style, cost sharing and locations.



## Paid On-Street Car Parking

The High-Williams Street study by TraffixGroup investigated the feasibility of paid parking on residential streets near the Frankston Hospital. It concluded in the absence of wider scale parking restrictions there would be a relocation of parking to streets where parking remains 'free' as users are price sensitive. This study identifies that commercial premises staff and commuters are willing to walk up to 800m to 1km for free car parking, and commercial and residential visitors up to 500m to avoid paying for parking. It recommended that there is merit in paid on-street parking where supply is constrained however it would need to apply to a sufficiently wide area so that users would be inclined to pay rather than seek free car parking spaces further away from the FMAC commercial centre.

The TraffixGroup study estimated costs for purchase and installation of machines, and associated signage at approximately \$138 per machine along with maintenance costs of \$36/per machine/per annum for the scenario. On the basis of the usage in the area and a fee scale of \$1/hr. or \$5.50/day along with minimal usage there would be a likely loss in the operation of paid on-street parking in this particular area.

Currently all off-street parking within the CBD area is paid with cash and card ticket machines used. Paid on-street parking within the CBD area along with on-street parking restrictions in nearby residential areas has the potential to be effective in managing demand by directing users to off-street car parks (improving their utilization) and minimizing vehicle circulation. There is the potential for any revenue surplus (after operating costs) to be directed towards the provision of high cost multi-level car parks. There are a number of issues that will need to be resolved before the introduction of paid on-street parking is viable, these are:

- Public acceptance – paid on-street parking has the potential to be contentious to members of the community without a strong and public business case. Any implementation must be transparent, measured and incremental to manage community concern.
- Cost effectiveness – a detailed study similar to that undertaken by TraffixGroup will be required for the CBD areas

- Consideration of car parking rates – the amounts charged will need to be set at a rate to be viable for operating costs to be met.

## Cost of Parking

The price signals associated with free or cost parking are important behavioural levers. Users clearly prefer free car parking, then low cost car parking, then high cost parking in that order. It has been estimated by the O'Brien 2015 study that users will walk 800 metres - 1,000 metres for free parking. Using price signals to effect the type (short vs long term), utilisation, location and ultimately supply of car parking within the FMAC is important to manage parking supply and demand. Based on the current full day parking rates of \$5.50/day it is unlikely to be economic to supply multi-deck car parks in the short term when these cost at least \$20,000 per car space to construct. Council may determine that the provision of multi-deck parking is required and that it can use rate or grant funding, funds from other car parks or cash in lieu funds to make these new multi-deck car parking facilities affordable. Consideration of paid on-street car parking may be required in this context.

A consistent pricing structure across providers will assist in the location and utilisation of parking. However Council cannot require private providers to change their rates.

## Review of Parking Rates

Council has undertaken a review of the parking rates set out in Clause 52.06 of the Frankston Planning Scheme. Reference has been made to relevant Planning Panels Victoria reports, VCAT decisions and Traffic Impact Assessments for the Frankston area. On the basis of this supporting information Council supports the Column 'B' rates in Table 1 to Clause 52.06 with some changes as specified below. The Column 'B' rates are accepted as reasonable to apply for Activity Centre locations due to the ready availability of public transport and a wide range of accommodation and commercial offerings in close proximity to each other.

The variance in rates for the land uses described below is to allow for flexibility of 'land Use' activities within individual developments. This helps improve responsiveness to economic conditions and reduces the requirement for Planning Permits when the sole

trigger is the change of use rather than any new buildings and works.

Table 6 - Car parking rates for selected land uses

Use	Rate	Measure
Food and Drink Premises	3	Car spaces to each 100m <sup>2</sup> of leasable floor area
Residential Building	0.3	Per bed
Shop	3	Car spaces to each 100 m <sup>2</sup> of leasable floor area

Amended Motorcycle and Bicycle Parking Rates are being implemented in conjunction with the revised car parking rates to reflect the increased requirements where car parking is not provided, the proximity of the activity centre to complementary destinations together with the objective of supporting lower impact transportation options.

Where developments propose to provide parking in excess of the specified rates there is no limitation set through the new Parking Overlay.

The above amendments and the new Parking Overlay provisions in tandem allow for flexibility by developments to respond to change in market conditions with a degree of oversight by Council to ensure that what is provided is adequate.

## Cash in Lieu

The introduction of a cash-in-lieu requirement as part of a Planning Scheme Amendment is being undertaken in conjunction with the review of parking rates. Council's strategic work for the *FMAC Structure Plan* and the *Frankston Station Precinct Redevelopment – Master Plan* identified a range of actions are required to support the enhancement and further activation of the area.

A 'cash-in-lieu' payment scheme for the provision of car parking provides flexibility to developments on where car parking is located, either on-site or fully or partially off-site. The provision of off-site parking can

be supplied privately or by a 'cash-in-lieu' payment to council.

The rate of \$19,500/space has been determined upon balance to reflect a number of factors being Frankston's market sensitivity, the efficiency benefits of amalgamating car parking, the ability for Council to undertake a wide range of initiatives not just multi-deck buildings. The Frankston market sensitivity report by Carter Keck Cramer (2011) discussed the sensitivity of the market to additional costs. The \$19,500 sum is a conservative figure aimed at not being a barrier to the market and to incentivise the provision of centralised facilities.

The payments from the cash-in-lieu scheme are to be put towards the actions of this Parking Precinct Plan. This plan sets a range of projects which aim to either support the provision of parking facilities or support the use of alternative modes of travel. The decision to identify a range of projects is to provide flexibility to Council to respond to localised demand and undertake initiatives at the most appropriate time.

The list of projects and the cash-in-lieu rate is proposed to be reviewed biennially in line with the recommended parking occupancy review and development activity and linked to Council's budget and capital works programs. This will enable the flexibility for opportunities such as the Frankston Station redevelopment to be utilised.

Council has the option to borrow against future fund contributions if it so determines, in order to deliver projects earlier if available funds are insufficient.

Based on the number of planning permits that seek car parking reductions of waivers within the FMAC area, a mid-range estimate of take up of the cash-in-lieu option is 27 spaces per annum (see table 7 below).

This would contribute to the Cash in Lieu fund approximately \$351,000 per annum to projects. (It is important to note that such funds are only normally received when developments are approaching completion and the new demand is likely to occur.)

Table 7 - Possible scenarios for collection of cash-in-lieu of car parking funds:

These scenarios are dependent upon sustained commercial development activity within the FMAC over a 10 year period and for the per-car space charge being set at a sufficiently attractive level for developers to consider it a viable option for their development projects.

	Scenarios		
	Low growth 1,000m <sup>2</sup> net new commercial floor space per year	Mid-range 3,000m <sup>2</sup> net new commercial floor space per year	High growth 6,000m <sup>2</sup> net new commercial floorspace per year
No of new car spaces required by applicants per year	30	90	180
Assume 30% are nominated for provision by cash-in-lieu	9	27	54
Possible dollar contribution per year at 2016 values, based on a charge of \$13,000 per car space.	\$175,000	\$526,500	\$1,053,000
5 years accumulation at 2016 values	\$875,000	\$2,632,500	\$5,265,000
10 years accumulation At 2016 values	\$1,750,000	\$5,265,000	\$10,530,000

## Existing Car Parking

### Parking Surveys

Council has undertaken a number of traffic occupancy and turnover surveys in conjunction with previous parking reports and specific investigations. These have covered various areas of the FMAC precinct in the 2010 study to the whole of precinct study by SALT<sup>3</sup> in

2016 (Appendix 1). These surveys should be continued on a regular basis (biennially) to provide an ongoing snapshot of parking demand and supply. This will inform any proposed changes to parking restrictions and will influence the order of implementation actions and projects recommended under this plan.

### Supply

Car parking is extensively provided throughout the FMAC area. Table 8 provides a list of Off-Street Parking Supply and Occupancy Comparisons.

The main types of parking are:

- Public and private parking,
- On-street and off-street parking.
- Long-stay and short-stay parking<sup>4</sup>, and
- Frankston City Centre user and commuter parking.

<sup>4</sup> 'Short Stay Parking' is typically parking for 2 hours or less, relating to office activities and the customers of shops and restaurants. 'Long Stay Parking' is typically parking for 5 hours or more, relating to the commuters using the rail line, employees of offices, shops and restaurants, and the residents of dwellings.



## Parking Supply Areas

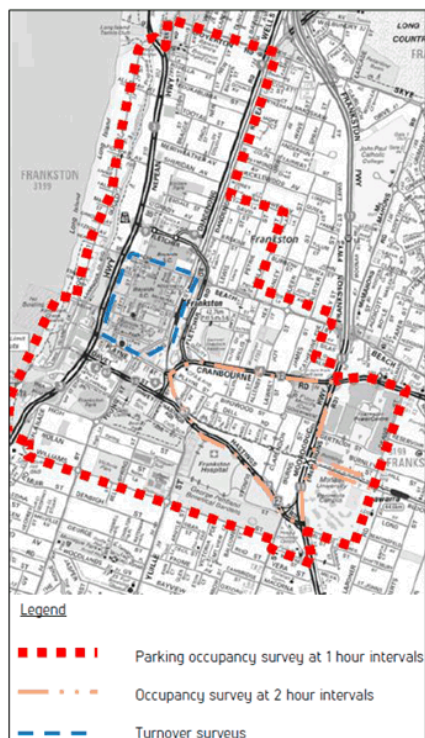


Figure 11- Parking survey area

### Area A – Entire survey area including extended activity centre surrounds

A review of the survey data and background documents indicates there are currently approximately 13,276 spaces which can be considered for public use within the overall study area (Area A). However, due to various parking restrictions imposed the actual parking supply at a given time varies throughout the day from 12,953 to 13,198 spaces. Overall the peak parking occupancy for Area A occurs at 12 noon with a parking occupancy of 63%.

### Area B – Area identified in previous studies

On-street parking occupancy within the previous studies area has increased from 81% to 95%. This in part can be attributed to the significant loss of on-street parking supply since the previous 2010 study. A review of the off-street car parks shows a decline of parking occupancy, in particular within the Young Street East and the Playne Street car parks which are both paid parking.

### Area C – Bayside Shopping Centre Precinct

Analysis of survey data shows that the on-street peak parking occupancy occurred at 1pm with 94% of spaces occupied, and a peak off-street parking occupancy of 72% occurring at 12pm. Of the vehicles parked within 1P and 2P on-street parking, 548 of 2,918 vehicles overstayed the parking time limit, equating to a non-compliance of 18% which is considered to be high.

Table 8 - Area B Off-Street Parking Supply and Occupancy Comparisons

Area	2010		2014		2016	
	No. of Spaces	Occupancy Friday 12pm (%)	No. of Spaces	Occupancy Thursday 12pm (%)	No. of Spaces	Occupancy Friday 12pm (%)
Bayside Central	1189	67%	1189	60%	1189	60%
Bayside Entertainment	387	54%	387	80%	387	61%
Bayside North	1708	52%	1708	50%	1708	68%
Dan Murphy's	48	-	-	-	56	43%
Evelyn Street	125	72%	125	98%	125	100%
Frankston Arts Centre	326	44%	326	85%	326	63%
Fletcher Road	-	-	149	100%	149	73%
Kananook Creek/South East Water	73	-	90	-	PRIVATE*	PRIVATE*
Kananook Creek	-	-	-	-	105	71%
Boulevard	-	-	15	5%	7	29%
Long Island	-	-	-	-	36	58%
McDonalds	-	-	220	-	231	79%
PARC	580	-	420	100%	420	95%
Railway Station	153	74%	153	90%	150	16%
Sherlock and Hay/Young Street East	-	-	-	-	88	58%
Spare Change	106	92%	106	80%	106	44%
Station Street	247	-	-	-	362	89%
TAFE	-	-	-	-	53	0%
The Grand Hotel	-	-	52	60%	55	56%
Wells Street	50	76%	50	90%	50	90%
Young Street	67	100%	67	38%	160	58%
Young Street and Playne	-	-	-	-	-	-
<b>Total</b>	<b>5,059</b>	<b>70%</b>	<b>5,057</b>	<b>72%</b>	<b>5,763</b>	<b>62%</b>

\*Previously public parking now private for South East Water

### On Street Supply

The 2016 study identifies a significant increase in publicly available on-street parking supply due to the extension of the study area. Restrictions are predominantly one or two hour with localized areas of 5-30min to foster rapid turnover.

All on-street car parking is currently time limited at no charge. The overall supply has increased from 766<sup>5</sup> to 1500<sup>6</sup>.

### Resident Parking

There are a number of areas that have residents only parking restrictions in combination with 1 to 3 hour parking restrictions. These localized areas are predominantly a response to CAA, PARC and Hospital commuter parking pressures. In a number of instances Council has provided 'residents only' permits to private businesses and businesses using Council owned facilities for their employees. This is an 'ad hoc'

<sup>5</sup> Ratio Report 2014

<sup>6</sup> SALT 2016 study

response and will be better managed as part of an integrated approach. Businesses will be required to either provide car parks at the time of development or source supply elsewhere.

#### **Off Street Supply**

There are approximately 5,057 car spaces available in off-street car spaces (Area B). The majority of this, 4,600, is paid with the remaining 420 in the Frankston Station car park. The available periods vary with approximately 87% available as designated 'long stay' or all day parking.

A number of providers supply parking areas that can be utilized for both long and short term parking. The cost of this parking varies from \$1-3/hr. to \$5.50 - \$11/day.

#### **Commuter or Long Stay Parking**

There is significant demand for commuter and employee parking with developments generally supplying this onsite in conjunction with their operations.

The exception to this is the Frankston Station car park which provides 420 car parks for the use of train commuters.

The station commuter car parking demands cannot be accommodated within existing commuter car parks. There is evidence to suggest that commuters or long term parkers are prepared to pay a reasonable amount for all day parking – noting that the Fletcher Road car park where parking is charged at \$4 per day is generally operating at close to capacity during the week (Aurecon 2016)

Both Council and private providers supply long stay parking within 400m of Frankston Station.

The Bayside Shopping Centre car parking facility opens at 6am and closes at 1am. It previously supplied 'early bird' parking for users however ceased this practice in 2016. It supplies long stay parking to its tenants and their staff by arrangement and 5+hr parking at \$11/day.

There are long term car park lease arrangements available within the CBD for purchase and South East Water have undertaken this for its staff in the Evelyn Street facility owned by Bayside. The long term lease of this facility has removed 125 car spaces from public use.

#### **Recent Parking Supply Changes**

There have been a number of changes to parking supply as a result of recent developments including the construction of PARC and the South East Water site. The 80 space Kananook Creek all day car park was sold to South East Water in 2013 which reduced parking supply and in addition to meet its parking requirements South East Water leases for its own staff the 125 space Evelyn Street car park (previously public).

A further significant change is the removal of the 124 car spaces associated with the Oates Street skate park and oval and the additional demand associated with the operation of the PARC facility. The PARC facility contains 220 car spaces and allows 3 hr free parking for members and users.

Council has recently leased and constructed a carpark for staff members of PARC at 1 Cranbourne Road Frankston. This provides for approximately 38 car spaces.

The Frankston Yacht Club has been redeveloped and this has resulted in an increase of available parking in the area from 45 to 77.

Frankston Hospital is in the process of constructing a new 750 space car park which will be operational in early 2018. This will replace an existing 250 car spaces resulting in a net increase of 500 car spaces.

Previously discounted early bird parking was available at Bayside Shopping Centre at \$4.50/day and was used by approximately 450 users. This has recently been replaced by all day parking at \$10/day or \$1/hr. up to four hours where it increases to \$7 up to 5 hours then \$10/day with the hours from 06:00am to 01:00am.

A number of parking facilities will become temporarily inaccessible when the Young Street and Frankston Railway Station redevelopment occurs.



## Demand

### Frankston Metropolitan Activity Centre User Car Parking

Car park usage surveys have been conducted over time by Frankston City Council to identify parking demand and usage rates within the FMAC area. These surveys have generally been conducted on Thursdays and/or, Fridays and Saturdays.

In each survey conducted to date, results have shown that, except for localized areas such as Frankston train station, Chisholm, PARC and free on street car parking, there is an adequate supply of car parking within the Frankston City Centre (See Appendix A of the SALT Car Parking Study 2016).

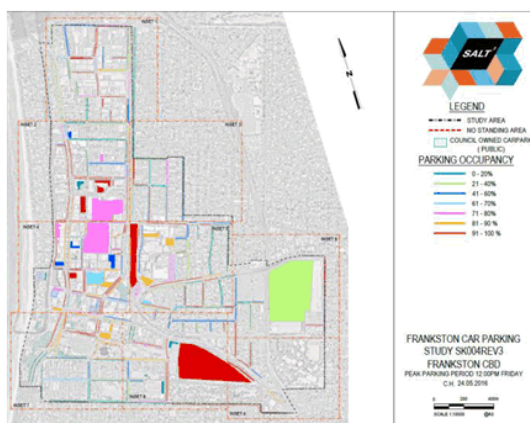


Figure 12 - Extract from Frankston Car Parking Study (overview)



Figure 13 - Detail from the Frankston Car Parking Study 2016

In the vicinity of Chisholm TAFE, PARC and Frankston Railway Station the long term (free) off-street car parks are heavily occupied however there are available car parks at the paid long term parking at Council's parking facilities on Davey Street, Young Street East and at the Frankston Arts Centre. These underutilized car parking areas have average peak occupancies of 20%-60%. Both the TAFE and PARC are investigating the introduction of multi-deck parking.

Unpaid short term on-street car parking is at capacity within most the CAA area however there is capacity available within the paid off-street car parks, in both council and private facilities.

The CAA is an area where the price signal of paid on-street parking would likely increase the utilization of paid off-street parking.

Within the peripheral residential areas of the CAA area being O'Grady Avenue, Nepean Highway, Nolan Street, and the area contained between Cranbourne Road, Hastings Road and Moorooduc Highway there is significant long term commuter pressure on the unpaid on-street car parking. This is causing a degree of concern to the residents of these areas and is being addressed by Council through the further introduction of on-street parking restrictions and residential parking permit controls.

The results of these surveys have shown consistently that whilst free on-street parking within the core of the FMAC area is approaching capacity, surrounding on and off street parking areas are not fully utilized. There is therefore sufficient capacity within the existing overall supply of car parking, predominantly within paid off street parking, to meet medium term (5-10 year) demand. It is likely that there will always be unmet demand at an unconstrained level for free and convenient parking in close proximity to destinations such as train stations and outside employees businesses.

There are opportunities to direct long term car parking users to appropriate locations so as to better utilize the existing car spaces for short term users such as shoppers, customers and users of recreational

facilities. This would improve the efficient utilization of the existing car supply. It is considered that improved wayfinding signage and information will provide an immediate improvement in off-street parking utilization.

Indicative peripheral locations at the outskirts of the CBD as shown in Figure 5 would be appropriate for large well located facilities that would achieve significant cost benefits. The facilities could be developed on sites that would allow for commuter access from Primary roads without being required to circulate through the CAA area. These sites have been identified by Council as having increased development potential. Good car parking facilities at these peripheral locations would increase the convenience of long term and short term users in the FMAC area. With high quality pedestrian linkages and streetscapes from these locations to the central part of the CAA, this would result in an overall improvement of the pedestrian experience within the city centre. Council will be facilitating the development of multi-level car parking at these locations securing public car parking in these properties along with development of its own land holdings.

## Commuter Car Parking

With the Frankston Transit Interchange located in the CAA there is a significant attractor for commuters. Public Transport Victoria provides approximately 420 car spaces for commuter purposes and this is at capacity with an occupancy rate of 100% reached before 8am on week days resulting in an overflow of commuter parking into surrounding commercial and residential areas. Advice from VicTrack is the station car park is solely for rail commuters and any other use is illegal, however enforcement by PTV is very limited. The report by RMIT for the Level Crossing Removal Authority *'the Benefits of Level Crossing Removals' 2016* identifies *'that unconstrained demand for parking at stations is typically five times or more what is currently provided' and 'it would be impossible to build enough car parking without burying the station precinct in concrete (RMIT, 2016, p. 8)'*. Public Transport Victoria have advised that there are no plans or funding to provide additional parking at Frankston Station. The current policy is to encourage pedestrian, cycling, public transport and car parking facilities in this order.

There is additional car parking capacity located within 400m of the Frankston Station in off-street paid parking.

Additional *Park and Ride* facilities are being investigated for Langwarrin Station by Council as a long term option for reducing the pressure on the Frankston Station area. In the short to medium term the focus will be on utilizing and improving bus services to act as *'park and ride'* in the first instance.

There are a number of underutilised parking sites available during the week within the FMAC area that subject to further investigations of Planning Permit requirements and parking management could be suitable for long term parking. These sites include the Power Centre, the croquet and bowls club and St Francis Xavier Church. Any use of these sites will need to be carefully monitored to ensure that the underlying use for which they are provided is not adversely affected. To enable the use of the Power Centre site a shuttle service would be required.

Areas north of the CBD in the Ebdale precinct, south of the Hospital and in proximity to PARC experience commuter parking pressure. Council has responded with resident and short term parking restrictions on an *'ad hoc'* basis to address this. A more formal on-street parking policy is recommended to ensure that on-street parking utilisation in these areas by non-residents will be managed with an integrated approach including measures such as improved signage and education.

## Car Parking Rates and Restrictions

### On-street car parking restrictions

The on-street car parking within the FMAC area is free with the time restrictions varying from 5 minutes to 3 hours and is predominantly set at 1 hour.

Free all day on-street parking exists along High Street and Plowman Place within 600m to 1km of the Frankston Station. There are certain car parks that are designated as loading, taxi or disabled car spaces as well.

## Part C – Frankston FMAC Car Parking Plan Key Actions

### Key Action 1 - Integrated Car Park Cooperation and Management Parking Coordination Committee

#### Recommendation

Establishment of a coordinated management and liaison structure for the FMAC's major car parking facilities. This Parking Coordination Committee would be hosted by Council and include all the major stakeholders including Bayside Shopping Centre, Chisholm Institute, Monash University, Peninsula Health and PTV. Other interested representatives may be involved from time to time.

The PCC would be asked to consider and endorse a "parking location strategy" for the FMAC that would include:

- A consistent definition of the role of car parking, including definitions for commuter and visitor parking
- Identification of the limitations of different car parks for different users (e.g. the trust requirements for Bayside)
- exploring the role of major car parks – noting that the most efficient solution may mean that the role of the car park changes through the week
- Joint initiatives such as park and ride facilities linked by shuttle bus services

The PCC could also have a role in responding to temporary parking demands arising from major construction works that are planned for the city centre. These would potentially reduce primary car parking supplies on a temporary basis. The PCC could assist in managing the impact of such temporary disruptions. It may also provide an opportunity to influence existing travel behaviours.

Supporting Document	Cost	Priority	Benefits	Area
Aurecon (2016); Salt (2016);	Low (Under-\$5,000)	High - 1-2 years	This will: <ul style="list-style-type: none"> <li>▪ Allow for cooperation</li> <li>▪ Coordinated management</li> <li>▪ save costs by sharing knowledge and activity</li> </ul>	Whole of FMAC

### Key Action 2 - Open Source Data service

#### Recommendation

It is recommended that Council make available the raw data and format established by this study to the public, developers and interested parties. This release of data should involve a reciprocal agreement by the user that they provide for Council use any new parking studies they undertake in a similar format.

Supporting Document	Cost	Priority	Benefits	Area
Officer comments	Low (0-\$5,000)	High 1-2 years	This will: <ul style="list-style-type: none"> <li>▪ enable the accurate and comparative assessment of development impacts by comparing exactly the same data</li> <li>▪ set a standard for this data to be provided and assessed</li> <li>▪ save costs for developers and council by data sharing and consistent data analysis</li> </ul>	Whole of FMAC

## Key Action 3 - Biennial Parking Review

### Recommendation

To ensure an accurate and empirical assessment of current parking usage and supply it is recommended that a biennial parking occupancy and turnover study be undertaken within the FMAC area.

Supporting Document	Cost	Priority	Benefits	Area
Officer comments	Medium (\$5,000-\$50,000)	High 1-2 years	<p>This will:</p> <p>This will provide a regular empirical and independent assessment of parking supply and demand for determining peak occupancy and plan to deliver the initiatives of this report.</p> <p>It will ensure a consistent assessment rather than piecemeal assessments.</p>	Whole of FMAC

## Key Action 4 - Time Restriction Review

### Recommendation

It is important to review the time restrictions regularly in conjunction with turnover and enforcement data to ensure they are appropriate and consistent. Examples include consistent beach parking times, short term stays adjacent to shops, long term parking on peripheral areas. This ensures both immediate and wider parking needs are considered holistically. There are instances where limitations on enforcement resources result in officers being unable to check on longer stay compliances particularly in beach side parks.

Supporting Document	Cost	Priority	Benefits	Area
Officer comments	Medium (\$5,000-\$50,000)	High 1-2 years	<ul style="list-style-type: none"> <li>legibility to users</li> <li>limited parking resource fine-tuned to maximize occupancy/turnover</li> <li>enables enforceable enforcement action</li> </ul>	Whole of FMAC

## Key Action 5 - On-street (residential) Parking Permit Process

### Recommendation

It is recommended that Council commence work towards a formal On-street Parking Permit Process similar to that used by Yarra and Port Phillip Council. It will provide a guideline to the community on when it is appropriate to consider the introduction of on-street parking restrictions for residents or businesses in activity centres and residential streets. This policy should clearly state that new dwellings arising from intensification are not eligible for on-street parking permits to ensure developments provide appropriate on-site parking.

The key issues to ensure a best practice policy is to be transparent and consistent, ensure demand is not relocated to inappropriate areas, changes are supported by survey data and community consultation is undertaken.



Supporting Document	Cost	Priority	Benefits	Area
Yarra and Port Phillip Council policies	Low (0-\$5,000)	High 1-2 years	<ul style="list-style-type: none"> <li>Ensure developments plan for and provide the appropriate rate of car parking at the outset</li> <li>Reduce residential parking conflicts with business/commuter parking</li> <li>Ensure residential parking permits are for residents</li> <li>Be transparent</li> <li>Direct commuters to appropriate parking areas</li> <li>Provide parking revenue by directing users to paid parking areas to support commercial parking provision</li> </ul>	Residential areas where demand is affecting residential supply.

## Key Action 6 - Paid On-Street Parking

### Recommendation

A key principle for managing parking is that all users should contribute to the cost of maintaining and providing the parking infrastructure they use.

While paid parking already applies in off street car parks streets there is currently no paid on-street car parking areas. This is a lack of consistency in the application of the user pays principle. Drivers can park free of charge in many of the streets in the FMAC as do local employees and commuters who can park all day in local streets.

With on-street parking occupancy approaching 95% (in excess of Councils benchmark 85%) it is recommended Council investigate the provision of paid on-street parking in the CBD area to ensure users meet costs and direct longer term car park users to underutilised off-street areas.

It is recommended that paid parking be reviewed biennially in conjunction with on-street parking surveys to identify areas and evaluate impacts. It should only be implemented if revenue exceeds costs.

Supporting Documents	Benefits	Area
<p>December 2013 TraffixGroup 'feasibility report into the Introduction of Paid Parking for High Street and Williams Street'.</p> <p>Council has investigated the provision of paid on street parking in association with this report. This identified that in peripheral locations to the CBD that paid parking is unlikely to be suitable without the introduction of additional restrictions in the residential areas. It also discusses that that revenue under the current cost structure would be a net loss situation.</p>	<ul style="list-style-type: none"> <li>Revenue contribution to off-street parking provision. This might enable marginal developments to become viable.</li> <li>The price mechanism and time restrictions support each other creating turnover critical for the success of business. Medium stay parking is extremely difficult to enforce with restrictions alone due to the shunting behaviour of motorists seeking longer term parking – (shunting means drivers who move their vehicles so that they can remain within the restrictions displayed).</li> <li>It allows for a consistent "grace period" which is set by Council.</li> <li>Clearly flags when a time limit has expired which encourages motorists to return to their vehicle prior to the time of expiry</li> <li>Provides a certainty of detection which may act as a deterrent to non-compliance</li> </ul>	<p>CAA area</p> <p><b>Cost</b></p> <p>High (\$50,000+)</p> <p><b>Priority</b></p> <p>Medium 3-5 years</p>

## Key Action 7 - Parking Supply Opportunities: Additional public car parking on key Council owned sites and further 'on-street' car parking improvements

### Recommendation

That Council's key landholdings within the FMAC be progressively investigated for achievement of additional public car parking supply. This could be through stand-alone public car park facilities as well as mixed use developments where Council seeks to retain a component of public car parking on the site

The supply of on-street parking has been maximized however Council will continue to review on-street car parking configurations with a view to achieving incremental increases to on-street parking supply.

Supporting Document	Cost	Benefits	Priority	Area
Hayball (2012) Strategic Sites Investigation.	High (\$50,000+)	The key sites owned by Council within the FMAC are well located and potentially attractive for mixed use development. Council can control the release and development of these sites over time to ensure that multiple benefits can occur to the FMAC area overall. Council's program can be staged to respond to emerging needs while maximizing the use of these landholdings.	High 1-2 years	See below
Hayball (2014) Sherlock and Hay Site Investigation.	note some car park modifications may be as little as \$7,000/space.			
The Peninsular Aquatic Recreation Centre – Car Parking Study (O'Brien Traffic) July 2015	Low – (0-\$5,000) for altering parking restrictions			
Frankston City Car Parking Study Part A – Frankston Metropolitan Activity Centre and Surrounds-SALT – May 2015				

### Additional Off-Street Public Car Park Opportunities

#### A. Young St East car park: (former Sherlock and Hay)

Existing 170 car spaces to be augmented in a mixed use multi-storey development of the site

#### B. Playne St car park: (former Law Courts)

Existing 67 car spaces to be augmented in a mixed use multi-storey development of the site.

#### C. Fletcher Road car park: (Sherlock and Hay)

Existing 149 car spaces to be augmented in a mixed use multi-storey development of the site

#### D. Quality St Road Reserve area

61 new car spaces could be constructed at grade on Quality Street subject to the reconfiguration of the existing clinic building and vacant land into a combined development site.

#### E. PARC complex (north side)

Some 67 new car spaces could be constructed north of the PARC complex subject to further site level investigation. This layout incorporates landscaping and footpath opportunities. Alternatively, part of the existing PARC car park area could be decked to provide additional car spaces.

#### F. Ebdale Reserve

A decked car park could be constructed on part of the Ebdale drainage reserve complex subject to further site level investigation. This could be part of an integrated landscaping, drainage, recreation and parking reconfiguration of the existing reserve area to support multiple objectives for this high growth area.

## Key Action 8 - Car parking supply opportunities: Non-Council land

### Recommendations

#### Opportunity 1 Decking part of existing Frankston Station rail car park

Part of the PTV open lot car park to the east of the Frankston Rail Station could be decked to provide additional commuter car parking at this location.

#### Opportunity 2 Power Centre Shuttle service

Utilising remote parking that may not be heavily used Monday to Friday, such as the Power Centre on the CAA periphery can provide a reserve of long term parking which can help to relieve pressure.

However, this is an opportunity that would only prove effective once existing CAA car parking is operating at maximum efficiency with demand still not being met.

#### Opportunity 3 Langwarrin Park and Ride facility

Provision of long term (all day commuter) parking on land adjacent to the rail line at McClelland Drive, Langwarrin (former Telstra site). This site would attract commuters from the Langwarrin area through to the Southern Peninsula corridor. It is regarded that park and ride would alleviate parking demand not only for commuters, but also for students, CAA workers and hospital staff. It is requested that funding be provided to investigate a park and ride option from the Telstra Site as noted above.

This would be aligned to the future electrification of the rail line to Baxter. In the medium term a park and ride shuttle would operate. In the long term a new Langwarrin Rail Station adjacent to the long term car park could service commuters with destination in the Melbourne CBD as well as the FMAC.

This has the advantage of free up more valuable land in the FMAC for more cost beneficial uses

Supporting Document	Cost	Priority	Benefits	Area
Frankston Station Precinct – Frankston Station Precinct Car Parking Review – Department of Economic Development, Transport and Jobs – July 2015 Aurecon (2016)	High (\$1 million plus)	Medium 3-5 years	This will: <ul style="list-style-type: none"> <li>Increased supply</li> <li>Staged development and delivery</li> <li>Improvements in accessibility</li> </ul>	Whole of FMAC

## Key Action 9 - Car Parking Information Strategy

### Recommendation

It is recommended that new information be professionally prepared showing existing car parking and costs and that dissemination method and locations be reviewed and undertaken.

Promotion and education can take many forms, primary mechanisms considered suitable to change parking patterns would include:

- Poster campaigns – posters at the station and Council car parks informing travellers of different long term parking options or alternatives.
- Develop a Frankston CBD parking web site (should ITS be progressed this could be linked to the web site).
- Parking providers such as PTV to include more information on car parking availability for commuters on their website.
- Dissemination of information to major employers.
- Employers to encourage car share and car pooling.

Supporting Document	Cost	Priority	Benefits	Area
Frankston Station Precinct – Frankston Station Precinct Car Parking Review – Department of Economic Development, Transport and Jobs – July 2015 Aurecon (2016)	Medium (\$5,000-\$50,000)	High 1-2 years	<ul style="list-style-type: none"> <li>Improved legibility of information</li> <li>Clear and consistent message</li> <li>Locations that meet user needs</li> <li>Increased utilisation of off – street parks</li> </ul>	Frankston wide and other organisation i.e. PTV, Bayside Shopping Centre, Monash, Frankston Hospital buildings and websites.

## Key Action 10 - Wayfinding and Dynamic Electronic Signage

### Recommendation

It is recommended that a Wayfinding signage be reviewed and a Dynamic Signage System be introduced to make the most efficient use of existing facilities.

The wayfinding audit will review siting, appearance and information content of wayfinding signage and identify opportunities for a coherent format and improved directional signals. A consistent format enhances the recognition and legibility of the signs and consequentially the effectiveness of these.

One of the major reasons city car parking can be inefficient is due to lack of information available to potential parkers about the different options that are available to cater for their parking needs.

Signage can be provided that monitors the available parking within individual locations allow visitors to be able to make decisions on appropriate parking locations based on both destinations and capacity on entering the CBD area. This can help to reduce vehicle kilometres to the most appropriate car parking

An investigation will then be undertaken into the location, form and costs associated with appropriate Dynamic Electronic Signage for Frankston.

Dynamic Parking Guidance Systems have become more popular as a means of ensuring both that car parks are used more efficiently and accessed efficiently.

ITS based PGS are linked to car parks in order to provide up to date information on parking availability as well as car park locations.

Key to this is understanding key routes to individual car parks and where signage should be located

Supporting Document	Cost	Priority	Benefits	Area
Frankston Station Precinct – Frankston Station Precinct Car Parking Review – Department of Economic Development, Transport and Jobs – July 2015 Aurecon (2016)	Medium (\$5,000-\$50,000)	High 1-2 years	<ul style="list-style-type: none"> <li>Real time update on location and numbers of available car parks</li> <li>Improved legibility of signage</li> <li>Clear and consistent message</li> <li>Locations that meet user needs</li> <li>Increased utilisation of off – street parks</li> </ul>	Within Area C



## Key Action 11 - Pedestrian and Cycling Improvements

### Recommendation

It is recommended that streetscapes and road crossings be improved to remove barriers to use and increase utilisation of walking and cycling as forms of transport.

Supporting Document	Cost	Priority	Benefits	Area
Frankston Metropolitan Activity Centre Structure Plan (FMAC) MPA – adopted May 2015	High (\$50,000+)	Medium 3- 5 years	Reduced car usage Increased pedestrian and cycle usage Increased street activation	Within FMAC area as shown on Figure 5. See below

### Nepean Highway Boulevard

Reduction of the 6 lane portion of Nepean Highway in the FMAC area down to 4, with cycle lanes and increased pedestrian area. Improved landscaping to create pedestrian/cycling amenity clearly delineate priority of these users. Should also assist with directing cars outside CBD area (\$4-6m).

### Nepean Highway pedestrian crossings

Provide a minimum of one additional crossing near Mereweather Street. Improve existing crossings. Work involves raising road pavements and service relocations (\$200,000/crossing).

### Fletcher Road pedestrian crossings (near Law Court roundabouts)

Provide either signalised or zebra crossings to identify pedestrian priority. Signalised crossing \$200,000 or zebra \$50,000.

### Baxter Shared Path improvements

Investigations by council staff have resulted in the removal of a crossing directly adjacent to the Cranbourne Road trail end due to sight distance/safety concerns. Instead there is a recommendation to improve the Fletcher/Cranbourne Road signalling to prioritise pedestrian/cyclists (\$50,000).

### Shared path on east side of Playne Street to Fletcher Road

Widen footpath on east side of Playne Street to Fletcher Road to a shared path with service relocations (\$100,000)

### Shared path on east side of Playne Street to Davey Street

Widen footpath on east side of Playne Street to Davey Street to a shared path with service location and street lighting improvements (\$300,000).

### Safety improvements on Baxter Trail

Improve Baxter shared path trail with lighting, surfacing and safety improvements from Playne Street to Moorooduc Highway (\$200,000).

### Signalized intersection at Hastings Road/Clarendon Street

Install signalised traffic/pedestrian intersection and left/right turn lanes at Hastings Road/Clarendon Street to provide a direct north-south connection (\$1.5m)

### Signalized intersection at Hastings Road/Yuille Road

Install signalised traffic/pedestrian intersection and left/right turn lanes at Hastings Road/Yuille Road to provide safe access for vehicles and a safe pedestrian crossing. Should be done when hospital undertakes upgrades at tennis court site (\$1m).

### Shared Path on south side of Hastings Road from Baxter Road to Moorooduc Highway

Widen footpath on Hastings Road south to a shared path extending from Baxter Road to Moorooduc Highway (\$375,000).

## Key Action 12 - Staged Implementation

### Recommendation

It is recommended the implementation of this Car Parking Plan be phased, with a rolling ten year implementation plan to be reviewed by Council on a biennial basis

#### Immediate:

These are proposed to be undertaken in the first two years of implementation.

#### Medium Term:

These are proposed to be undertaken between years 3 and years 7

#### Long term:

(In response to development and associated demand)

This re listed for implementation from years 7 to 10

### Benefits

- Progressive implementation of recommended improvements to parking supply, management of vehicle access and circulation together with enhancement of the quality of the pedestrian environment, with supporting improvements to active transport facilities and services
- Improved safety, legibility and amenity to all users of the FMAC
- Clear and consistent communication of progress with implementation of the FMAC Car parking Precinct Plan

### Area

Within Area A, with key actions targeted to Areas B and C

## Part D – References

### Strategies

Aecom (April 2013) **Frankston Integrated Transport Plan** – Frankston City Council

Charter Keck Cramer – (December 2011) **Frankston Activities Area Structure Plan – Market Feasibility Study** – Frankston City Council

Cardno (February 2016) **Essendon Junction Activity Centre Car Parking Plan**, City of Moonee Valley.

Department of Economic Development, Transport and Jobs –( July 2015) **Frankston Station Precinct Car Parking Review** – Department of Economic Development, Transport and Jobs – Melbourne

Frankston City Council – (2011) **Cycling in the Frankston CAD Background Report and Action Plan** – Frankston City Council<sup>1</sup>

Frankston City Council and Metropolitan Planning Authority (May 2015) **Frankston Metropolitan Activity Centre Structure Plan (FMAC)** FCC and MPA

Frankston City Council (2015) **Frankston Paths Development Plan**, FCC.

SGS Economics and Planning – (July 2008) **Building the Environment for Business Prosperity**, SGS Melbourne

Victoria– Department of Transport- (2010) **Pedestrian Access Strategy, A strategy to increase walking for transport in Melbourne**. DoT, Melbourne

### Best Practice

Phillip Boyle and Associates – (January 2016) **The Impact of Car Share Services in Australia** –

Hale Consulting – (March 2015) **Frankston Station – an independent appraisal of opportunities and transport scope** – Frankston City Council

### Traffic and Parking Studies

Cardno – (November 2013) **Frankston Yacht Club application Traffic and Transport Assessment** Frankston City Council

Cardno (2013) **Frankston CAD Parking opportunities study** Frankston City Council.

Hayball (2012) **Frankston Strategic sites development** – Frankston City Council

Cardno (2010) **Frankston CAD car parking study** Frankston City Council.

Department of Economic Development, Transport and Jobs –( August 2015) **Frankston Station Precinct Redevelopment Master Plan (DEDJTR)**

Engeny Water Management (June 2016) **Investigation into the viability of building car parking over retarding basins. Ebdale Street and Peninsula Aquatic Recreation Centre (PARC)**, Frankston City Council

Hayball – (December 2014) **Feasibility Study 79R-83R Young Street Frankston Strategic Sites Development** – Frankston City Council

O'Brien Traffic (July 2015) **Peninsular Aquatic Recreation Centre – Car Parking Study** Frankston City Council

Ratio (May 2014) **Draft Parking Overlay Report** Frankston City Council

SALT – (May 2015) **Frankston City Car Parking Study Part A** – Frankston City Council-

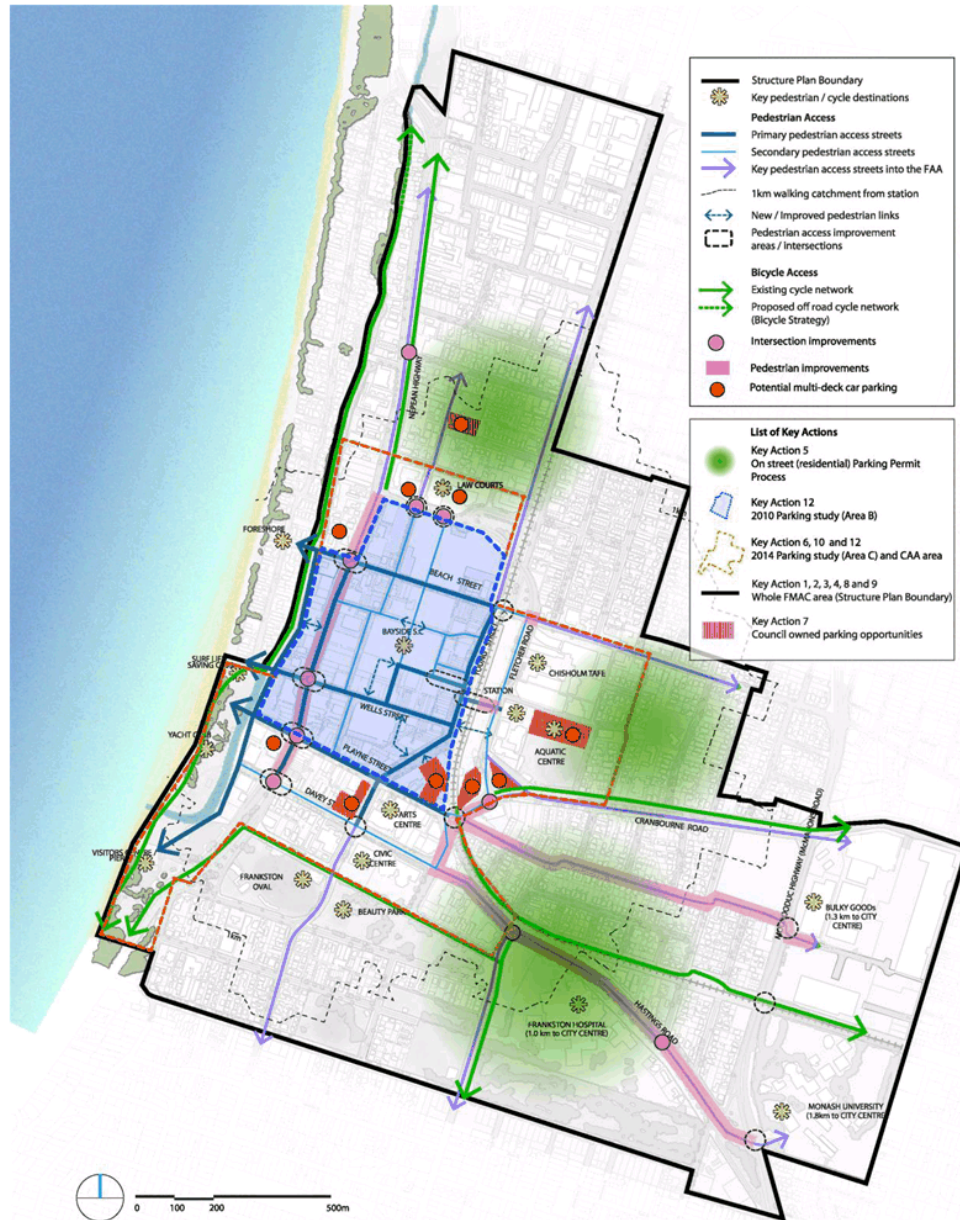
TraffixGroup (December 2013) **High Street and Williams Street, Frankston – Feasibility Study for the Introduction of Paid Parking** Frankston City Council

## Part E – Frankston Car Parking Precinct Action Plan

Phase/Year	Project/Action
<b>Stage 1</b>	
Year 1	<i>Key Action 1</i> Parking Coordination Committee <i>Key Action 2</i> Open Source Data Service <i>Key Action 7</i> Parking Supply opportunities (adopt program) <i>Key Action 9</i> Car Parking Information Strategy (adopt and implement)
Year 2	<i>Key Action 3</i> Biennial Parking Review <i>Key Action 4</i> Time Restriction Review <i>Key Action 5</i> On-street (residential) Parking Permit Process <i>Key Action 10</i> Wayfinding and Dynamic Electronic signage - adopt strategy <i>Key Action 7</i> Parking Supply opportunities (commence project implementation)
<b>Stage 2</b>	
Year 3	<i>Key Action 6</i> Paid On-Street parking <i>Key Action 8</i> (Deliver on) Non-council land parking supply opportunities <i>Key Action 10</i> Wayfinding and Dynamic Electronic signage (commence project implementation)
Year 4	<i>Key Action 3</i> Biennial Parking Review <i>Key Action 11</i> Pedestrian and cycling improvements
Year 5	<i>Key Action 7</i> Parking Supply opportunities (deliver major new decked car park project on Council owned site)
<b>Stage 3</b>	
Year 6	<i>Key Action 3</i> Biennial Parking Review
Year 7	<i>Key Action 8</i> (Deliver on) Non-council land parking supply opportunities
Year 8	<i>Key Action 3</i> Biennial Parking Review
Year 9	<i>Key Action 7</i> Parking Supply opportunities (deliver next major new decked car park project on Council owned site)
Year 10	<i>Key Action 3</i> Biennial Parking Review



## FMAC Parking Precinct Plan Map





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Proposed C111

## **SCHEDULE 1 TO THE PARKING OVERLAY**

Shown on the planning scheme map as **PO1**

### **FRANKSTON CITY CENTRE**

#### **1.0 Parking objectives to be achieved**

- /--  
Proposed C111
- To improve both car parking provision and to provide for an increase in car parking throughout the centre.
  - To reduce the demand for new car parking provision by maintaining and improving existing car parking within the centre.
  - To consolidate car parking into large, well located, easily accessible and locatable facilities where possible.
  - To provide for the collection of financial contributions towards the construction of shared car parking facilities.

#### **2.0 Permit requirement**

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None Specified.

#### **3.0 Number of car parking spaces required**

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The required number of car parking spaces is shown in Table 1. The requirement for a use listed in the table is the product of the rate and the measure.

**Table 1: Car parking spaces**

Use	Rate	Measure
Food and Drink Premises	3	Car spaces to each 100 sq. m of leasable floor area
Residential Building other than residential aged care facility as listed in Table 1 of Clause 52.06	0.3	Car spaces to each bed provided on site.
Shop other than restricted retail as listed in Table 1 of Clause 52.06	3	Car spaces to each 100 sq. m of leasable floor area

If a use is not specified in Table 1, car parking spaces must be provided in accordance with Column B of Table 1 at Clause 52.06 or if not specified in this clause to the satisfaction of the responsible authority.

#### **Motor-cycle parking rates**

Development that is required to provide car parking must provide motor-cycle parking for the use of occupants and visitors, at a minimum rate of 1 motor-cycle parking space for every 100 car parking spaces required, unless the responsible authority is satisfied that a lesser number is sufficient.

#### **4.0 Application requirements and decision guidelines for permit applications**

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Proposed C111

Any application to waive, vary or locate car parking offsite must be accompanied with a Car Parking Management Plan to the satisfaction of the responsible authority. This Plan must specify:

- The provision and location of car and motorbike parking.
- The proximity of the car parking to the activity and pedestrian access.
- The safety and convenience of pedestrians moving to, from and within the car parking facility, including lighting levels, surveillance systems, signage, ease of orientation and visibility.
- The availability of car parking in the locality.
- The likely contribution of public transport in mitigating car parking demands.

## 5.0 Financial contribution requirement

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Within the Frankston Metropolitan Activity Centre area defined in Figure 1: FMAC Parking Precinct Plan Map in this schedule, the responsible authority may, at its absolute discretion, consider accepting a financial contribution in-lieu of one or more car parking spaces required under this Clause 45.09 and/or Clause 52.06, provided the following criteria are met, to the satisfaction of the responsible authority:

- i. The applicant demonstrates that the car parking requirement cannot be practically provided on site or nearby;
- ii. The small number of car parking spaces to be provided will not achieve on-site the objective of consolidating car parking into large, well located, easily accessible and locatable facilities; and
- iii. The applicant agrees, under Section 173 of the *Planning & Environment Act 1987*, to the financial contribution being applied to the provision of public shared parking, at any site in or adjacent to the Frankston Metropolitan Activity Centre Area, as determined by the responsible authority.

A financial contribution is required in lieu of each car parking space that is required to be provided.

The financial contribution rate is \$19,500 (plus GST) for each car space. The amount of contribution for each space specified above will be adjusted by the responsible authority on 1 July each year, commencing from 1 July 2017, by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook. If that index is unavailable, an equivalent index will be applied by the responsible authority.

The financial contributions specified above must be made before the use or development commences unless a permit condition allows payments by instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*. This agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

Until Council is paid the contribution the permit must contain a condition to the following effect:

*Prior to the commencement of the use or development allowed under this permit a payment of \$19,500 excl GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) must be paid to the responsible authority in respect of each car parking space required under the Scheme, but which is not provided on the land.*

*Or alternatively:*

*Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority in which the owner agrees to a payment of \$19,500 excl GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) in respect of each car parking space required under the Scheme, but which is not provided on the land*

*The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under*

*the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.*

All funds collected by the responsible authority must be utilised on public parking projects within the Frankston Metropolitan Activity Centre or adjacent to the Frankston Metropolitan Activity City Centre in accordance with the Frankston Metropolitan Parking Precinct Plan, including (where appropriate) multi storey facilities.

## **6.0 Requirement for a car parking plan**

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Proposed C111 None Specified.

## **7.0 Design standards for car parking**

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Proposed C111 None Specified.

## **8.0 Decision guidelines for car parking plans**

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Proposed C111 None Specified.

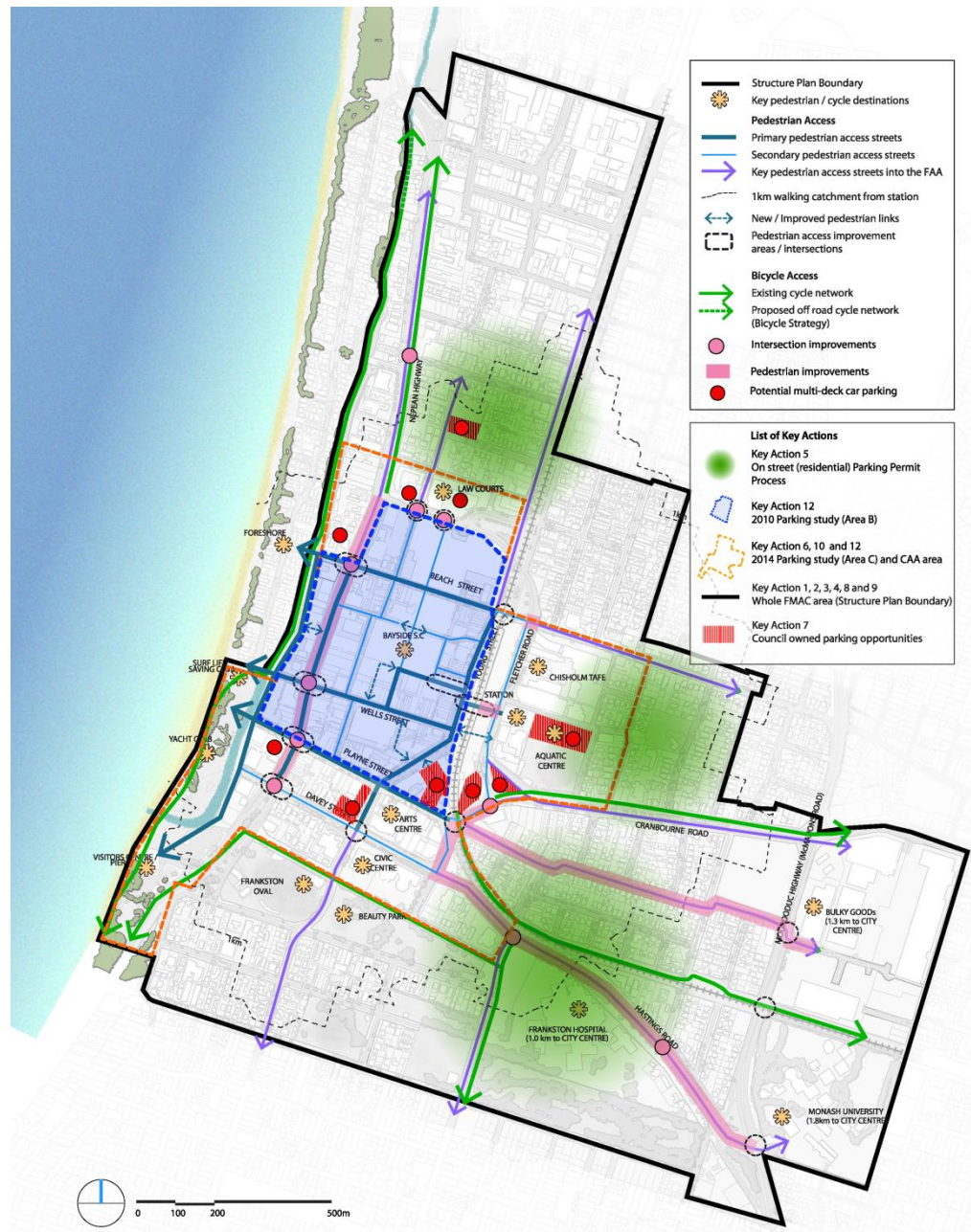
## **9.0 Reference document**

--/--  
Proposed C111 *Frankston Metropolitan Activity Centre Parking Precinct Plan 2016 (Frankston City Council) as amended from time to time.*

*Note: Occupiers of any dwellings approved by permit subject to the provisions of this schedule may not be eligible for Resident Priority Parking Permits.*

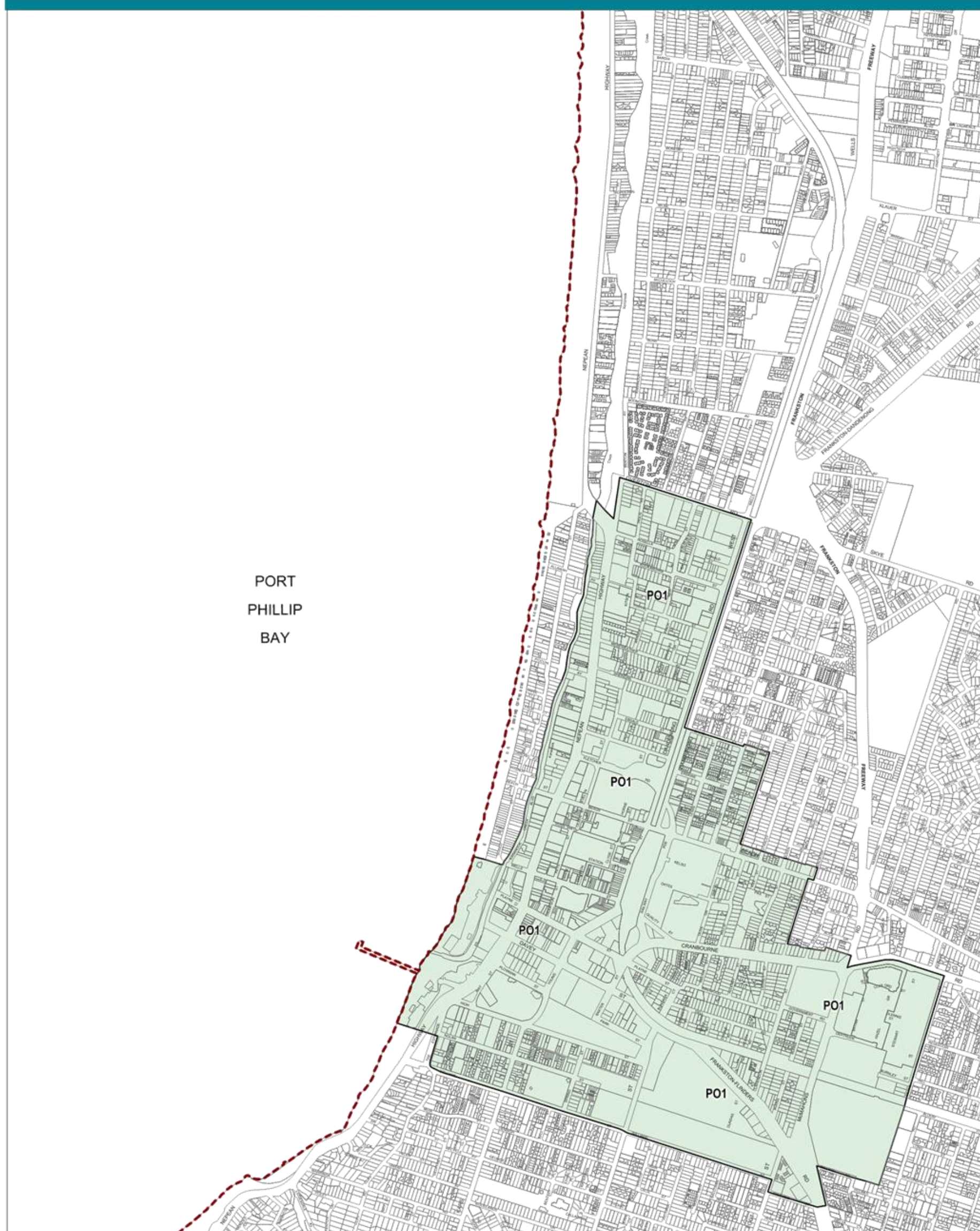
**Figure 1: FMAC Parking Precinct Plan Map**

--/--  
 Proposed C111





## FRANKSTON PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if available) as indicated on the INDEX TO MAPS.

**Overlays**  
☐ Parking Overlay - Precinct 1



PREPARED BY: Planning Mapping Services



Environment,  
Land, Water  
and Planning

Printed: 11/2/2016

**AMENDMENT C111**



## PARKING OVERLAY

MAP No 4PO



Patron: The Honourable Linda Dessau AM, Governor of Victoria

**Fire Safety Referrals****Fire & Emergency Management**Email: [firesafetyreferrals@cfa.vic.gov.au](mailto:firesafetyreferrals@cfa.vic.gov.au)

Telephone: 03 9262 8578

Our Ref: 8000-59923-71832

Telephone: 09 9767 1811

Council Ref: C111

23/05/2017



FH3306



Robert Lean  
Frankston City Council  
POBox 490  
**FRANKSTON VIC 3199**

Dear Robert

**SUBMISSION TO PLANNING SCHEME AMENDMENT****Proposal:** C111**Location:** Frankston

Thank you for providing CFA notice of Planning Scheme Amendment C111 in accordance with Section 19 of the *Planning and Environment Act, 1987*.

CFA has reviewed the proposed planning scheme amendment and given the amendment does not appear to have implications relating to bushfire and/or service delivery for CFA. CFA supports the amendment in its current iteration.

If you wish to discuss this matter in more detail, please do not hesitate to contact the Manager Community Safety, Jude Kennedy on 9767 1811.

Yours faithfully

**Trevor Owen**  
**Assistant Chief Officer**  
**Country Fire Authority**  
**South East Region**



31 MAY 2017

Strategic Planning Department  
Att: Robert Lean  
E-mail: [town.planning@frankston.vic.gov.au](mailto:town.planning@frankston.vic.gov.au)

Dear Robert,

**Town Planning Scheme Amendment C111 - Application of the Parking Overlay over the  
Frankston Metropolitan Activity Centre  
Your Reference: A3356146  
Our Reference: Case Number 28662636 File 17PD7605**

I refer to your letter received on 25 May 2017. South East Water as the Water Supply and Sewerage Authority has no objection to the proposed amendment C111 of the Frankston City Planning Scheme.

**Please Note: As South East Water has no objection to the Scheme Amendment, we request that both your Council and Planning Panels Victoria do not provide any further correspondence to us regarding the Amendment.**

If you have any enquires please contact Aydin Craigen on +61395523207.

Yours sincerely

A handwritten signature in black ink, appearing to read "D Woodward".

Darren Woodward  
Team Leader Land Development



GPO Box 4509  
Melbourne Victoria 3001 Australia  
Telephone: 03 9651 9999  
[www.transport.vic.gov.au](http://www.transport.vic.gov.au)  
DX 210074

Ref: FOL/17/35898

Robert Lean  
Strategic Planner  
Frankston City Council  
PO Box 490  
FRANKSTON VIC 3199



Dear Robert,

**PROPOSAL: Frankston Planning Scheme Amendment C111 – Application of the Parking Overlay over the Frankston Metropolitan Activity Centre**

Thank you for your notification dated 19 May 2017 referring Notice of Planning Scheme Amendment C111 for comment.

The proposed amendment seeks to apply a car parking overlay, Schedule 1 to Clause 45.09, to land located within the Frankston Metropolitan Activity Centre.

Schedule 1 to the Parking Overlay includes lower minimum car parking rates as well as a financial contribution scheme instead of car parking waivers for the provision of car parking at the new rates.

TFV supports the proposed amendment as it presents opportunities to strengthen pedestrian and cycling connections within the centre and encourage the use of public transport.

Should you have any queries regarding any of the matters raised in this response, please contact Rosario Pacheco on 8392 7960 or alternatively [rosario.pacheco@ecodev.vic.gov.au](mailto:rosario.pacheco@ecodev.vic.gov.au).

Yours sincerely

**Mark Burton**  
Manager Place Planning and Referrals

19/6/2017

**TRANSPORT FOR VICTORIA**



Strategic Planning Department  
Frankston City Council  
PO box 490  
Frankston 490

19<sup>th</sup> June 2017



Response by [REDACTED] to the advertising of Amendment C111

I am a resident within the FMAC and make the following comments on advertised proposed Amendment C111

1 The whole process fails to recognise the former City of Frankston's parking contribution scheme which disappeared with local government restructure in the early 90s. Many properties in the FMAC will have already made a contribution the funds of which contributed to the cost of properties bought to create the Central Park, Balmoral and North of Beach Street car parks which were subsequently sold off to the private sector for development or have been available for the exclusive use of a particular business (SEW).

All the documents supporting the amendment have ignored this historical aspect, and the cost of identifying and managing previous contributions will probably outweigh the cost of providing the parking spaces, and defending claims at VCAT etc will be just another non productive overhead cost.

2 The set amount of \$19,500 as recognised in the Plan, will nowhere near meet the cost of provision of spaces and again the general ratepayer will probably be called on to make up the shortfall in some way or another. The contribution is fixed but the timeline is not, nor does the Council have any definitive strategy to implement the amendment other than the amendment itself.

How long will it take to raise the funds to actually produce something on the ground? Let's say 200 car spaces at 50k = \$10m contributions amount to \$3.5m so who puts up the balance?? Budget says no loan borrowings.

A business plan needs to be developed to see what can or cannot be achieved within a range of financial and timescale parameters.

The Plan refers to the compounding effect of the value of the contributions made to the Council, but there is no example of the compounding effect of the escalating cost of provision of car parking. This in itself could end up working as a disincentive.

There is no Strategic Objective adopted for the general ratepayers to fund the balance of the cost of any parking facility.

3 The terms of the amendment are vague and inconsistent. There appears to be too much discretion which may or may not be consistently interpreted and applied.

[REDACTED] 1

There is no apparent attempt to provide parking in the industrial and residential areas which are beyond the 400m distance from public transport, yet any concessions given, including visitor and customer parking in those areas will attract the levy. I believe this will be held to be untenable at appeal given the vagueness of wording of the amendment and the lack of a definitive action plan to provide nearby parking.

This then leaves a very vague and selective situation where broken processes can emerge if Council officers under delegation grant permit waivers without a financial contribution. This would defeat the intent of the Amendment or alternatively if that is not the case the amendment and parking plan have been poorly drafted.

The Plan and Amendment are vague on the treatment of parking concessions in regard to parking requirements for commercial and industrial and low/medium density residential developments outside the 400m walking criteria, particularly when there is no apparent intent for parking to be provided in the precinct. This needs to be clarified and made crystal clear to ensure the provision of parking and the issue is not to be seen as a revenue raising attempt by council without providing a service.

4 Contributions from office developments have been excluded from Schedule 1, item 3.0 Table 1.

5 Will existing permits sought to be renewed be amended upon renewal to include the levy?

6 When will the amendment become operative? It may already be too late to collect worthwhile contributions.

7 Unfortunately the amendment has been informed by a somewhat deficient adopted Frankston Metropolitan Activity Centre Parking Precinct Plan, August 2016.

In particular, is the failure of the plan to satisfactorily integrate with transport and issues getting around Frankston, and the necessary input from Vicroads is obviously yet to come. The integration of all modes of transport and the failure to recognise the major highways passing through the FMAC means that the locations of any proposed car parking location could be jeopardised by traffic studies which show an adverse impact on through traffic flow and unnecessary additional congestion.

Clearly, the requirements of the Transport Integration Act have not been adequately responded to.

The notion that the availability of public transport justifies a concession on parking ratios needs to be strongly challenged.

This notion is seriously deficient in rationale and the transport maps in the Plan are grossly misleading. It also demonstrates an intellectually bereft view that all residents, shoppers, employees etc have the luxury of public transport within 400m at their destination or starting point, and that public transport runs at suitable times for their purposes. There is no doubt



personal transport will be part of the metropolitan transport system for a long time to come, particularly in areas well beyond central Melbourne.

The public transport map is grossly misleading as it does not identify and quantify the limited services which do not run at times when parking is needed at various times of the day, including weekends and evenings, to accommodate external visitation.

Frankston has a very good train service but the connecting bus services are based around school and commuter needs and not the needs of residents and businesses outside these ranges. These services often stop early in the evening and limited service at the weekends if at all. The Plan needs to be rewritten to take this into account and initiate alternative local transportation models

As there is a deliberative intent to reduce the car parking ratios in FMAC there needs to be a correspondingly increased deliberative effort to improve public transport in FMAC. The lead time it to activate a major parking facility needs to be complemented by the IMMEDIATE provision of significantly improved local public transport.

I would go so far as to say that a "city circle" minibus service fed by commuter shuttles could obviate the need for some of the parking in the central FMAC area.

8 There are no sites specifically zoned for parking purposes. Those suggested in the Plan and Amendment could just as easily be lost to other uses and sites more suitable for volume parking are not identified.

A "public purposes" overlay should be placed over all land between Cranbourne/Hastings Roads west of a line drawn extending Yuille Street to Olive Grove. This would then mean that sorting out the traffic tangle at Baxter Street could be addressed and more direct access to FMAC could be considered as part of the railway station site redevelopment. Mackie's land could be used as a parking station transport interchange and new platform for commuters built east of the Baxter Street Bridge. This would be entirely consistent with the Transport Integration Act.

#### NEXT STEPS

1 In view of the above issues, I believe the Council has no option but to abandon the Amendment C111 as it has been prepared and advertised.

2 In conjunction with Vicroads in particular, develop a Transport Integration Strategy and a "Getting Around Frankston Strategy" which separates local and through traffic and allows emergency vehicle access to all parts of FMAC

I wish to be heard by the council when it next considers Amendment C111.

[REDACTED]

[REDACTED]

[REDACTED]

## Private & Confidential

By email

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15 June 2017

Frankston Strategic Planning Department  
Frankston City Council  
PO Box 490  
30 Davey Street  
Frankston VIC 3199  
E. [town.planning@frankston.vic.gov.au](mailto:town.planning@frankston.vic.gov.au)

Dear Sir/Madam

### Frankston Planning Scheme Amendment C111 - Parking Overlay – Submission from Residents, Frankston

We wish to make a submission with regard to planning scheme Amendment C111 Car Parking Overlay on the following grounds:

We live [REDACTED] Frankston and the map clearly shows that there are at least 5 possible potential multi-deck car parking locations, circled in red.

Already we have had to put up with a council car park reserved for PARCS swim centre staff only located at [REDACTED] Cranbourne Road Frankston, which is located on the corner of Cranbourne Road and Playne St, Frankston, [REDACTED]

There are many cars that park there, more than 50-60 plus and we have had to endure the repercussions that occur because of this, such as increased noise, car pollution, and rubbish that is regularly dumped in the car park which we pick up every day ourselves. Just to keep the area clean. We have also had problems with people illegally parking in the evening, outside of the legal hours. And it has also been used for illegal activities and a meeting place for troublemakers. The proposed parking planning scheme clearly states that diagonally opposite us there is the council car park within Cranbourne and Fletcher Roads, Frankston that is situated along the railway line as shown on the map. If a potential multi deck car park is built on this site, it will create a major loss of residential amenity; it will also directly allow strangers and users of the multi deck car park to look into our house and land, causing us to suffer from a security risk from potential burglars and home invasions and those who wish to commit graffiti. They will know when we are home and not at home, when we leave and come home. They will be able to monitor our every movement, not to mention the increased noise that will arise because of the graffiti offenders that will spray the walls of the multi deck car park. Being on busy Cranbourne Road and highly visible the multi deck car park will be a tempting target to spray graffiti on all sides of the multi deck car parking making it an eyesore to residents and visitors coming in and going out of the Frankston CBD. What kind of negative image will this give to the City of Frankston for potential visitors and people wishing to move in/invest in Frankston. Also this will cause a negative impact to residents' property values as no one wants to live in an area that is riddled with graffiti as this area will be if this proposal for a multi-deck car park



## Private & Confidential

is allowed in this area. Families will not want to live in an area with their children being exposed to constant high volumes of traffic and pollution at all times of the day as this is a major safety concern for them and for us. We already have to put up with much graffiti which is sprayed by morons on and in the area who pass by Cranbourne Road, Frankston and surrounding areas.

This will be Christmas for graffiti taggers and will make our area ugly to live in. There will be much more noise from cars entering and exiting the multi deck car park, and there will also be an increase in criminal activity which will increase because criminals will now have a way to hide their activities from police. At the moment police patrols can clearly observe anyone behaving in an illegal manner as it is open. But once it is enclosed, police patrols will not be able to see any illegal activity occurring as they patrol Cranbourne and Fletcher Roads. Already we are constantly troubled by people who commit illegal activities such as drug dealing, pimping and hooning. And a multi deck car park will only cause an increase in these antisocial activities. We also note that we are constantly woken up at all hours of the night and morning by car thieves who steal cars from this car park and a multi deck car park with more cars will only increase the theft of cars and car break ins, more noise, more trouble makers, more graffiti, more loitering and drinking, etc. And for what gain? Because most people who use this area to park their car do so only to catch the train. After 6 pm, the car park is empty so what would be the profit gained to have an expensive multi storey car park built which will be mostly empty after 6.30 pm.

The other proposed multi deck car park, circled in red, is opposite the Fletcher Road Railway Car Park, also on the corner of Cranbourne and Fletcher Roads- but on the Chisholm TAFE side. The same applies here. This area is a no go zone after 6.30 pm. The Aquatic centre circled in red is a much better option as this will allow people who wish to use the Aquatic Centre and also use Frankston Railway Station to park and utilise both of these options. It provides a better Transport connection for people to park their car, use the Aquatic Centre, go to the Station, go to work or Chisholm, come back when they are finished and do the same if they wish. It would increase the patronage of the Aquatic Centre as people would find it very convenient as a one stop shop both for their work needs, station needs and recreation needs.

### **Regarding Both of the Above Cranbourne Rd/Fletcher Rd multi deck car parks:**

Also of much importance and must not be forgotten, is that introducing multideck car parks in the locations proposed, circled in red, will most certainly increase cause a safety hazard and a delay in the CFA responding to an emergency as the Frankston CFA fire station on Cranbourne Rd/Fletcher Road intersection is directly in the junction of both Fletcher Rd/Cranbourne Road proposed multideck car parks, left and right of Fletcher Road. It also increases the potential risk factor for an accident between a CFA fire truck and oncoming traffic (due to the increased traffic volumes that these multi-storey car parks will create).

The other potential multi deck car parking area near our residential zone, is the Young St East Car Park. The Council portion which is on the Young Street side, would also be very appropriate and profitable as this is very close to the Railway Station entrance at Young Street and also the Bus Hub, and also would relieve much traffic congestion which causes a bottleneck at Wells Street. It will encourage people to use the Young Street entrance of the car park and avoid driving through Frankston cbd and causing the new Young Street station open area to be built without the burden of cars streaming through and causing pollution.

Another potential multi-deck car parking location, circled in red, which is bound by Davey Street, Young Street and Playne Street in our opinion is the best location for a multi deck car park. This has the added benefit of supplying much needed car parking for those who use the Entertainment

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Precinct of Davey St/Nepean Highway Junction. We have observed currently there is a very high demand to park, which outstrips supply. And this is even at night. It would also be of much assistance to workers who work at South East Water to be able to park as currently there are many problems due to the fact they take up a lot of car spaces in the Bayside Shopping Centre Car park. Also traffic flow would be much easier for drivers due to the fact it is bound by three streets. There are no residential problems due to the fact there is only one multi storey apartment development which is already 3-4 storeys high and they have their own parking as organised with Frankston Council.

Also this site is perfect for people visiting the football stadium in Carr Street as it is only a short walk to the football ground and to the Railway Station. As well as an ideal site for Frankston City Christmas and New Year celebrations. Also another excellent one is the potential multi deck car park near the Coast off Playne Street and Nepean Highway. South East Water staff and visitors would find this very convenient as well as people who wish to visit restaurants, nightclubs at the Junction of Nepean Highway and Davey Street.

We submit our objection and our suggestions to you and we suggest that you please keep in mind that we are surrounded by car parks and I ask you to consider Would you like to live in an area surrounded by multistorey car parks as well? How would you feel – we are sure you wouldn't like it yourself. Everyone whom we have spoken to about it have said to us that it would be horrible to live surrounded by concrete and car parks. It would be a major loss of our residential amenity and also increase the risk of pollution from cars and risk to personal safety due to increased criminal activity that we will certainly suffer. We will not be taking this matter lightly and if the council chooses to go ahead with introducing multideck car parking near our home, we will challenge it most ardently with all the resources available to us both through all possible channels. Enough is enough. We have endured a lot and we are not going to take any more. It's time Frankston Council and planning listen to the people who pay their wages – the ratepayers not property developers and business people who don't even live in the area nor do they pay Frankston Council rates. I'm sure that they would not tolerate multideck car parks in their backyard, so why should we have to put up with it. It's not fair, it's not right and it's not healthy.

Yours sincerely

[Redacted signature]



PO Box 837, Mt Eliza, 3930  
Mobile: 0403 244 771  
Email: ginevra@c4gf.com.au

19<sup>th</sup> June 2017

Strategic Planning Department Frankston City Council  
PO Box 490 Frankston VIC 3199

Sent via email: town.planning@frankston.vic.gov.au

### Submission to Frankston Planning Scheme Amendment C111

Dear Department of Environment, Land, Water and Planning,

Please accept this submission to Amendment C111 on behalf of the **Committee for Greater Frankston (C4GF)** whose membership (*list included*) is composed of local businesses, landholders and community leaders. Many operating within the Frankston Central Activity Area (CAA).

Our committee recognises the vital role a vibrant and active city centre has in supporting the regions' underlying prosperity and as such three of our four advocacy themes concentrate on this precinct:

- **Fast transportation linking into productive Jobs markets**
- **Obtain State significant excellence in recognised fields of health and education**
- **Improve image and increase private development appetite in the Central Activity Area.**

### Start from a Common Fact Base

Carparking has been Frankston's proverbial 'elephant in the room' for at least the last 25 years. Entrenched polarisation of views has ensured nothing changed: leaving the City of Frankston poorer for it. So, prior to assessing the **appropriateness of C111**, the C4GF would like to articulate the **evidence upon which our response is founded**.

### Who uses Frankston's Carparking

Not all people requiring carparking in Frankston have the same user experience. For instance, the general public cannot use disabled carparks and rightly so. However, such restrictions have a significant impact on individual user's parking experiences and thus perception of our city.

Our analysis primarily views carparking through the eyes of three **typical Central Activity Area (CAA) Carparking user groups**.

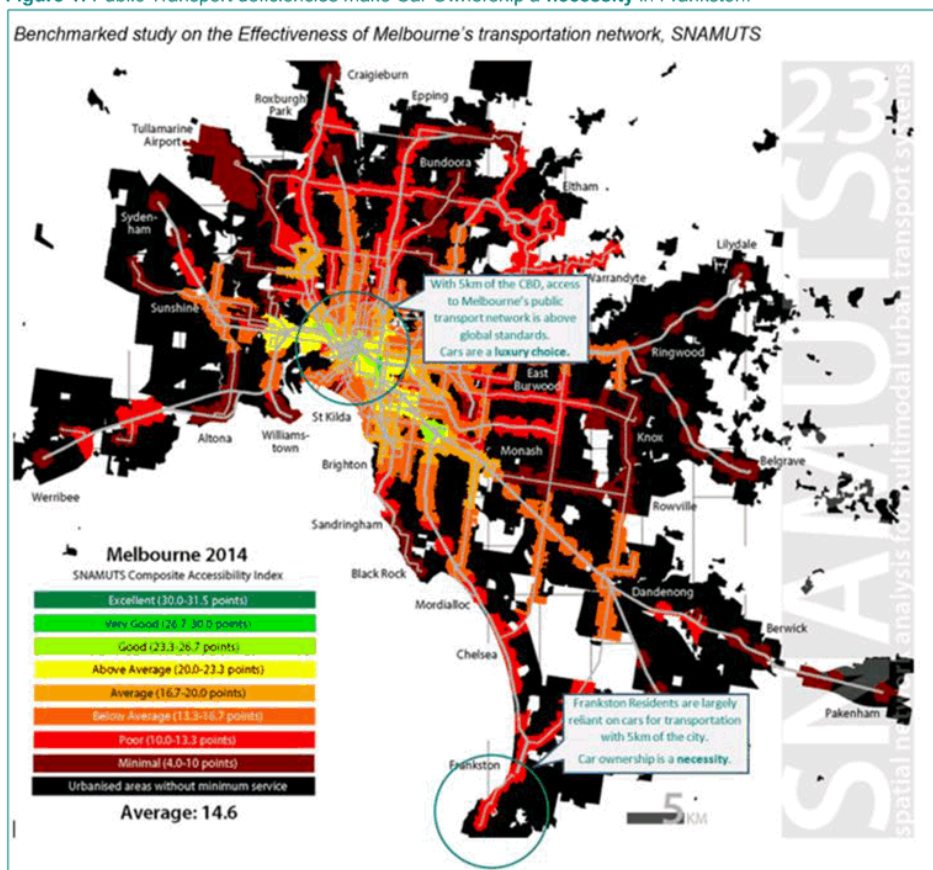
- **Commuter:** Arrives before 7:00am, workdays, parking for ~10hrs and commuting on Melbourne bound trains. Commuters travel from a wide catchment area including Frankston and the Mornington Peninsula.
- **Worker:** A full-time employee working within Frankston's municipal activity area who does not work for Council, SE Water, Bayside, TAFE or PARC. Generally, arrives midweek just before 9am and parks their car for ~8hrs.
- **Shopper:** Frequents the CAA during the day for ~3hrs. Shopper foot traffic underpins retail business performance.



In the future, carparking analysis may need to consider a few additional user groups, albeit not currently significant.

- If residential density increases in Frankston's CAA a fourth group of **Dwellers**: (residents who predominately use trains/walk but drive to access municipal neighbourhoods outside the CAA) should be considered, although this group currently represents less than 2% of the population. (REMPLAN 2017)
- With planned growth of Frankston's health and education precinct **Students** at Monash University, Frankston Hospital or TAFE, may become a larger CAA carparking user group. However, this group is most likely to require improved public transport over carparking.

Figure 1: Public Transport deficiencies make Car Ownership a **necessity** in Frankston.



Given Frankston's current **public transport service levels**, Frankston household's perceive car ownership as a necessity not a luxury (Figure 1-SNAMUTS 2014). Even if households are in areas serviced by public transport, like **Dwellers**, much of the region's social infrastructure isn't (ie. schools, jobs, shops, friends, health services), creating a reliance on private vehicles, and thus carparking, for the 'last mile' to avoid social and/or economic isolation.

We note that specific **vested interest groups** have **preferential carparking arrangement** already in place, and these users do not experience the same carparking scenario as general user groups.

Preferential arrangements include:

- **Council workers**: dedicated unrestricted free parking at council chambers
- **South-East Water employees**: dedicated unrestricted free parking at multiple leased sites
- **PARC users**: Free/discounted parking for 3hrs whilst using the swim centre/gym
- **Bayside Tenants**: ~10% discount within Bayside centre.

### Typical Mid-Week Supply Verses Demand

- **Commuter** demand for 'park & ride' services exceeds the supply of available commuter carparks in Frankston. The station carparks operate at 90%-100% capacity (*Salt 2016*) with most mid-week parks taken by 6:30am, and this continues progressively up the line to until past Carrum.
- After 7am, any **remaining all-day carparking** is rationed by either 'city comparable pricing', making it unattractive to commuters (ie Bayside: \$11 for 5+ hours) or 'hoarding for exclusive use' by specific businesses. (*refer preferential parking arrangements*)  
  
This acts as an **employment disincentive** within the CAA, both for individual workers and new businesses wishing to invest/establish themselves within the City.
- **Free 1-hour on-street** (aka. curb side) parking is oversubscribed (90%+ utilisation), but most highly sought after by CAA patrons (*FMACPP*). The supply of free well-located off-street parking, for public use, is further constrained by more defined user restrictions (ie disabled, taxi, mail, drop-offs, loading zones). (*Salt 2016*)
- Supply of **off-street** (inc multistorey & ground-level) carparking is adequate (ticketed, 60%-80% utilisation) because this is **rationed by price**. For instance, on more than 80% of occasions, our **shopper** will pay ~\$4 and our **worker** will pay ~\$11. (*Salt 2016*)
- However, with street-fronting retail vacancy rates consistently exceeding 10% between 2010-2017 and high-traffic street **dominated by 66% inactive** (offices, service providers, vacancies) **shop fronts**. (*Frankston Council 2017*) it is reasonable to conclude **off-street carparking management practices** may be a significant factor influencing consumer's shopping behaviours.
  - 65% of carparks are controlled by Bayside (*Salt 2016*)
  - Off-street carpark entry and exit locations flow foot traffic into the shopping centre
  - Vicinity, the owner of Bayside shopping centre, has different pricing structures at their other shopping destinations, including nearby Mornington (3hrs free parking).
- Whilst Frankston Council holds the position that 1) carparks should be timed to encourage turn over 2) charged to incentivise other methods of accessing the city, this principle is inconsistently applied, with **preferential treatment** around **council owned assets**, in effect creating a **carparking subsidisation** for some **vested interest** groups.

### Implications for the Proposed Amendment C111

C4GF is supportive in principle of the objectives of C111, whereby the planning scheme:

- Applies a **uniform carparking provision rate** irrespective of the type of use, so that a shopfront can change from retail outlet to café to office block without triggering any planning requirements.
- Requires all future business growth and residential development of Frankston's CAA to **provision for an increasing supply of carparking**.
- Accepts a **financial contribution** from developers into a **specific carparking levee**, in lieu of required carparking spaces where it is unfeasible or undesirable to include carparking in the development design. So, Council has the funds available to provide additional **well-located multiuse carparking**.
- Wherever possible, makes Frankston's carparking **available for public use** and anticipates that **all** publicly owned carpark assets be **priced consistently** for **all** user groups, so as not to economically distort behaviours.
- Encourages better **pedestrian, bike and public transport networks**. However, we believe that further restricting carparking **before** other forms of reliable transportation into the city centre are being used can only mean **shoppers** and **workers** face **higher barriers to accessing the city centre** and its services. This is **not in the public interest nor economically astute**.

However, we are questioning the evidence and analytical rigour of the following assertion in the *Frankston metropolitan activity centre parking plan (FMACPP)* which formed the basis of C111s carparking recommendations.

1. *FMACPP* speaks of the objective to encourage greater use of public transport usage across the municipality. However, no public transport strategies have been identified to close the **last mile** gap faced by the 98% of Frankston residents not living in the CAA. (REMPPLAN 2017) Unless a funded plan is in place to extend Frankston train line/bus network across the entire municipality to a 15 minute 24/7 service standard, Frankston must include **'park and ride' in its CAA carparking strategy** as the **last mile** of every journey remains heavily reliant on private vehicle usage.
2. *FMACPP* has not provided any **forecast scenarios** of Frankston's **future demand for carparking** over the next 30 years, for either:
  - a. CAA carparking, within the City, for local shoppers and workers, or
  - b. 'Park & ride' spaces enabling, Frankston and Mornington Peninsula residents to board trains on the Frankston line.
3. *FMACPP Part B table 2* shows on average Frankston households have less cars than the Greater Melbourne average. However, it also highlights Frankston residents are more likely to have at least 1 car/ household. Suggesting **in addition to a "per bed"/"per100sqm" carparking provision rate**, Frankston will require a **minimum per household/tenant threshold**.
4. Whilst recognising the need for "well-located" consolidated carparking within the CAA the *FMACPP* has failed to articulate **where/how Council could go about building these** or achieve any additional efficiency out of Frankston's existing parking infrastructure.

Hence, the C4GF is calling into question the appropriateness of C111s recommendations.

#### Further Independent Carparking and Transportation Analysis is Required

As Melbourne continues to upgrade its metro rail network, extend rail lines and add new stations like Southland, long-term **demand & supply management of outer suburban carparking**, in areas where **metro transit interchanges and retail shopping precincts coexist**, will become an **increasingly common source of contention**. No municipality has nailed it yet, and as a State we lack viable precedents against which to benchmark.

Hence, prior to deliberation on C111, the C4GF asks that: **Planning Panels Victoria**, not Frankston Council given their pecuniary interest in carparking outcomes, **commission detailed research by independent economic experts** to:

1. Forecast **current and future demand**, for Frankston CAA Carparking spaces and commuter "park & ride" space across the Frankston municipality.
2. Accurately plot Frankston's Carparking **"price-demand elasticity curves"** taking into consideration:
  - o the impact that carparking prices have on growth and development in Frankston
  - o the effect pricing has on different users groups' (including those defined above) ability to live, work and prosper in the CAA and across the Frankston municipality.
  - o The prevailing price of parking in neighbouring shopping precincts like Mornington and Karingal
3. Assess the appropriateness of C111's recommendation to **lower minimum carparking provision rates** (0.3 per bed and 3 per 100sqm mixed use space) given the region's deficiencies in frequent reliable public transport.
4. Review the adequacy of C111's provision to **meet future carparking demand in each year** and/or advise on how to manage any periodic shortfalls.
5. Provide recommendations on how additional supply of CAA Carparking spaces and the Frankston train line "park & ride" facilities can be **physically accommodated**, within the municipality and/or along the Frankston train line
6. Make **unbiased recommendations** on:
  - o how to fairly and effectively ration carparking across different user groups to maximise public benefit
  - o the implication that carparking ownership/management concentration has on supply, asset usage and equitable public access.

This independent research should be **publicly available**, in its entirety, as a **State-significant Body of Knowledge**, that will inform other outer suburban municipalities in their carparking decision making practices.

We anticipate that **independent analysis** undertaken to this **level of rigour**, will surface the root cause of many of the "self-evident truths" commonly expressed by local business and community representatives, and inform appropriate best practice solutions.

Whilst noting that views are potentially conflicting, and that the **Committee for Greater Frankston does not hold an agreed position on the appropriateness of 'Free Carparking'** here are some **business and community perspectives** on:

1. Access to Frankston's carparking

<p>"I try not to shop in Frankston because I hate having to search around for a carpark."</p>	<p>"Basing my business in Carrum Downs avoids Frankston's carparking headaches"</p>	<p>"It would take me hours to get to Frankston without a car, so I expect there should be enough carparking"</p>
---	---	--
2. Charging for Carparking

<p>"Carparks are expensive to build and own. If you need to charge \$6/hr then user pays"</p>	<p>"I pay rates on the carparks I built on my land, so I want them available for my customers"</p>	<p>"It is laughably illogical to charge residents to access their own city- it should all be free"</p>
---	--	--
3. Price Competitiveness of Frankston's carparking

<p>"Melbourne and Sydney aren't appropriate benchmarks for what Frankstoners will pay... carparking is free in Mornington- that is normal around here"</p>	<p>"My top manager turned down a significant promotion because working in Frankston means paying \$11/day for parking. She would prefer to continue at Karginal Hub"</p>	<p>"Eastland shopping centre at Ringwood is connected to the train station and they have made the first 3hours parking free - that seems fair"</p>
--	--	--
4. Carpark Providers' attitudes

<p>"My staff and customers have to pay for parking but councillors get theirs free"</p>	<p>"Council make \$1.6m from parking fees and millions more in fines- Why would they want to change anything?"</p>	<p>"Parking is one of Bayside's weapons to control foot traffic"</p>
---	--	--
5. Commuter parking

<p>"Mornington Shire treats Frankston as a carpark. More than 60% of early morning commuters don't live here"</p>	<p>"You can't get a park at Frankston after 6:30 so I drive up to... Kananook/ Seaford/ Carrum"</p>	<p>"I prefer going by train but fiddling around trying to get a park is a pain so I just drive"</p>
---	---	---
6. Free 1 hour on-street carparking

<p>"Reintroduction of paid on-street parking will be the final nail in the coffin of Frankston's strip shopping"</p>	<p>"I am not renewing my lease. Picture frames are hard to carry. Women won't shop at my store unless they get a nearby carpark."</p>	<p>"Free 1hr on street parks are always full, but they do turnover – they're the most useful carparks"</p>
--	---	--
7. Switching from Cars to Public Transport

<p>"Stony Point doesn't run regularly enough, but it would be really easy for me to catch. ... provided it was regular"</p>	<p>"I live too far away to ride a bike to the Station at 6am in the morning... besides I need my car for weekly shopping"</p>	<p>"If we had trams I wouldn't need a car"</p>
---	---	--



In evaluating the appropriateness of C111, we are requesting the Department of Environment, Land, Water and Planning to step back and address the future carparking needs of Frankston as a whole, rather than accepting partial solutions or popular planning trends. By comprehensively addressing Frankston's carparking challenges, we can establish a best practice model for what will become an increasingly common State Planning concern.

Kind Regards



Fred Harrison  
Chair

Committee for Greater Frankston



Ginevra Hosking  
CEO

### About the Structure of the Committee for Greater Frankston

The recently-launched **Committee for Greater Frankston** is a **visionary apolitical think-tank** that **advocates to all levels of government for a better deal for the Frankston region**. The Greater Frankston region incorporates Carrum Downs, Seaford, Langwarrin, Somerville, Mt Eliza and Frankston City Centre and encompasses three Federal seats (Isaacs & Dunkley are marginal), four State seats (two of which, Frankston and Carrum, are marginal) and two local council electorates.

**Independently funded and bipartisan**, the Committee brings together prominent local business and community leaders to **drive strategic change**. Our advocacy approach focuses on articulating a **well-reasoned, well-supported case for major infrastructure and policy reform**.

Focusing attention on just a **handful of major issues** at any one time, these **evidence-based strategies** aim to **deliver greater investment, more jobs, improved transport, and better health and education outcomes** for the people of this region and, in so doing, help our area — and the community it — achieve the progress that it deserves.



## Meet the Membership

### Executive Members

#### Fred Harrison — President

Fred is CEO of Frankston's longest corporate success story — Ritchies food and liquor stores. Ritchies first opened its doors on Nepean Hwy in 1870 as a general store. It is now the leading independently-owned, licenced supermarket chain in Australia, with 80 supermarket and liquor stores across the east coast of Australia notching up annual sales greater than \$1.1 billion. Starting his career with Ritchies as a school boy selling vegetables he'd grown in his back yard to the then-owner, Barry Cameron, Fred is now recognised throughout the Supermarket and Liquor Industry as one of Australia's most successful retailers. He is passionate about providing 'clear points of differences compared to the supermarket chains' — demonstrated by the large range of specialty foods and outstanding customer service featured at Ritchie's Mt Eliza and newly-opened Dromana stores. Ritchie's Community Benefit program has been a key element of the company's continued success. To date more than \$47 million has been donated back into the community.

#### Ginevra Hosking — CEO

Ginevra is the grand-daughter of Frankston's first mayor, Perc Hosking, who established Hoskings Jewellers in Young Street in 1945. Seventy years later Hoskings remains one of Frankston's great corporate success stories, boasting 350 employees across Australia in 30 stores, with a turn-over of \$46 million. Ginevra is part of the corporate team that manages Hoskings' Australia-wide operations. With degrees in both Science and Commerce, she has also been a senior manager and strategist in the ANZ bank in Melbourne for the last 16 years, leading significant transformation of how the ANZ manages payments and its customer communications across Australia.

#### Christine Richards — Vice President

Christine is a lawyer, journalist and editor. She has been a Law Reform Commissioner in both Victoria and Queensland; an award-winning radio producer and presenter; and coeditor of an international magazine. She has worked across Australia, in Asia and in England and is now a business woman based in Frankston. She was elected to Frankston City Council in November 2008, elected Mayor in November 2009, and elected to the Board of one of Victoria's peak local government organisations in February 2011. She was the Chairperson of the working group that established the Committee for Greater Frankston.

#### Bob Seiffert OAM — Company Secretary

An engineer by training, Bob is an expert in governance. He is currently the Independent Chairman of Beverage Williams — an engineering and surveying company with an annual turnover of over \$32 million. He is also the immediate past president of the Victorian Civil Construction Industry Alliance, a consumer representative on Victoria's Building Regulations Advisory Committee and Treasurer of Dial Before You Dig. Prior to his retirement in 2010, Bob was the CEO of the Civil Contractors Federation, the Country Fire Authority, and the Manningham, Knox and Sherbrooke Councils. For more than four decades he has also held key executive positions on numerous not-for-profit boards.

### Other Board Members (in alphabetical order)

**John Albiston** is the Principal of Frankston High School, which has a widespread reputation across the south east of Melbourne as a high quality provider of secondary education. He has worked in the Greater Frankston region for the last 32 years as a teacher, Leading Teacher, Assistant Principal, Principal and Visiting Psychologist in a variety of Primary, Specialist and Secondary government schools. As the Principal of Frankston High School, he maintains an active role working with other Frankston and Peninsula Principals to progress regional educational outcomes.

**Michael Crowder** is a third generation real estate agent from the oldest real estate family in Frankston. He is an experienced fully licensed Estate Agent and Auctioneer and is a partner in Nichols Crowder Property Solutions — a business employing 60 staff to service the sale, lease and management of commercial and industrial property in the Bayside and Mornington Peninsula regions of Melbourne.

**Rod Evenden** is the head of the Commercial Services team with lawyers, White Cleland. With a 63-year history of legal practice in Frankston, White Cleland now has a team of over 40 staff and operates an office in Melbourne's CBD. Rod has decades of experience as a commercial lawyer and is one of the firm's partners. He has a degree in science and a masters of law, and is both an accredited business law specialist and registered Trade Marks attorney. His clients include ASX listed companies and Australian subsidiaries of international companies.

**Grahame Gordon** is an engineer and businessman who retired in 2010 from full time employment as an International Business CEO in the commercial refrigeration and air conditioning industries — the last six years of which were based in Europe. He is now a non-executive director role in an Australian manufacturing company and the immediate past President of the Frankston Rotary Club.

**Pippa Hanson** is the Managing Director of The Sports Injury Clinic — a multidisciplinary and progressive allied health business established in 2004, which now employs over 60 allied health professionals and support staff. The Clinic was the overall 'Excellence in Business' winner at the Frankston and Mornington Peninsula Excellence in Business Awards in 2011 and was category runner up in 2012. Pippa has lectured in Business Management and Human Resource Management, and has previously worked in government positions.

**Kim Jackson** is the Executive Manager at Village Baxter where she has worked for the last 17 years. Village Baxter provides high quality care, service and accommodation for over 1700 senior members of the Greater Frankston region living in 460 Independent living units spread over the 75 acre Frankston South property also containing two co-located 60 suite Residential Aged Care Facilities, a Seniors Day Centre and head office for an extensive Community Care program extending throughout the Mornington Peninsula. Kim has a Bachelor of Nursing degree and has also studied Law, Economics, Accounting and Politics. She recently completed two post-graduate short courses with Harvard Business School.

**Phil Jones** has worked in the hospitality industry for 31 years managing hotels in Melbourne, Adelaide, Hobart, Canberra, Sydney, Cairns, and the Whitsundays. For the last 15 years he and his wife Linda have owned and operated the Frankston International Motel, which currently employs 25 staff. Prior to arriving in Frankston, he was Regional General Manager of the publicly listed hotel company Touraust Corporation, where he was responsible for a personal Business Unit turnover of \$40 million.

**Dr Andrew Karamesinis** founded Ti-Tree Family Doctors in Mt Eliza in 1990 with his sister, Dr Marie Karamesinis, to provide quality medical care for families. He graduated in Medicine from Monash University in 1987 and has worked in variety of hospital and general practice positions before starting his Mt Eliza business. He is a graduate of the Australian Institute of Company Directors, a Non-Executive Director of the Peninsula School, and has a farm in Gippsland.

**Rob Morrison** is a hospitality veteran of 48 years, and has been general manager of Frankston's RSL since 2006. Under Rob's management, the Frankston RSL has become a major entertainment venue for Greater Frankston residents and a stand-out performer in the Victorian RSL. In 2015 — the same year as Frankston RSL collected its third award for RSL sub-branch of the year — Rob was inducted into the Victorian RSL Hall of Fame. He is an honorary Life Member of National RSL.

**Cameron Rambert and his alternate James Bertschik** are founders of the Foundry — Frankston's newly formed hub for IT entrepreneurs. Cameron is an entrepreneur and multi-disciplinary marketing strategist with over 10 years of experience in strategy and commercialisation roles at leading Melbourne-based advertising agencies and technology startups. He made the Anthill top 30under30 (recognising the top 30 Australian entrepreneurs under 30 years of age) in 2011. James is a detail-oriented technologist and software engineer who brings over 10 years of experience in software development; networking and security; business operations and events management for government agencies, NGOs and corporate enterprises.

**Trudy Poole** and her husband Russell owned the transport business Tiltaway for 25 years, which ran a fleet of 12 trucks that transported equipment for the construction industry throughout Victoria. They sold their business six years ago. Trudy is a foundation member of Rotary Peninsula 2.0. As a result of her deep involvement in many volunteer organisations throughout the community, she was awarded Frankston's Volunteer of the Year in 2016.

**Committee for Greater Frankston Membership & Affiliates****Corporate**

Aidan Graham Quarries  
Michelle Graham- Managing Director  
Mining

Andrew Ferris Design  
Andrew Ferris- Director  
Architecture & Town Planning

Australian Unity Healthcare  
Chris Smith  
Health Care

Berettas  
Peter Berettas- Owner  
Hospitality

Cameron Real Estate  
Peter Blake- Director  
Property & Development

CORE 24  
Joe Russo- Owner  
Allied Health

Desilves Healthcare  
Upali DeSilva- Managing Director  
Aged Care

Flinders Partners  
Greg Waterland- Consultant  
Accountancy

Frankston International  
Phil Jones- Owner  
Tourism

Frankston High School  
John Albiston- Principal  
Education

Frankston RSL  
Rob Morrison- Managing Director  
Hospitality

Hoskings Jewellers  
Anthony Nash- CEO  
Retail

Ido Group  
Leigh Cummins- CEO  
Air-conditioning & Refrigeration

The IT Foundry  
Cameron Rambert- Director  
IT Innovation

John Berends  
John Berends- Owner  
Engineering & Manufacturing

Leonie Clarke Planning  
Leonie Clarke- Owner  
Planning & Development

Nicholas Crowder Reality  
Michael Crowder- Director  
Property & Development

Opteon Group  
Matthew Baxter- Consultant  
Development Strategy

PARC Peninsula Leisure  
Tim Gledhill- CEO  
Leisure & Tourism

Ritchies IGA Independent Supermarkets  
Fred Harrison- CEO  
Retail

Signarama Frankston  
David Extance- Managing Director  
Business Services

The Sports Injury Clinic  
Pippa Hanson- Managing Director  
Allied Health

Ti-Tree Clinic  
Andrew Karamesinis  
Health

Tully Supermarkets  
Frank Brancatisano- Owner  
Retail

Valis PTY LTD  
Christine Richards- Director  
Media & Government

Village Baxter  
Kim Jackson- Executive  
Aged Care

White Cleland Lawyers  
Rod Evenden- Partner  
Corporate Law

**Community Representatives**

Bob Seiffert  
Engineer, Corporate Governance

Grahame Gordon  
Trades, Rotary Club

Max Butler  
Events & PR

Trudy Poole  
Transportation, Volunteer

**Government & Associations**

Chris Crewther MP  
Federal Member for Dunkley

Frankston Business Network  
Karin Hann

Mt Eliza Chamber of Commerce  
Alison Doherty

Committee for Greater Dandenong  
Gary Castricum

**Robert Lean**

---

**From:** website@frankston.vic.gov.au  
**Sent:** Wednesday, 17 May 2017 5:38 PM  
**To:** Mark Calleja; info; Roger Crew  
**Subject:** Have Your Say Submitted

Have Your Say Topic      Re: Planning Scheme Amendment C111

Contact Name: [REDACTED]

Contact Postal Address: [REDACTED]

Contact Daytime Telephone No: [REDACTED]

Contact Email: [REDACTED]

Your Feedback: I feel that the two potential multi level car parking stations, west of Nepean Highway and located at Beach Street and Playne Streets will be "Eye Sores" for our lovely Frankston foreshore. I request that they are relocated back from Frankston foreshore and that all efforts are continued to try and beautify our lovely foreshore and not erect any more "Eye Sores" west of Nepean Highway. Regards, [REDACTED]

## SJB Planning



Attn: Strategic Planning Unit  
Frankston City Council  
PO Box 490  
**FRANKSTON VIC 3199**

By email: [town.planning@frankston.vic.gov.au](mailto:town.planning@frankston.vic.gov.au)

Date: 16 June 2014

**Re: Submission to Amendment C 111  
SPG Investment landholdings**

Dear Sir / Madam

We act for SPG Investments Pty Ltd, the land owner of properties within the area generally bound by Cranbourne Road, Deane Street and the Stony Point Railway line, including the Frankston Power Centre development and which are situated within the Frankston Major Activity Centre (FMAC) boundaries as shown below.

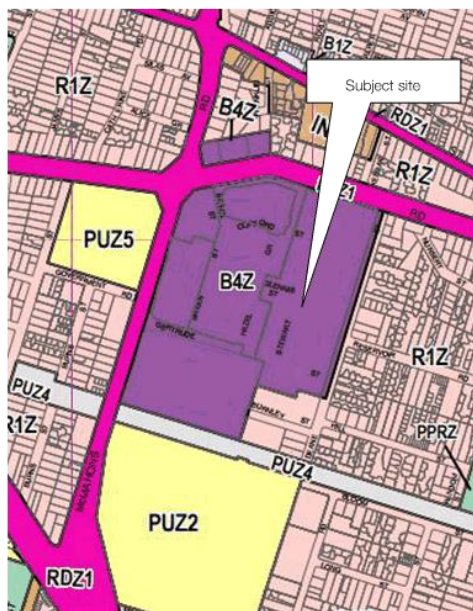


Figure 1: Subject Land location

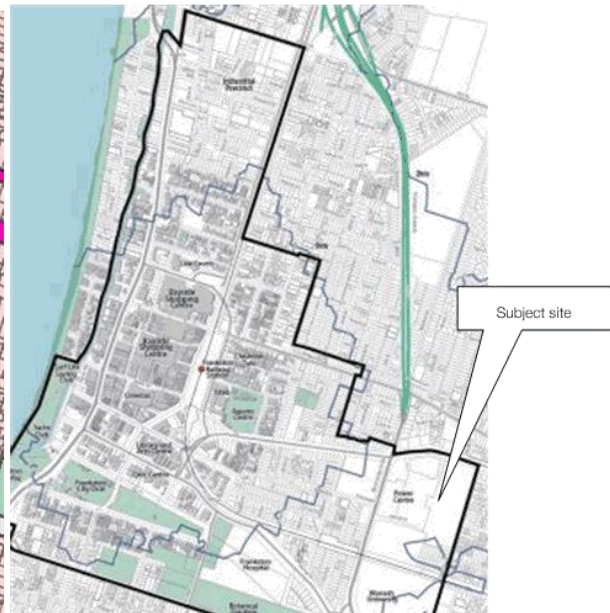


Figure 2: Extent of the FMAC

551844L002

Level 1, Building D  
80 Dorcas Street  
Southbank VIC 3006

[info@sjbplanning.com.au](mailto:info@sjbplanning.com.au)  
[sjb.com.au](http://sjb.com.au)

T 61 3 8648 3500  
F 61 3 8648 3599

SJB Planning Pty Ltd ACN 007 427 554



## Overview

Our client's properties are located at the eastern edge of the Frankston Major Activity Centre (FMAC) and are currently developed with a large format commercial retail site more commonly referred to as the Frankston Power Centre, along with residual residential land parcels.

The Frankston Power Centre is an important economic driver for the local and broader community which reflects its inclusion within the broader scope of the FMAC.

Much of the SPG land is located within the Business 4 / Commercial 2 Zone with the exception of a number of residual land parcels located to the south-east which front Burnley Street and Deane Street and currently fall under the General Residential Zone.

## Submissions

From our client's review of the Amendment C 111 documentation it is understood that the amendment proposes to implement the Frankston Metropolitan Activity Centre Parking Precinct Plan via the introduction of a Schedule to the Parking Overlay in relation to the FMAC area.

The FMAC area as depicted in this document is set by the Frankston Major Activity Centre Structure Plan, which is in draft form and which is the subject of Amendments C 123 and C 124, which, when approved, will seek to (inter alia) *'translate land use and development directions of the Structure Plan into planning scheme controls'*.

In our client's view, it is premature to consider the introduction of a proposed Parking Overlay to the Scheme when the future land use and development strategies for the entire FMAC area have not been implemented by Amendments C 123 and C124. In particular, the content of Amendment C 124 is unknown and therefore its relevance to Amendment C 111 cannot be determined.

In our client's view, the consideration and imposition of a Parking Overlay control for the FMAC area should be exhibited concurrent with Amendment C 124 and should clearly reference the form of the FMAC controls as detailed in Amendments C123 and C124 and not via an isolated amendment request.

This would allow for the consideration of a broader range of issues affecting the potential future development of the FMAC area, not least being the likely car parking requirements of the centre as a whole, and of its defined sub-precincts, which accommodate different land use activities and have different capabilities of providing for private and public car parking. In this regard car parking sub-precinct areas should reflect the geographic precinct areas as detailed in the proposed schedules of the Activity Centre Zone, of which it is assumed there will be at least two schedules proposed arising from the suites of planning controls as detailed within Amendments C 123 and C 124.

Further, this approach would allow for a more in-depth analysis and assessment of likely future car parking demands and would provide for more detailed strategic justifications for why areas should be subject to the provisions as set out in the proposed Schedule 1 to the Parking Overlay.

Notwithstanding our client's concerns that the progression of Amendment C111 in the absence of known outcomes arising from Amendment C 123 & proposed Amendment C124 is premature, the following submissions are made with respect to Amendment C111:

- The ambit of discretion afforded to the Responsible Authority in its capacity to impose financial 'contributions in lieu' requirements as part of its consideration of car parking waivers associated with land use activities within the FMAC area, as detailed under Part 5 of the Schedule, is inadequately justified and could result in planning permit applicants being heavily financially penalised for intensifying the use and development of their land where a car parking reduction or

## SJB Planning

waiver is sought and a financial contribution in lieu is imposed by the Responsible Authority as a planning permit requirement.

- The lack of 'threshold tests' under Part 5 of the Overlay Schedule substantially limits the transparency of this component of the proposed control, with threshold tests potentially relating to sub-precincts in the FMAC area which could be determined by likely future car parking demands, the size of a site and its capacity to cater to expected future parking needs, the required car space numbers, site location and distance from identified car parking facility locations or other matters that may make this requirement unreasonable or unnecessary.
- Further, it is noted that achieving the reduced car parking rates as provided by the proposed schedule to the Parking Overlay or column B of Clause 52.06 does not exempt a permit applicant from a 'cash in lieu' obligation. In our client's view, this could be detrimental to the economic growth and activity within the Centre and requires further assessment, as part of a wider strategic overview of the FMAC area as outlined above and unreasonable having regard to the project type or scope.
- The lack of defined sub-precinct areas to establish where the highest likely car parking demands will be limits the opportunities to establish a justified nexus between a proposed car parking reduction and a requirement for a cash in lieu payment relative to site / parking facility locations and the expected quantum of users and beneficiaries of the new infrastructure. While the Frankston Metropolitan Activity Centre Parking Precinct Plan identifies that payments from the cash-in-lieu scheme are to be put towards the actions of the Parking Precinct Plan – namely the future development of multi-level parking facilities in and around key strategic locations, there is no physical distance limitation set to acknowledge that not all sites in the FMAC area would benefit from the provision of additional car parking facilities and should therefore sit outside of established threshold tests for the application of the financial contributions-in-lieu requirement.
- The lack of clarity around the potential future location of car parking facilities is evidenced at Part 5.0 of Schedule 1 to the Parking Overlay, which suggests that parking facilities may be built by the Council outside of the FMAC area (no indication of where), as indicated below:

*..... 'The applicant agrees, under Section 173 of the Planning & Environment Act 1987, to the financial contribution being applied to the provision of public shared parking, at any site in **or adjacent to the Frankston Metropolitan Activity Centre Area**'.*

This would imply that facilities and/or contingencies that seek to address parking shortfalls could apply to land outside of the FMAC. This is not considered to be consistent with the broader intent of the strategic review of parking and is potentially problematic in terms of zoning controls outside of the FMAC.

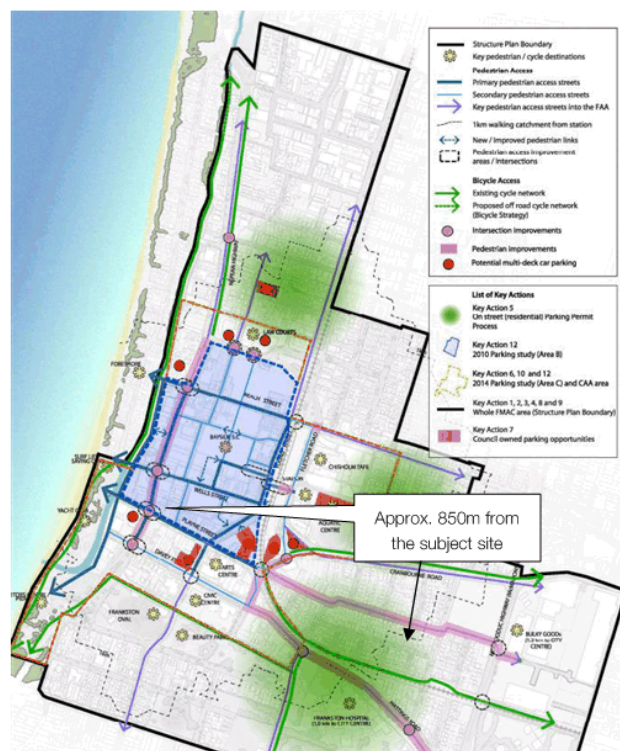


Figure 3 - The Frankston Metropolitan Activity Centre Parking Precinct Plan Figure 5.

- As shown above, *Parking Precinct Plan - Figure 5* identifies a number of preferred locations for new multi-deck car parking facilities that are typically located in and around the core retail centre and generally around areas which are linked to pedestrian and active transport nodes. The Frankston Power Centre is not proximate to the various strategic parking locations identified within Figure 5 of the Frankston Metropolitan Activity Centre Parking Precinct Plan. We have identified that the nearest of these identified site (Frankston Aquatic Centre) is approximately 650-850m from the bounds of the Power Centre.
- In this context, there is no clear or defined nexus between how the proposed cash-in-lieu process would apply to sites such as the Frankston Power Centre or the balance of the SPG landholdings, which lie on the periphery of the FMAC and would not benefit from proximity to the proposed future public parking facilities. This is clearly problematic where this new infrastructure is intended to be funded (at least in part) with cash-in-lieu contributions associated with reductions in parking and where there is no distinction established between sub precincts within the FMAC area which can, or can't adequately cater to expected future car parking demands.
- In the event that our client sought to redevelop its landholdings, and sought reductions to the relevant car parking requirements, the Responsible Authority would be afforded the option to impose cash-in-lieu contributions to compensate for any waivers sought, which while potentially contributing to improved parking within the broader FMAC area (within an undefined timeframe) but would be not likely be of any direct benefit to our client's land holdings or commercial operations and may impose cost-burdens to its projects to an extent that they are rendered unviable. Given the economic importance of the Power Centre to the local economy, this would

be a highly undesirable outcome and consequence of the application of the proposed Parking Overlay control if applied without careful assessment and restraint.

- While it is acknowledged that the ambit of discretion would apply in terms of the application of this requirement, our client is of the view that there needs to be a far more rigorous review of how and where the 'cash in lieu' provision should be applied and with respect to the triggering or applicable criteria to ensure that sites which would clearly benefit from the improved provision parking and/or access to alternative transport nodes are the ones that are required to contribute to the cash-in-lieu scheme.

### Conclusions

In conclusion, our Client considers that the exhibition and consideration of Amendment C111 is premature in the absence of the strategic overview of the FMAC area, which is to be provided by Amendment C123 and proposed Amendment C 124. The deficiencies of the proposed Parking Overlay become clearly apparent when this is borne in mind and are exacerbated by inadequate consideration of facts and matters that are relevant to the issues of car parking supply and demand for the Frankston Major Activity Centre.

We urge Council to defer its consideration of this amendment until such time as Amendment C 123 is approved by the Minister for Planning and adopted into the Frankston Planning Scheme and following the exhibition of Amendment C124 so that issues relevant to the future strategic planning of the FMAC area can be considered by affected parties in a complete and co-ordinated manner.

Please do not hesitate to contact me on 8648 3500 should you have any queries regarding our client's submission.

Yours sincerely



Kellie Burns  
Senior Associate  
[kburns@sjbplanning.com.au](mailto:kburns@sjbplanning.com.au)

## Executive Summary

### 12.1 Committee Minutes

*Enquiries: (Dennis Hovenden: Chief Executive Office)*

#### Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.1 Services
Priority Action	4.1.4 Optimise the community's ability to access services and information

#### **Purpose**

To table minutes of meetings of committees to which a Councillor delegate has been appointed.

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

That the minutes of the following Committee be received:

- Frankston City News Editorial Committee Meeting – 20 December 2016;
- Frankston City News Editorial Committee Meeting – 7 March 2017;
- Heritage Advisory Committee Meeting – 11 April 2017;
- Heritage Advisory Committee Meeting – 11 May 2017;
- Frankston City News Editorial Committee Meeting – 15 May 2017;
- Heritage Advisory Committee Meeting – 8 June 2017;
- Frankston City News Editorial Committee Meeting – 5 July 2017; and
- Heritage Advisory Committee Meeting – 25 July 2017.

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

Council participates in a number of industry organisations and Council convened Committees servicing various Council interests. Council typically appoints a Councillor delegate to each of the organisations. Circulation of the minutes of Committee meetings is an important way of keeping others informed about the direction and activities of the Committees.

#### **Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.



**12.1 Committee Minutes**  
**Executive Summary**

There are no financial implications associated with this report.

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

Nil

**2. Other Stakeholders**

Nil

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

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

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

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

Legal

There are no legal implications associated with this report.

Policy Impacts

There are no legal implications associated with this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

There are no risks associated with this report.

**Conclusion**

That the information be received.

**12.1 Committee Minutes**  
**Executive Summary**

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**ATTACHMENTS**

- Attachment A: Frankston City News Editorial Committee Meeting - 20 December 2016
- Attachment B: Frankston City News Editorial Committee Meeting - 7 March 2017
- Attachment C: Heritage Advisory Committee Meeting - 11 April 2017
- Attachment D: Heritage Advisory Committee Meeting - 11 May 2017
- Attachment E: Frankston City News Editorial Committee Meeting - 15 May 2017
- Attachment F: Heritage Advisory Committee Meeting - 8 June 2017
- Attachment G: Frankston City News Editorial Committee Meeting - 5 July 2017
- Attachment H: Heritage Advisory Committee Meeting - 25 July 2017



**Frankston City News (FCN) Editorial Committee Minutes  
Tuesday 20 December 2016, 9.30am**

**Present:** The Mayor, Cr Brian Cunial; Deputy Mayor, Cr Steve Toms; Cr Colin Hampton; Cr Sandra Mayer; Media & Communications Coordinator; Officers representing the following departments — Communications, Community Safety, Planning and Environment, Public Space and Leisure, Sustainable Assets,

**Apologies:** Customer Service Coordinator, Community Strengthening

**FRANKSTON CITY NEWS – JANUARY> FEBRUARY 2017 EDITION**

- Copies will be circulated soon, when back from the printer
- Distribution week of 3 January 2017
- Cr Toms acknowledged opportunity to include a Councillor column

**SCHEDULE OF STORIES FOR MARCH > APRIL 2017 EDITION**

- Some revisions made to the draft story list
- **Revised story list attached**
- FRRRC story – include great value and sort and save messages
- LXRA story – ensure appropriate approval of content
- Role of Council/Councillors – ensure early draft reviewed by Mayor

**COMMUNITY GROUP SUBMISSIONS**

- Items incorporated in the list include: Anzac Day, Fresh Start Sounds, Frankston Croquet Club and Frankston Tennis Club. Submissions are reviewed as they come in and accommodated wherever possible.

**2017 TIMELINES**

- Committee endorsed timelines
- **Copy attached**

**ACTION:** Communications Officer Publications will share with all staff on Grapevine

**MEETING TIMES**

- Committee agreed to 10am Tuesdays for meeting, can be changed if required during the year
- ACTION:** Communications Officer Publications will issue 2017 meeting invitations by Outlook

**OTHER BUSINESS**

- Cr Hampton noted meeting request with all Councillors to discuss Frankston City News Terms of Reference and request for information about Graphic Design panel
- NOTE:** A Councillor briefing has already been scheduled for **6 March** to discuss Terms of Reference
- Other story items to note for future editions:
    - November 2017 – Christmas Giving Tree and Day of the Dead
    - May 2017 – affordable dog fence solutions thanks to Treasure Chest (FRRRC)
  - Media Release opportunity about Indigenous Nursery
  - Further opportunity to ask the community their recycling tips to share with others

**NEXT EDITION TIMELINES – MARCH>APRIL 2017**

**Please submit text (including Councillor Columns) by – Wednesday 18 January**

Proof to EMT – Tuesday 14 February

Printing – Tuesday 16 February

Australia Post – Monday 20 February

**Distribution – week of 27 February**

**Meeting Closed: 10.25am**

**Next meeting: Tuesday 7 March, 10am, Casuarina Room, Civic Centre**



**Frankston City News (FCN)  
Editorial Committee Minutes  
Tuesday 7 March 2017, 10am**

**Present:** The Mayor, Cr Brian Cunial; Cr Colin Hampton; Cr Sandra Mayer; Communications Coordinator; Officers representing the following departments — Communications, Community Safety, Community Strengthening, Planning and Environment, Public Space and Leisure, Sustainable Assets.

**Apologies:** Customer Service Coordinator, Community Strengthening officer

**FRANKSTON CITY NEWS – MARCH–APRIL 2017 EDITION**

- Ink offset needs to be raised with the printer
- Good feedback around the table on content with positive response from the community
- Cr Hampton noted request to further review masthead making it broader and bolder

**SCHEDULE OF STORIES FOR MAY–JUNE 2017 EDITION**

- Some revisions made to the draft story list
- **Revised story list attached**

**COMMUNITY GROUP SUBMISSIONS**

- Items incorporated in the list include: Southside Beekeepers; Frankston Photographic Club and The Voice of Frankston. Submissions are reviewed as they come in and accommodated wherever possible.

**OTHER BUSINESS**

- Cr Hampton noted possible amendments to the proposed Terms of Reference – for further discussion at Councillor briefing
- Other story items to note for future editions:
  - July 2017 – Sports grants funding available through Miscellaneous grants
  - September 2017 – Children's cricket grants for health care card holders

**NEXT EDITION TIMELINES – May–June 2017**

**Please submit text (including Councillor Columns) by – Monday 27 March**

Proof to EMT – Tuesday 18 April

Printing – Monday 24 April

Australia Post – Monday 1 May

**Distribution – week of 8 May**

**Meeting Closed: 10.40am**

**Next meeting: Tuesday 16 May, 10am, Casuarina Room, Civic Centre**



## **Ballam Park Homestead Advisory Committee & Heritage Assets and Promotion Committee**

### **MEETING 11.04.2017**

The meeting was attended by Glenda Viner, Michael Papageorgiou and Meghan Doherty who were joined briefly by Councillor Glen Aitken.

Apologies: Councillor Quinn McCormack, Garry Woolard

### **MINUTES & PROPOSED ACTIONS**

#### **Ballam Park**

- 1) Compile a key contact list regarding the designation of maintenance tasks.
- 2) Determine most efficient, effective means of registering maintenance jobs through Council.
- 3) Investigate possible arrangements to prepare a heritage-appropriate landscape plan for the Homestead's garden.
- 4) Determine the best means to fund major projects including Capital Works and Federal and State Government funding grants.

#### **Heritage Weekend and History Film:**

- 1) Determine an appropriate date for the heritage weekend and film at the end of September
- 2) Investigate potential locations to host the event including Ballam Park Homestead, Frankston Football Club and the Frankston Arts Centre. A preference for the Homestead to host the event has been established and supporting features of the occasion could include:
  - Food trucks
  - Marquees
  - Jumping castles
  - Costume outfits and 'dress-ups'
- 3) Develop a suite of topics to be spoken to in a 'Talking Heads' manner which reflect on the life and development of Frankston from 1966 to the present day. Potential topics include:
  - Newcomers and immigration to Frankston
  - Celebrating famous residents eg. Graham Kennedy, Peter Mitchell (whose father, Geoff Mitchell, was a Councillor on the Frankston city council in the 1960s and 1970s).
  - New estates and residential development eg. Jennings of the 70s and 80s
  - Indigenous cultural aspects
- 4) Initiate the third instalment of the Frankston history documentary films. Part 3 to feature Frankston from 1966 to the present day, organised around key themes.
- 5) Cr Aitken would like to develop overarching linking segments resulting in an integrated, 'complete' set of films.

#### **General Business**

- 1) Next meeting to be held in 4 weeks' time

#### **Items not discussed to be carried over to the next meeting:**

- 1) The proposed Heritage Trail through the FMAC.
  - Glenda made mention of new signage requested for Thompson's Folly (located at the intersection of the Esplanade and High Street in Frankston). The history of this site registers it as a potential location to be included in the FMAC Heritage Trail.
- 2) The reinstalment of the Sir John Madden Historic Drinking Fountain
  - Glenda made mention of another fountain dedicated to the McCombes, calling into question the identity of the Madden fountain currently in storage at the depot. Further investigation is needed to determine the fountain's correct identity.

## **Ballam Park Homestead Advisory Committee & Heritage Assets and Promotion Committee**

**MEETING 11.05.2017**

<b>Members:</b>	
Cr Glenn Aitken	Councillor (FCC)
Michael Papageorgiou	Manager Planning and Environment (FCC)
Meghan Doherty	Strategic Planning, Urban Designer (FCC)
Garry Woolard	Open Space Advisor (FCC)
<b>Apologies:</b>	
Glenda Viner	President of the Frankston Historical Society
Cr Quinn McCormack	Councillor (FCC)

### **MINUTES**

<b>Item and Discussion</b>	<b>Agreed Actions and Outcomes</b>
<b>Reinstalment of Sir John Madden Historic Drinking Fountain</b> <ul style="list-style-type: none"> <li>Garry Woolard informed the Committee of the proposed location for the fountain's reinstalment in front of the 'Comfort Station' on Playne Street. The project is ready to commence.</li> <li>Council previously sought clarification of the McComb fountain's whereabouts. Meghan spoke to Glen Boyle from the Operations Centre who confirmed the fountain was not in storage at the depot and believes the fountain to have been disposed of (accidentally) when it was deconstructed. A new commemorative fountain was constructed near the foreshore to replace this.</li> </ul>	<p>The Committee agreed that this was an appropriate location.</p>
<b>Proposed Heritage Trail Panel Photographs through the FMAC</b> <ul style="list-style-type: none"> <li>Committee has a preference for simple presentation of the panels, more modest than what has been proposed previously. Panels should include clear quality photographs and succinct text in a material resistant to vandalism. Examples include the Historical Walking trails at Mentone and Mordialloc and the Bayside Coastal Trail Network.</li> <li>Discussion of potential locations for the panels and their subject matter included: <ul style="list-style-type: none"> <li>Thompson's Folly</li> <li>Frankston Station</li> <li>McComb crossing Bass Strait (Kananook Creek/Foreshore Location)</li> <li>Fishing Industry (Kananook Creek/Foreshore Location)</li> </ul> </li> </ul>	<p>Meghan to proceed with site research and compile a list of potential locations to be discussed in upcoming meetings.</p>
<b>Heritage Weekend Event (1966 – Present)</b> <ul style="list-style-type: none"> <li>Re-cap of potential locations for hosting the event and supporting features – preference still for Ballam Park with Frankston Football Club as a fall-back option.</li> <li>Discussion of topics to be covered and feature in the event: <ul style="list-style-type: none"> <li>Bayside scandal (Interview Colin Hampton), Noel</li> </ul> </li> </ul>	<p>Meghan to develop a timeline of events with</p>

Item and Discussion	Agreed Actions and Outcomes
<p>Ferguson</p> <ul style="list-style-type: none"> <li>- From Frankston Tech to becoming Chisholm</li> <li>- Monash University (came in late 80s?)</li> <li>- Central Park</li> <li>- Aerial photographs of development change around Frankston.</li> <li>- Subdivision allotment plans (Cr. Aitken to potentially supply plans from 1960s)</li> <li>- Potentially use photographs from Council offices</li> <li>- Sweetwater Creek</li> <li>- Seaford Wetlands – RAMSAR Listing</li> <li>- Joan Lindsay – Picnic at Hanging Rock, Time without Clocks</li> <li>- Paul Denier</li> <li>- Dallas Brooks</li> <li>- Post War Modernist Architecture <ul style="list-style-type: none"> <li>• Chancellor &amp; Patrick</li> <li>• Roy Grounds ('Round House')</li> </ul> </li> <li>- Seaford Life Saving Club</li> <li>- Yacht Club – Burgess architects</li> <li>- Mad Max – Seaford Pier</li> <li>- Frankston as a popular beach destination (a place to escape heatwaves)</li> <li>- Dame Edna Everidge at Frankston Beach</li> <li>- Frankston Reservoir (decommissioned within last 10 years)</li> <li>- Frankston Riot (consult Brian Mace)</li> <li>- Seaford Foreshore (early 1970s) and clearing sand off Nepean Highway. Severe erosion event (consult Cr. Aitken)</li> <li>- Ventana Festival</li> <li>- Iron Man event</li> <li>- Potential drone footage from beach, up Sweetwater Creek to the Reservoir.</li> </ul>	<p>an even spreading of topics/notables across the decades.</p>
<p><b>Next instalment of the Frankston History Film (1966–Present).</b></p> <p>Discussion concerned the need to explore options for local film-makers with the ability to deliver the film on time and on budget. Potential for additional time-lapse footage and drone flight in addition to interviews and stills.</p>	<p>Meghan to compile a list of potential film-makers to contact.</p> <p>Meghan to send out request for quotes to film makers by month's end.</p>
<p><b>Ballam Park Homestead Issues</b></p> <p>Item to be carried to next meeting pending Glenda's availability.</p>	<p>Item to be carried to next meeting.</p>
<p><b>Date of next meeting</b></p>	<p>TBA</p>
<p><b>Meeting Close</b></p>	



**Frankston City News (FCN)  
Editorial Committee Minutes  
Monday 15 May 2017, 4pm**

**Present:** The Mayor, Cr Brian Cunial; Cr Colin Hampton; Communications Coordinator; Officers representing the following departments — Communications, Community Safety, Community Strengthening, Customer Service, Planning and Environment, Sport and Recreation

**Apologies:** Sustainable Assets officer

**FRANKSTON CITY NEWS – MAY–JUNE 2017 EDITION**

- Positive feedback on content and photo clarity and brightness
- Thanks from community groups represented including permaculture network (event now booked out) and Beekeepers
- Cr Hampton noted printing error in new header – technical fault re. negatives and plates

**ACTION:** Communications Officer Publications to follow up issue with the printer

**SCHEDULE OF STORIES FOR JULY–AUGUST 2017 EDITION**

- Some revisions made to the draft story list
- **Revised story list attached**

**COMMUNITY GROUP SUBMISSIONS**

- Items incorporated in the list include: The Voice of Frankston; Frankston Relay for Life and Frankston Community Register. Submissions are reviewed as they come in and accommodated wherever possible.

**OTHER BUSINESS**

- Other possible story items to note for September edition
  - 'Bin it don't swim in it' message about dog waste bags, possibly with Pets' Day Out
  - McClelland Reserve pavilion official opening July
  - Specialty item recycling
- Proposed 2018 timelines will be tabled at next meeting

**NEXT EDITION TIMELINES – May–June 2017**

**Please submit text (including Councillor Columns) by – Monday 5 June**

Proof to EMT – Tuesday 27 June

Printing – Tuesday 4 July

Australia Post – Monday 10 July

**Distribution – week of 17 July**

**Meeting Closed: 4.35pm**

**Next meeting: Wednesday 5 July, 10am, Casuarina Room, Civic Centre**

# **BALLAM PARK HOMESTEAD ADVISORY COMMITTEE AND HERITAGE ASSETS & PROMOTION COMMITTEE**

## **MINUTES**

**Thursday June 8<sup>th</sup> 2017 @ 5.30 – 6.30pm**  
Frankston City Council offices  
Councillor's Meeting Room

### **ATTENDEES**

<b>Members:</b>	
Michael Papageorgiou	Manager Planning and Environment (FCC)
Meghan Doherty	Strategic Planning, Urban Designer (FCC)
Glenda Viner	President of the Frankston Historical Society
Pat Bentley	Frankston Beach Association, FEFN
Gillian Collins	Frankston Beach Association, FEFN
<b>Apologies:</b>	
Cr Quinn McCormack	Councillor (FCC)
Cr Glenn Aitken	Councillor (FCC)

### **MINUTES**

<b>Item and Discussion</b>	<b>Agreed Actions and Outcomes</b>
<p><b>Indigenous cultural mappings</b></p> <ul style="list-style-type: none"><li>Gillian and Pat presented their concern for the lack of publicly available information regarding the local indigenous history of Frankston to the committee. In particular they discussed their disappointment at having no definitive location to visit to learn about the area's Aboriginal heritage.</li><li>Pat and Gillian requested:<ul style="list-style-type: none"><li>Access to an archaeological study of the Frankston foreshore (commissioned by Council in 2010) to assist in their research;</li><li>Council guidance for a historical presentation at the Down's estate as a means to educate the community about Frankston's Aboriginal heritage in this location;</li><li>Council guidance in consolidating Frankston's local indigenous history into a comprehensive format.</li></ul></li><li>The committee suggested a series of information panels could be installed at Down's Estate displaying relevant Aboriginal history information – research and installation possible with the assistance of grant applications.</li><li>The committee agreed that professional research would be required to consolidate Frankston's Aboriginal history. Suggested approaching libraries and universities for specialists in the field and research opportunities for students.</li></ul>	<p>Meghan to provide a copy of the foreshore study to Pat and Gillian if access is permissible.</p> <p>Meghan to check with Frankton Library for Aboriginal history collection and staff contacts.</p> <p>Pat and Gillian to approach academic institutions for specialist help.</p> <p>Pat and Gillian to seek public grants for the production of Down's Estate information panels.</p>



Item and Discussion	Agreed Actions and Outcomes
<b>Ballam Park Homestead Issues</b> <ul style="list-style-type: none"> <li>Public parking across driveway blocking access to homestead <ul style="list-style-type: none"> <li>Suggestions that Council Officers should conduct 'spontaneous' inspections during busy periods</li> </ul> </li> <li>Motorbikes in park disturbing the peace <ul style="list-style-type: none"> <li>The committee agreed that this was a local laws issue and police should be notified at the next occurrence</li> </ul> </li> <li>Gas leak <ul style="list-style-type: none"> <li>The committee agree that the homestead needs a designated contact to call in the event of such emergency maintenance issues</li> </ul> </li> <li>Damage from pest control installation (stickers stuck to homestead with silicone)</li> <li>Trees along driveway need to be assessed for safety</li> <li>Buggy shed floor (needs concreting)</li> <li>General maintenance concerns: <ul style="list-style-type: none"> <li>Rotting laundry door</li> <li>Rotting veranda post (base)</li> <li>Possum hole in back of Homestead</li> <li>Nails on veranda deck sticking up</li> <li>Guttering on resource centre</li> <li>Sign at front gate (graffiti damage)</li> </ul> </li> </ul>	<p>Meghan to confirm details of Council Officer responsible for homestead maintenance issues.</p> <p>Meghan to create 'Ballam Park Procedure Guide' for lodging maintenance requests.</p> <p>Glenda to contact 'Community Safety Department' to request parking inspections at Ballam Park.</p>
<b>Proposed Heritage Trail Panel Photographs through the FMAC</b> Carried	Item carried to next meeting.
<b>Heritage Weekend Event (1966 – Present)</b> Quotes received from two venues – Frankston Arts Centre and Frankston football Club. Arts Centre preferable as can accommodate larger audience.	<p>Meghan to further explore pricing options to host event at Ballam Park.</p> <p>Meghan to book and confirm venue at next meeting.</p>
<b>Next instalment of the Frankston History Film (1966 – Present)</b> Request for quote sent out by Meghan to 6 separate film producers. Awaiting responses.	<p>Meghan to assess quotes and confirm film producer next meeting.</p> <p>Glenda to suggest additional key events and topics for the event.</p>
<b>General Business</b> Nil	
<b>Date of next meeting</b>	TBD
<b>Meeting Closed</b>	



**Frankston City News (FCN)  
Editorial Committee Minutes  
Wednesday 5 July 2017, 4pm**

**Present:** Communications Coordinator; Officers representing the following departments —  
Communications, Community Safety, Community Strengthening, Customer  
Service, Events, Planning and Environment, Sport and Recreation

**Apologies:** The Mayor, Cr Brian Cunial; Cr Colin Hampton; Cr Sandra Mayer,  
Sustainable Assets officer

**FRANKSTON CITY NEWS – JULY–AUGUST 2017 EDITION**

- Copies received from printer this afternoon
- Header printing issue resolved
- Distribution week 17 July
- Feedback welcome at any time

**SCHEDULE OF STORIES FOR SEPTEMBER–OCTOBER 2017 EDITION**

- Some revisions made to the draft story list
- Some items to note for November story list including:
  - Impact Volunteering Volunteer of the Year awards
  - Christmas decorations
- **Revised story list attached**

**COMMUNITY GROUP SUBMISSIONS**

- Items incorporated in the list include: Community Kinders Plus Family Fun Day 29 Oct; Flinders College Community Cubby project; Writers' Block; PAS Spring Art Show; Frankston Symphony Orchestra 50<sup>th</sup> birthday; Around the Bay in a Day; Coast Guard Blessing of the Fleet; Remembrance Day services
- Given high demand each will be limited to a brief event listing
- Submissions are reviewed as they come in and accommodated wherever possible.

**TERMS OF REFERENCE**

- **Frankston City News Editorial Committee Terms of Reference attached**
- Tabled for review prior to going back to Council for final adoption
- Any feedback/comments welcome to Natalie Cincotta by Friday 21 July 2017

**OTHER BUSINESS**

- **Draft 2018 timelines attached**
- Tabled for any comments/feedback by the next meeting please
- Similar timetable to recent years

**NEXT EDITION TIMELINES – SEPTEMBER–OCTOBER 2017**

**Please submit text (including Councillor Columns) by – Monday 31 July**

Proof to EMT – Tuesday 22 August

Printing – Tuesday 29 August

Australia Post – Monday 4 September

**Distribution – week of 11 September**

**Meeting Closed: 4.25pm**

**Next meeting: Tuesday 12 September, 10am, Casuarina Room, Civic Centre**

## MEETING MINUTES - 25.07.2017

### **Ballam Park Homestead Advisory Committee & Heritage Assets and Promotion Committee**

<b>Members:</b>	
Cr Glenn Aitken	Councillor (FCC)
Cr Quinn McCormack	Councillor (FCC)
Michael Papageorgiou	Manager Planning and Environment (FCC)
Meghan Doherty	Strategic Planning, Urban Designer (FCC)
<b>Apologies:</b>	
Glenda Viner	President of the Frankston Historical Society
<b>Observer</b>	
Carole Pico	

### **Agenda**

<b>Item and Discussion</b>	<b>Agreed Actions and Outcomes</b>
<b>Proposed Heritage Trail Panel Photographs through the FMAC</b> The Committee agreed that the four panels previously recommended were appropriate and that the local indigenous history should also feature amongst their content. It was suggested and agreed that the fifth panel (with content relevant to its positioning) be located within the town centre.	Meghan to refine content and potential locations for all 5 panels.  Meghan to research potential panel design and format / layout. Also to research potential manufacturers and the costings for the production of 5 panels.
<b>Ballam Park Homestead Issues</b> Glenda Viner was unable to attend the meeting.	Item carried to next available meeting.
<b>Heritage Weekend Event (1966 – Present)</b> Discussion of potential guests to speak at the History Day or provide dialogue for the History Day film. Names suggested: <ul style="list-style-type: none"> <li>- Richard Basto (Cr. Aitken)</li> <li>- Gail Dudeck (CR. Aitken)</li> <li>- Bruce Petry (Carole Pico)</li> <li>- Marion Beatty (Cr. Aitken)</li> <li>- Shirley Davis (Carole Pico)</li> </ul> Supported suggestions for the day's proceedings included: <ul style="list-style-type: none"> <li>- Inclusion of 'Welcome to Country' by Mayor.</li> <li>- Breaks between guest speakers to feature short article readings / skits etc.</li> <li>- An 'Open Mic' arrangement following the</li> </ul>	Meghan to compile two separate, comprehensive lists of speakers (including contact details and 'area/theme of knowledge') for both the History Day Event and for the feature documentary film.

Item and Discussion	Agreed Actions and Outcomes
formal conclusion of the event (length to be confirmed).	
<p><b>Next instalment of the Frankston History Film (1966 – Present)</b></p> <p>Two submissions were received in response to the request for quotes for the film production. Both Aspect Meida and Huemankind Designs quoted \$10 000 for the tender. Aspect Media withdrew their submission having accepted another contract with a conflicting schedule. Huemankind Designs officially recommended for the 2017 History Film.</p> <p>Additional topics to potentially feature in the film:</p> <ul style="list-style-type: none"> <li>- Youth culture</li> <li>- Frankston Symphony Orchestra</li> <li>- Arts Centre</li> <li>- Jamboree footage</li> <li>- Sir John Madden Fountain</li> <li>- Notable Architecture eg. Round House / Petry House / Plowman Place</li> </ul>	<p>Meghan to arrange preliminary meeting with Huemankind Designs (Jason Mitchell).</p> <p>Meghan to compile relevant information necessary for Jason to follow up on and continue with research.</p>
<p><b>General Business</b> N/A</p>	
<p><b>Date of next meeting</b></p>	TBA
<p><b>Meeting Close</b></p>	

## Executive Summary

### 12.2 Flying of the Flags Policy - Civic Centre and Frankston War Memorial Site

*Enquiries: (Dennis Hovenden: Chief Executive Office)*

#### Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.2 Promote Frankston City's reputation as an arts, festivals and events destination

#### **Purpose**

To endorse the Flying of Flags Policy (the Policy) for the flying of flags at the Civic Centre and the Frankston War Memorial site.

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

That Council adopts the Flying of Flags Policy.

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

- At its meeting on 2 July 2007, Council resolved:  
*"That Council adopts the policy on flying of flags at the Civic Centre Flagpoles".*
- The Policy was formulated to assist Council in making decisions regarding flag raising requests. It recognised that flying of flags at the Civic Centre involves some form of exposure and therefore flying of flags of different nations or supporting significant causes has implications for the credibility, identity and value association with Council and its image.
- The Policy also provides guidance to Council when requests are received for flying of flags at the Civic Centre flagpoles, in accordance with Federal and State Government Flag protocol.
- Council has previously agreed to fly the following flags at the Civic Centre which are incorporated into the Policy:
  - Independence Day of Greece (25 March)
  - Tartan Day ~ St Andrew Flag (1 July)
  - Peace Day (21 September)
  - National Day of Greece (28 October)
  - Scotland's National Day ~ St Andrew Flag (30 November)
- Further, at its on 10 July 2017, Council resolved:  
*"That the:*
  1. *LGBT (Lesbian, Gay, Bisexual and Transgender) 'Rainbow' flag be flown alongside other ceremonial and non-ceremonial flags outside the Frankston City Council Civic Centre to demonstrate Council's position that Frankston City is an inclusive municipality where all are welcomed regardless of race, creed, disability and sexual/gender persuasion.*



**12.2 Flying of the Flags Policy - Civic Centre and Frankston War Memorial Site****Executive Summary**

2. *Cost to procure the flag, and any spares/additions, should be absorbed by the relevant FCC department. The flag is only to be removed on occasions where it is not compliant with ceremonial code / occasions.*

- The Policy has been updated to include the flying of flags at the Frankston War Memorial site and the LGBT Pride Flag.
- The following flags will now be permanently flown at the Civic Centre:
  - Australian Flag;
  - Victorian Flag;
  - Frankston City Council Flag;
  - Torres Strait Islander Flag;
  - Aboriginal Flag; and
  - LGBT Pride Flag.

The only days the LGBT Pride Flag will not be flown is on the days where Council has nominated other flags to be flown annually.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

There are no direct financial implications in relation to this report as the costs to purchase the flags permanently flown at the Civic Centre and War Memorial site are covered within existing budgets. For any other related events/activities, the cost of the flag will be the responsibility of the applicant, as outlined in the Policy.

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

Nil.

**2. Other Stakeholders**

Nil.

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

There are no environmental or economic implications associated with this report.

Council does reserve the right to withdraw or not grant permission for a flag to be flown at any time should it involve unlawful activities, or the views are not shared by Council, or is of a political party nature.

**12.2 Flying of the Flags Policy - Civic Centre and Frankston War Memorial Site****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

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

Legal

There are no legal implications associated with this report.

Policy Impacts

There are no other Policies or protocols that will affect the decision of this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

There are no risks associated with this report.

**Conclusion**

That Council endorses the Flying of Flags Policy which now includes the flags permanently flown at the War Memorial Site and the LGBT Pride Flag that is now permanently flown at the Civic Centre site.

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**ATTACHMENTS**

Attachment A: Flying of Flags Policy

<b>Frankston City Council Policy</b>	<b>Policy Number:</b> xx/2017 <b>EDMS Number:</b> A3067871
<b>Flying of Flags</b>	<b>Issue:</b> OM306 <b>Date:</b> 04/09/2017

**1. STATEMENT:**

This Policy provides guidance to Council when requests are received for flying of flags at the Civic Centre or at the Frankston War Memorial site located in Beauty Park, in accordance with Federal and State Government flag protocol.

**2. OBJECTIVE:**

The objectives of this Policy are to ensure:

- That Council observes the flag protocol set out by the Federal and State Government;
- That there is consistency in flags that are flown at the Civic Centre and the Frankston War Memorial site.

**3. SCOPE:**

This Policy applies to all departments within Frankston City Council.

**4. AUTHORISATION:**

The Chief Executive Officer (CEO) is responsible for administering this Policy.

All applications for the flying of flags must be approved by the CEO.

The CEO has the discretion to refer sensitive requests to Council for direction.

Responsibility for the overall accountability and implementation of the standards outlined in this Policy is with the CEO who shall only enter into flag arrangements in accordance with this Policy.

All Directors are responsible for ensuring adherence to the requirements of this Policy.

The Mayor and Councillors Office will maintain a register of all flag arrangements for the Civic Centre flagpoles and War Memorial site flagpoles.

**5. REVISION:**

This Policy will be reviewed every four (4) years, unless an earlier review date is deemed necessary.

**6. PROTOCOL NON-COMPLIANCE:**

The CEO reserves the right to revoke any flag arrangements made between Council employees/business units and organisations if adherence to this Policy is not complied with.

Council's reputation is paramount; all parties must maintain a consistent and professional approach with all flag raising opportunities undertaken by Council.

<b>Frankston City Council Policy</b>	<b>Policy Number:</b> xx/2017 <b>EDMS Number:</b> A3067871
<b>Flying of Flags</b>	<b>Issue:</b> OM306 <b>Date:</b> 04/09/2017

**7. RELATED DOCUMENTS:**

- *Guidelines the Australian National Flag – Australian Government Publishing Service – Canberra*
- *Guidelines Protocols and Special Events Branch – Department of Premier and Cabinet – Victoria*
- *Internal Event Process and Event Application Form*
- *Bereavement Policy*
- *It's an Honour – Australian Celebrating Australians*

**8. IMPLEMENTATION OF THE PROTOCOL:**

Following adoption of this new Policy, internal communication mediums will be utilised to explain the key features of the Policy to Councillors and relevant Council employees.

**9. PROCEDURE:**

*Frankston Civic Centre*

The following flags are permanently flown at the Civic Centre:

- Australian Flag
- Victorian Flag
- Frankston City Council Flag
- Torres Strait Islander Flag
- Aboriginal Flag
- LGBT Pride Flag

Council has also agreed to fly the following flags on the nominated days at the Civic Centre on a yearly basis:

- 26 January – Australia Day (Australian Flag)
- 25 March – Independence Day of Greece (Greek National Flag)
- 21 September – Peace Day (Peace Flag)
- 28 October – National Day of Greece (Greek National Flag)
- 30 November – St Andrew's Day Scotland's National Day (St Andrew Flag)

On these nominated days, the LGBT Pride Flag will not be flown.

Note: as the Civic Centre flagpoles are not illuminated, flags are to be raised and lowered each day in accordance with the protocols detailed on the *It's an Honour* website.

<b>Frankston City Council Policy</b>	<b>Policy Number:</b> xx/2017 <b>EDMS Number:</b> A3067871
<b>Flying of Flags</b>	<b>Issue:</b> OM306 <b>Date:</b> 04/09/2017

*Frankston War Memorial*

The following flags are permanently flown at the Frankston War Memorial site:

- Australian Flag
- Victorian Flag
- Frankston City Council Flag
- Torres Strait Islander Flag
- Aboriginal Flag

The only days the Frankston City Council Flag will not be flown at the War Memorial site is on nominated days such as Anzac Day, Remembrance and Vietnam Veterans Day.

*Process for requests to fly other flags*

If Council employees or organisations would like other flags to be flown at the Civic Centre or War Memorial site, the process is as follows:

1. Application form to be completed and forwarded to the CEO for approval.
2. CEO to review and determine whether the flag can be flown.
3. If approved, the form is to be forwarded to the Mayor and Councillors Office to action.
4. The Mayor and Councillors Office will notify the person who submitted the application form to confirm if the application was approved and what the next steps are.
5. The Mayor and Councillors Office will place the flag in the cleaner's storeroom the day before the flag is to be flown, if the flag is being flown at the Civic Centre. If the flag is being flown at the War Memorial site, a person from the Mayor and Councillors Office will raise the flag by 9am on the nominated day and lower the flag at 5pm that day.
6. Flag notifications for the Civic Centre are to be forwarded to the Facilities Department by the Mayor and Councillors Office.
7. The Facilities Department will advise the cleaners to fly the flag on the nominated day. The flag is to be lowered at the end of the day and returned to the cleaner's storeroom.
8. A person from the Mayor and Councillors Office will collect the flag and return to cabinet.

If the flying of the flag is in relation to an event and requires the Mayor or other Councillors attendance, please ensure you follow the internal event process.

Please Note:

- If Council does not have the flag, it will be the responsibility of the external organisation or internal department to organise the flag and any activities or events surrounding the raising of flags, including any costs associated with the purchase of the flag, activity or event.



<b>Frankston City Council Policy</b>	<b>Policy Number:</b> xx/2017 <b>EDMS Number:</b> A3067871
<b>Flying of Flags</b>	<b>Issue:</b> OM306 <b>Date:</b> 04/09/2017

- Council or the CEO reserves the right to withdraw permission to fly a flag at any time.
- If Council receives more than two (2) requests for the same day, it will be at the discretion of Council or the CEO to determine which flag will be flown.
- Council will not enter into agreements to raise flags with other parties which:
  - Are involved in unlawful activities;
  - Do not share Council's views on promoting a diverse, tolerant and inclusive community;
  - Are political parties;
  - Are considered to be an unsuitable partner by Council for reasons it sees fit to apply in the context of this Policy;
  - Undertake an activity for commercial gain;
  - Offer programs that may present a hazard to the community; or
  - Offer programs that create environmental hazards.

<b>Frankston City Council Policy</b>	<b>Policy Number:</b> xx/2017 <b>EDMS Number:</b> A3067871
<b>Flying of Flags Schedule 1</b>	<b>Issue:</b> OM306 <b>Date:</b> 04/09/2017

## Flying of Flags

### Application Form



opportunity » growth » lifestyle

<b>Applicant Details</b>	
Name:	Department (if internal):
Organisation (if external):	
Telephone Number:	Email Address:
<b>Flag Details</b>	
Type of flag to be flown:	Date flag to be flown:
Background information: why the flag is to be flown:	
<hr/> <hr/> <hr/> <hr/>	
Please attach any supporting documentation	
<b>Other Details (if required)</b>	
Is the Mayor / Councillor required to attend: Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, time required for the Mayor/ Councillor to arrive: _____	
Location/Address of the event: _____	
Contact person on the day: _____	Telephone No: _____
Other VIP's invited: (please attach list of names)	
Is the Mayor required to speak at the event: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will the Mayor be required to wear the robes/chains: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Please Note: for any internal applications, please ensure that the internal event form is also completed if this is associated with an event. For external organisations, please contact Councils Events Team on 1300 322 322 or via [correspondence@frankston.vic.gov.au](mailto:correspondence@frankston.vic.gov.au) for further information on the event process.

In the event that there is a clash of dates, it will be at the Council or CEO's discretion as to which flag will be flown. The applicant will be notified by the Mayor and Councillors Office.

Seaford » Frankston » Langwarrin » Karingal » Skye » Frankston South » Frankston North » Carrum Downs » Langwarrin South » Sandhurst

**Executive Summary****12.3 Council General Revaluation 2018**

*Enquiries: (Kim Jaensch: Corporate Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.1 Ensure the organisation is financially sustainable

**Purpose**

For Council to resolve to cause a General Revaluation of all rateable and non rateable properties.

**Recommendation (Director Corporate Development)**

That Council:

1. Pursuant to Sections 11 and 13H of the *Valuation of land Act 1960* resolves to cause a General Revaluation of all rateable land, and all non-rateable leviable land within the municipality, to be returned no later than 31 March 2018.
2. Pursuant to Section 6(1) of the *Valuation of Land Act 1960*, within one month of its resolution, notifies the Valuer-General and all other rating authorities interested in the valuation of its decision to cause a general valuation to be made.

**Key Points / Issues**

- In accordance with Sections 11 and 13H of the Valuation of Land Act 1960 (the Act), Council is required to cause a General Valuation of all rateable and non leviable land within the municipality. General Valuations are returned every two years in accordance with the Act.
- The last general valuation was undertaken at 1 January 2016, to be used for rating purposes from 1 July 2016 to 30 June 2018. The next general valuation needs to be undertaken at 1 January 2018, to be used for rating purposes from 1 July 2018 to 30 June 2020.
- Valuations are used as a basis for levying Council rates, to assist in the determination of the State Government Fire Services Property Levy, and for similar purposes by other rating authorities.
- It is a requirement under Section 6(1) of the Act for the Council to give notice to the Valuer-General and to every other rating authority interested in the valuation of land within this municipality of its intent to cause a General Valuation in 2018.
- Failure to resolve to cause a General Revaluation of all rateable land, and all non-rateable leviable land within the municipality, is in breach of the Act.

**12.3 Council General Revaluation 2018****Executive Summary**

- In its last budget, it was proposed that the responsibility for conducting valuations would be transferred to the Valuer General. The State Taxation Acts Amendment Bill seeking to do this (Part 9) was removed from the debate in the Upper House 20 June 2017. Indications are that the section will be considered further by the State Government, however no dates have been confirmed at this stage. Accordingly, it is appropriate for Council to cause the valuation to be made.
- Council has already appointed Patel Dore Pty. Ltd to conduct the general valuation.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

All fees charged by Patel Dore for the provision of municipal valuations are set out in the schedule of fees section of the Valuation Services Contract and will be paid in accordance with the relevant legislative or Council requirements. These amounts have been included in the forward budget plans.

Approximately 50% of the cost of undertaking the general valuation is recovered from various relevant authorities.

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

All property owners within the Frankston Municipality would be considered external stakeholders. They are directly impacted by a general revaluation that is conducted every two years.

**2. Other Stakeholders**

Council is required to notify the Valuer General Victoria and other rating authorities interested in the valuation of land within its area of its intention to cause a General Revaluation.

The following authorities will be notified:-

- Office of the Valuer General Victoria
- State Revenue Office
- South East Water
- City of Casey
- Mornington Peninsula Shire
- Kingston City Council, and
- City of Greater Dandenong

**12.3 Council General Revaluation 2018****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

The use of current and accurate valuations for the collection of Council rates contributes to the fairness and equity of the distribution of the levying of Council rates across the municipality.

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

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

Legal

At its meeting on 1 May 2017, Council resolved to appoint Patel Dore Valuers Pty Ltd (Patel Dore) as the Council valuer for the 2018 and 2020 general revaluations.

For the 2018 revaluation, Patel Dore has nominated Mr Rod Patel to be the Valuer responsible for the return of municipal valuations.

Policy Impacts

Not Applicable.

Officer's Declaration of Interests

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

**Risk Mitigation**

As the appointed contractor, Patel Dore is required to comply with the schedules, works and responsibilities specified in the Valuation Services Contract and in accordance with the relevant sections of the *2018 Valuation Best Practice Specifications Guidelines*; the *Valuation of Land Act 1960* and the *Local Government Act 1989*, which pursuant to Council's Contract Management requirements, will be administered by the Coordinator Revenue to mitigate risk.

**Conclusion**

It is a requirement for Council to cause a General Valuation for 2018, in accordance with Sections 11 and 11H of the *Valuation of Land Act 1960*.

In accordance with Section 6(1) of the *Valuation of Land Act 1960*, Council is also required to give notice to the Valuer General Victoria, and to every other relevant rating authority interest in the valuation of land within the municipality.

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**ATTACHMENTS**

Nil



## Executive Summary

### 12.4 Container Deposit Scheme - Benefits and Issues

*Enquiries: (Luke Ure: Corporate Development)*

#### Council Plan

Community Outcome:	1. Planned City
Strategy:	1.3 Natural and sustainable environment
Priority Action	1.3.1 Protect the natural and coastal environment whilst maximising the use and enjoyment of the foreshore

#### **Purpose**

To report to Council on the benefits, issues and other considerations regarding Container Deposit Schemes and to inform Council's position on introducing a Container Deposit Scheme (CDS) in Victoria.

#### **Recommendation (Director Corporate Development)**

That Council:

1. Receives and note this report.
2. Provides in-principle support for a Victoria-wide Container Deposit Scheme **(CDS)**.
3. Advocates to the Victorian Government for a Victoria-wide CDS.
4. Responds to Shire of Moorabool regarding Council's position on a Victoria-wide CDS.

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

- Council received a request from the CEO of the Shire of Moorabool seeking support to introduce a Container Deposit Scheme **(CDS)** in Victoria (see Attachment A). This is not something that Council currently has a formal position on.
- A Councillor briefing was held on 21 August 2017 to inform Councillors of the benefits, issues and other considerations regarding Container Deposit Schemes and to seek Councillor feedback on a Victoria-wide CDS. At this briefing the majority of Councillors present expressed their interest in supporting a Victoria-wide CDS and requested a Council report so that Council could attain a formal position on a Victoria-wide CDS, and decide whether or not to advocate to the Victorian Government for one.
- A CDS is a system where beverage containers can be returned at approved collection points for a deposit. The deposit amount is built into the cost of the beverages. The collected beverage containers are reused, recycled or disposed of appropriately. Attachment B summarises how the CDS in South Australia works. The Northern Territory CDS is closely modelled on this system. Typical containers included in a CDS include aluminium cans, as well as plastic and glass bottles; however, this varies across schemes. Common exceptions often include plain milk cartons, and glass containers for wine and spirits.

**12.4 Container Deposit Scheme - Benefits and Issues****Executive Summary**

- South Australia and Northern Territory already have a CDS and the refund is 10 cents per container. NSW is due to roll out a CDS from 1 December 2017, and Queensland from 1 July 2018. ACT plan to establish a CDS in early 2018. Western Australia has committed to implementing a CDS (no date provided). Tasmania decided not to proceed with a CDS due to the costs of transporting the beverage containers for recycling and resource recovery to the mainland.
- The previous attempt to introduce CDS legislation into Victoria wasn't advanced or passed. An Environment and Planning Legislation Committee report in 2012 on the proposed legislation encouraged the Victorian Government to "continue to engage with the COAG process to further investigate the viability for the establishment a national container deposit scheme which, in the opinion of the Committee, was a process better placed to resolve the issues identified in this Report". The report stated that a national CDS had several advantages over state and territory schemes, including cost-effectiveness (a national scheme could realise economies of scale), and noted possible legal and constitutional issues, as well as concerns about the financial impact of the scheme on existing kerbside and waste recycling businesses.
- Beverage container litter is lower in South Australia and Northern Territory, where there is a CDS established, compared to the other states in Australia.
- A CDS would likely result in less beverage container litter, waste to landfill, increased beverage container recycling, as well as less stormwater drain blockages due to beverage containers. However, the effectiveness of a CDS would depend on the number and types of approved beverage containers, as well as the number, location and accessibility of the collection points.
- A CDS encourages product stewardship and ensures that the polluter pays – the beverage supplier industry would be obliged to take greater responsibility for its packaging after it has been sold, and consumers would have a financial incentive to recycle the beverage containers. Those that litter their beverage containers or who do not utilise the collection points would miss out on the refund. It is estimated by the NSW Government that the cost to their average household that does not redeem any deposits will be about \$30 per year.
- Additional costs to the beverage suppliers (i.e. for the refund and handling fee) could reduce the company's profits or be passed onto consumers, however, consumers could also choose to buy alternative products.
- The expected financial cost of a CDS would depend on the scheme details, the costs, benefits, collection and sorting technology, as well as the contractual arrangements and modelling assumptions considered.
- The cost of a CDS in Victoria would primarily be the responsibility of the Victorian Government and beverage suppliers. If the Victorian Government did not develop a cost recovery scheme for the CDS, the cost could be passed on to local councils and their communities through funding reductions or increased costs in other areas (e.g. landfill levy). However the environmental benefits of a CDS, including where it runs alongside a kerbside system, have been shown to exceed costs (i.e. there is a net community benefit).

**12.4 Container Deposit Scheme - Benefits and Issues****Executive Summary**

- A CDS in Victoria would have a financial impact on existing kerbside recycling businesses, which may be passed on to Council through Council's future waste collection contracts. It's currently unclear to Council officers whether this would have a positive or negative financial impact on Council (see 'Financial Impact' section). However, Council will seek to mitigate the risk of any possible cost increase associated with its future waste collection contracts by pushing for an arrangement where the cost to Council is not influenced by the volume of kerbside recyclables received.
- The collection of eligible beverage containers at the Frankston Regional Recycling and Recovery Centre (**FRRRC**) may increase community awareness of this centre and potentially increase revenue, similar to the Paintback Scheme.
- There could be Council staff time savings in the long-term, as stormwater blockages from beverage containers wouldn't need to be unblocked as frequently (due to less blockages) and any overall reduction in litter could reduce the amount of staff time spent responding to litter complaints.
- Community groups, sporting groups and charities that collect littered beverage containers would benefit financially and could use the refunds to facilitate capacity building.
- Should Councillors decide that they are in support of a Victoria-wide CDS, then a Council Report to endorse this position and advocacy to the Victorian Government for a CDS should be considered.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

A CDS in Victoria could have a financial impact on Council through its future kerbside collection contract/s due to:

- An increase in kerbside collection costs, through a loss of materials going through the kerbside system as a result of the scheme. However, this may also be offset by possible savings as the beverage containers may be more valuable to the industry if they are seen as a cleaner product due to less contamination (i.e. broken glass from beverage containers).
- A decrease in landfill fees (i.e. due to less beverage containers being disposed of in the garbage bin, as the community is incentivised to recycle them through the scheme). There is also evidence to suggest that marginal increases in kerbside recycling have been noted following the introduction of CDS legislation.

Should a Victoria-wide CDS be introduced in the near future, no changes to Council's current kerbside waste collection contract (due to expire 30 June 2019) would be required, as Council does not currently derive an income from the recyclables collected through the kerbside system. Council will push for a similar arrangement when the new contract is negotiated, to reduce risk and ensure that the cost to Council is not influenced by any reduction of recyclables going through the kerbside collection system.

**12.4 Container Deposit Scheme - Benefits and Issues****Executive Summary**

The collection of eligible beverage containers at the Frankston Regional Recycling and Recovery Centre (FRRRC) may increase community awareness of this centre and potentially increase revenue, similar to the Paintback Scheme.

However, should the Victorian Government implement a scheme that is not financially sound, then this funding deficit could be passed on to local councils and the Victorian community.

In the long term, less beverage container litter is likely to result in less stormwater drain blockages (which can occur after heavy rain events). This would reduce the frequency in which they need to be checked and unblocked and hence save staff time. If the CDS results in an overall reduction in litter, there may also be less staff time required for responding to litter complaints.

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

No external stakeholders have been consulted for the development of this report.

**2. Other Stakeholders**

This report was developed by the Sustainable Assets Department following consultation with Councillors, the Executive and officers within the Recycling Services and Operations departments.

A Councillor briefing was held on 21 August 2017 to seek Councillor feedback on a Victoria-wide CDS, at which time a Council report was requested so that Council can attain a formal position on a Victoria-wide CDS and decide whether or not to advocate to the Victorian Government for one.

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

A CDS would likely result in less beverage container litter, waste to landfill, increased beverage container recycling, as well as less stormwater drain blockages due to beverage containers. It could have broader litter reduction and recycling rate benefits and reduce plastic pollution and impacts on wildlife. It could also result in energy, water and resource savings by manufacturing some beverage containers from recycled instead of virgin materials. However, the effectiveness of a CDS is dependent on the number and types of beverage containers included, the number, location and accessibility of the collection points, as well as community awareness and acceptance of the scheme.

There would be a financial cost for the set up and operation of a CDS, purpose built infrastructure, the sorting of materials and management of item-by-item refund payments. This would primarily be the responsibility of the Victorian Government and beverage suppliers. The financial impact on Council is unknown, as it would depend on the scheme design, as well as how it is rolled out and implemented. However as outlined above, a CDS could impact Council's future kerbside collection contract/s. It is unclear whether this would result in a positive or negative impact to Council.

The litter reduction benefits of a CDS could expect to improve visual amenity, provide a financial benefit to the individuals, community groups, sporting clubs and charities that collect the beverage containers for the refund, and could also facilitate community capacity building. It would make the beverage supplier industry obliged to take greater responsibility for the packaging of their products post-sale. However, community support for a CDS in Victoria is currently unknown and there could be some health, litter and privacy risks associated with scavenging for containers.

For further details, refer to the Officers' Assessment section of this report.

**12.4 Container Deposit Scheme - Benefits and Issues****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

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

Legal

A CDS in Victoria is not expected to result in any Council statutory obligations. However there are possible constitutional issues relating to the Victorian Government's legal capacity to impose container deposit charges that could be deemed as an excise ([Environment and Planning Legislation Committee, 2012](#)).

Policy Impacts

There are two key Council policies/protocols that will affect decision making relating to this report:

- Environmental Sustainability Policy.
- Sustainability Policy.

Council's *Greening Our Future: Environment Strategy (2014-2024)* and *Waste Minimisation and Management Plan (2015-2020)* are also relevant to this report.

Officer's Declaration of Interests

A Council officer involved in the preparation of this report has declared a Conflict of Interest in this matter. The officer volunteers with Plastic Bag Free Inner West, which has undertaken some advocacy for a CDS in Victoria. To address this issue, this report has been reviewed and critically examined by Council's Sustainable Assets Manager and Resource Efficiency Coordinator.

**Risk Mitigation**

There are several risks that the Victorian Government would need to ensure are mitigated in the design and implementation of a CDS in Victoria. This could be managed by learning from existing states with a CDS in place.

The financial impact on Council is unknown, as it would depend on the scheme design, as well as how it is rolled out and implemented. A CDS could have a financial impact and influence Council's future waste collection contracts. However, it is unclear whether this would have a positive or negative financial impact on Council. Council will seek to mitigate the risk of any possible cost increase associated with its future waste collection contracts by pushing for an arrangement where the cost to Council is not influenced by the volume of kerbside recyclables received.



**12.4 Container Deposit Scheme - Benefits and Issues****Executive Summary****Conclusion**

The introduction of a CDS in Victoria is likely to result in decreased beverage container litter and waste to landfill, increased beverage container recycling, as well as less stormwater drain blockages due to beverage containers. The financial cost expected for a CDS would be dependent on the scheme details and the costs, benefits, contractual arrangements and assumptions considered. The majority of this cost would be the responsibility of the Victorian Government and beverage suppliers. A CDS in Victoria could influence and have a financial impact on the structure of Council's future waste collection contracts. However, Council will seek to mitigate the risk of any possible cost increase associated with its future waste collection contracts by pushing for an arrangement where the cost to Council is not influenced by the volume of kerbside recyclables received. If Councillors decide that they are in support of a Victoria-wide CDS, then it is recommended that Council endorse this position and advocacy to the Victorian Government for a CDS should be considered.

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**ATTACHMENTS**

Attachment A: Letter from Moorabool Shire Council - 11 May 2017

Attachment B: How the CDS in South Australia Works (EPA South Australia, 2017)

**12.4 Container Deposit Scheme - Benefits and Issues**  
**Officers' Assessment****Background**

Council received a request from the CEO of the Shire of Moorabool seeking support to introduce a container deposit scheme in Victoria (see Attachment A). As this is not something that Council currently has a formal position on, a Councillor briefing was held on 21 August 2017, at which time a Council report was requested so that Council can attain a formal position on a Victoria-wide CDS and decide whether or not to advocate to the Victorian Government for one.

A CDS is a system where beverage containers can be returned at approved collection points for a deposit. The deposit amount is built into the cost of the beverage. The collected beverage containers are reused, recycled or disposed of appropriately. Attachment B summarises how the CDS in South Australia works. The Northern Territory CDS is closely modelled on this system. Typical containers included in a CDS include aluminium cans, as well as plastic and glass bottles; however, this varies across schemes. Common exceptions often include plain milk cartons, and glass containers for wine and spirits.

South Australia and Northern Territory both have an existing CDS and less beverage container litter than the other States in Australia. NSW is due to roll out a CDS from 1 December 2017, and Queensland from 1 July 2018. ACT plan to establish a CDS in early 2018. Western Australia has committed to implementing a CDS (no date provided). Tasmania decided not to proceed with a CDS due to the cost. In South Australia and the Northern Territory the refund is 10 cents per container.

An [Environment and Planning Legislation Committee report \(2012\)](#) on an inquiry into a Bill to establish a CDS in Victoria made the following recommendation: "The Committee encourages the Victorian Government to continue to engage with the COAG process to further investigate the viability for the establishment of a national container deposit scheme which, in the opinion of the Committee, is a process better placed to resolve the issues identified in this report". Officers are only aware of two Bills introduced into the Senate to establish a national deposit scheme (2008 and 2009), however neither were advanced or passed. [The National Environment Protection Council \(NEPC\) Service Corporation's \(2014\) Packaging Impacts Decision Regulation Impact Statement](#) prepared for the Australian Government in 2014, found that CDSs were more expensive than other packaging recovery and recycling options, but reduced litter the most. The report recommended legislation specifying all-packaging targets, including an add-on component to focus on away-from-home beverage container recycling, a package litter reduction target and targeted initiatives on beverage containers and glass market development. It also recommended leaving it up to industry to seek the best way to achieve these targets.

**Issues and Discussion**

There would be a financial cost for the set up and operation of a CDS, purpose built infrastructure, the sorting of materials and management of item-by-item refund payments. The financial costs associated with a CDS would primarily be the responsibility of the Victorian Government and beverage manufactures or the container industry. However as outlined above, a CDS could have a financial impact on Council:

- Costs passed on from the Victorian Government, such as through funding reductions or increased costs in other areas (e.g. landfill levy).
- Litter removal cost savings.
- Depending on how the CDS is set-up, there could be an expectation that Council would be involved in the ongoing provision of infrastructure and/or

**12.4 Container Deposit Scheme - Benefits and Issues**  
**Officers' Assessment**

collection depots (i.e. through short-term grants) to increase accessibility, having cost implications in the long-term.

- Impact on future waste collection contracts due to a possible:
  - Loss of materials going through the kerbside recycling system.
  - Higher value of recyclables collected if they are seen as a cleaner product due to less contamination (i.e. broken glass from beverage containers).
  - Increase in Material Recovery Facility costs (i.e. if they are expected to sort eligible containers to attain a rebate for these containers).
  - Reduction in landfill fees ([Environment and Planning Legislation Committee, 2012](#)).
  - Saving from future kerbside contracts, as beverage containers may be more valuable to the industry as a result of the refund.
  - Change in the structure of the contract arrangements.

No changes to Council's current kerbside waste collection contract (due to expire 30 June 2019) would be required, as Council doesn't derive an income from the recyclables collected through the kerbside system. Council will seek to mitigate the risk of any possible cost increase associated with its future waste collection contracts by pushing for an arrangement where the cost to Council is not influenced by the volume of kerbside recyclables received.

The potential financial benefits of a CDS include:

- Polluter pays (i.e. litterer misses out on the refund).
- Community groups, sporting clubs and charities that pick up littered beverage containers would be rewarded for their efforts with the rebate.
- The collection of eligible beverage containers at the Frankston Regional Recycling and Recovery Centre (FRRRC) may increase community awareness of this centre and potentially increase revenue, similar to the Paintback Scheme.
- Staff time savings in the long term, from not having to check and unblock stormwater drain blockages from beverage containers as frequently. In addition, if a CDS results in an overall reduction in litter, there could be less litter complaints that take staff time to respond to. Any staff time saving will free staff up for other important work.
- Benefits to local participating food premises and other businesses if vouchers for food, beverages and activities in the local area are issued in exchange for the return of eligible beverage containers, i.e. through a reverse vending machine. Wyndham City Council has introduced this in their municipality ([Wyndham City Council, n.d.](#)).

The potential financial risks, issues and other considerations for a CDS include:

- Possible costs to the Victorian Government, including for administration and indirect/hidden expenses. However the running costs could be met from disposal revenues ([EPA Victoria, 2003](#)) or be offset by an annual processing fee for beverage suppliers ([Environment and Planning Legislation Committee, 2012](#)).

**12.4 Container Deposit Scheme - Benefits and Issues**  
**Officers' Assessment**

- A CDS could be more expensive than other packaging recovery and recycling options, e.g. education and away from home bin infrastructure improvements ([Bragge, Wright and Smith, 2016](#)).
- Should the Victorian Government implement a scheme that is not financially sound, then this funding deficit could be passed on to local councils and their communities through funding reductions and increased costs (e.g. landfill levies).
- If a CDS has a financial impact on existing kerbside recycling businesses, this could be passed on to Council through Council's future waste collection contracts.
- The technology and infrastructure incorporated and suitability of available waste infrastructure could have an impact on the scheme's efficiency and cost.
- Market factors could influence the overall costs/savings.
- The harmonisation with CDSs in other states (i.e. in relation to labelling, container approval, refund mark and refund amount) could increase the scheme's efficiency and reduce its cost ([Queensland Government, Department of Environment and Heritage Protection, n.d.](#)).
- A Victoria-wide CDS may not be as beneficial as a national CDS due to a higher administration burden and higher costs ([Environment and Planning Legislation Committee, 2012](#)).

The environmental benefits of a CDS, including where it runs alongside a kerbside system, have been shown to exceed costs (i.e. there is a net community benefit) ([EPA Victoria, 2003](#)). The potential environmental benefits of a CDS include:

- Reduced beverage container litter due to the direct price incentive for the return of beverage containers
  - According to Keep Australia Beautiful and 2015-16 National Litter Index data, the proportion of beverage containers in the litter stream is lower in Northern Territory (2.8%) and South Australia (2.9%) (both have a CDS), compared to the rest of Australia (was 7.4% in Victoria) ([EPA South Australia, 2017](#)).
- Could result in less litter overall, as clean environments are likely to remain cleaner.
- Less stormwater drain blockages due to beverage containers.
- Reduced plastic pollution and associated impacts on wildlife (i.e. due to the expected reduction in plastic beverage container litter).
- Increased rate of beverage container recycling.
- Possible "spillover effect", increasing recycling more broadly as people are more likely to do something they are familiar with ([Bragge, Wright and Smith, 2016](#)).
- Less energy and virgin materials used in the manufacturing of beverage containers when they are made from recyclables such as existing beverage containers ([Environment and Planning Legislation Committee, 2012](#)).

**12.4 Container Deposit Scheme - Benefits and Issues**  
**Officers' Assessment**

- Easier to establish a closed-loop system, where products can be remade infinitely, as the recyclables would be sorted into various components for reprocessing into new containers as hence be less contaminated ([Environment and Planning Legislation Committee, 2012](#)).
- Could introduce recycling to communities that don't currently have access to a kerbside recycling service ([The State of Queensland, Department of Environment and Heritage Protection, 2012-2017](#)).
- Less beverage container waste sent to landfill.

The potential environmental risks, issues and other considerations for a CDS include:

- Effectiveness dependent on the number and types of approved beverage containers, as well as the number and location of collection points
- Litter recovery and away from home recycling in Victoria could instead be increased through education, bin infrastructure improvements, as well as by increasing the consistency of bin colour, signage, placement and accepted items ([Environment and Planning Legislation Committee, 2012](#))
- The potential for scavenging for beverage containers in kerbside bins could result in litter and be a privacy risk.

The potential social benefits of a CDS include:

- Encourages product stewardship and ensures the polluter pays – the beverage supplier industry would be obliged to take greater responsibility for its packaging after it has been sold, and consumers would have a financial incentive to recycle the beverage containers. Those that litter their beverage containers would miss out on the refund.
- Improved visual amenity due to less litter.
- The funding community groups, sporting groups and charities attain from refunds for collecting littered beverage containers could facilitate capacity building.
- Could result in more social enterprises, community and regional remote jobs ([The State of Queensland, Department of Environment and Heritage Protection, 2012-2017](#)).

The potential social risks, issues and other considerations for a CDS include:

- Effectiveness dependent on access to collection points/depos, which will be influenced by the location, number and accessibility of the collection points.
- It is estimated by the NSW Government that the cost to their average household that does not redeem any refunds will be about \$30 per year.
- Additional costs to the beverage suppliers (i.e. for the refund and handling fee) could reduce the company's profits or be passed onto consumers, however, they could choose to buy alternative products.
- There are potential health risks associated with scavenging for containers. The potential for scavenging for beverage containers in kerbside bins could also be a privacy risk.
- Reverse vending machines may be susceptible to damage from vandalism (if they are incorporated in the scheme), i.e. if they can't cope with the anticipated volume of beverages ([Environment and Planning Legislation Committee, 2012](#)).



**12.4 Container Deposit Scheme - Benefits and Issues****Officers' Assessment**

- Community support for a CDS is unknown in Victoria. However support for a State-wide CDS is 98% in South Australia ([EPA South Australia, 2017](#)), 79% in NSW ([NSW EPA, n.d.](#)) and the Queensland Government received “overwhelming public and community support for the introduction of a scheme” during consultation on their ‘Implementing Queensland’s Container Deposit Refund Scheme’ discussion paper ([The State of Queensland, Department of Environment and Heritage Protection, 2012-2017](#)). The level of support for a CDS is unknown in ACT, NT and WA.
- The expected impact on consumer purchasing habits is difficult to establish, as consumer behaviour change is dependent on knowledge, access and acceptance of the scheme.
- Some container deposit recycling schemes donate the refund to charity, but people are generally more likely to return containers for a refund, with return rates increasing the higher the rebate ([Bragge, Wright and Smith, 2016](#)).
- CDS vending machines are perceived as convenient but have mixed results ([Bragge, Wright and Smith, 2016](#)).

It is also worth noting that the majority of the local government submissions for the *Inquiry into the Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011* expressed a level of support for a CDS and its objectives ([Environment and Planning Legislation Committee, 2012](#)). The Municipal Association of Victoria (MAV) passed a resolution in 2011 supporting a ‘packaging/container recovery scheme supported by legislation, integrating initiatives such as container deposit legislation’ ([Environment and Planning Legislation Committee, 2012](#)).

**Options Available including Financial Implications**

1. Council provide in-principle support for a Victoria-wide CDS and advocate to the Victorian Government for a Victoria-wide CDS (recommended).
2. Council do not provide in-principle support for a Victoria wide CDS and do not advocate to the Victorian Government for a Victoria-wide CDS (not recommended).

There are no financial implications associated with the report.



Cr Brian Cunial  
Frankston City Council  
PO Box 490  
Frankston VIC 3199



11 May, 2017  
Ref: PJ:ld  
RN:

Dear Cr Cunial,

**Implementation of Container Deposit Legislation for Victoria**

The Council has written to the Minister for Energy, Environment & Climate Change, and the Minister for Local Government advocating for the implementation of a container deposit scheme for Victoria (copy enclosed).

Moorabool Shire Council believes that the treatment, disposal and recovery of waste is a key issue facing Victorians and would urge all Council's to forward similar correspondence, raising the matter and advocating for this important legislation.

It would be appreciated if your Council could give consideration to advocating to the State Government on this important issue.

Yours sincerely,

**Rob Croxford**  
Chief Executive Officer

**Mail** PO Box 18 Ballan Vic 3342

**Ballan** 15 Stead St Ballan

**Bacchus Marsh** 215 Main St Bacchus Marsh

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[twitter.com/mooraboolshire](https://twitter.com/mooraboolshire)



The Hon Lily D'Ambrosio  
Minister for Energy, Environment & Climate Change  
Level 17, 8 Nicholson Street  
EAST MELBOURNE VIC 3002

11 May, 2017

Ref: PJ:ld

RN:

The Hon Natalie Hutchins  
Minister for Local Government  
Level 27, 1 Spring Street  
MELBOURNE VIC 3000

Dear Minister D'Ambrosio and Minister Hutchins,

**Implementation of Container Deposit Legislation for Victoria**

Victoria's population growth means an increase in the amount of litter on our roadsides and waste produced, and although much is recovered we still send considerable valuable material to landfills each year.

As you would be aware, container deposit legislation has been successfully implemented in South Australia and the Northern Territory, with South Australia reporting an overall return rate of 76.5%. It is noted that the New South Wales Government has also announced its commitment to commencing a container deposit scheme, and the Queensland Government is investigating similar.

At the Ordinary Meeting of Council on Wednesday 5 April, litter, waste treatment, disposal and recovery and the link to container deposit legislation was discussed.

Council strongly encourages the implementation of such legislation in Victoria, supported by the objectives of both the National Waste Policy and Statewide Waste & Resource Recovery Plan to reduce litter, increase resource recovery and reduce waste going to landfill.

It would be appreciated if you could advocate for the introduction of container legislation in Victoria.

Yours sincerely,

**Rob Croxford**  
**Chief Executive Officer**

cc All Victorian Councils & MAV

**Mail** PO Box 18 Ballan Vic 3342

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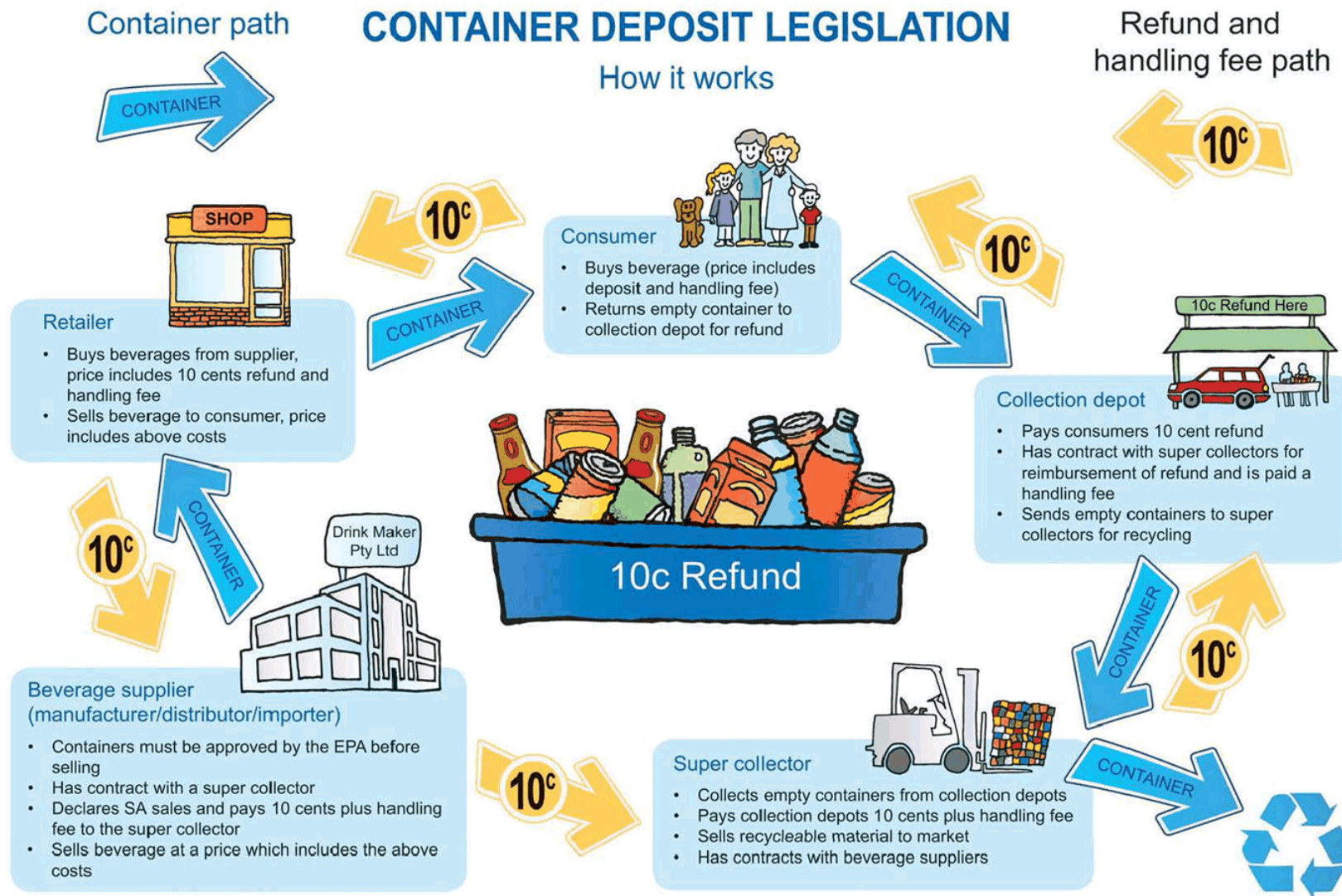
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**Executive Summary****12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff**

*Enquiries: (Michael Craighead: Corporate Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To adopt the Instruments of delegation - Council to Members of Staff updates to reflect legislative updates and role title changes since being adopted by Council on 10 July 2017.

**Recommendation (Director Corporate Development)**

That:

1. In the exercise of the powers conferred by Section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the S6 - Instrument of Delegation to members of Council staff, **attached as Attachment A to the Agenda**, Council resolves that the powers, duties and functions be delegated to staff as detailed in the Instrument, subject to the conditions/limitations specified in the Instrument of Delegation.
2. The Instruments of Delegation referred to above:
  - (i) be signed and sealed;
  - (ii) come into force immediately the Common Seal of the Council is affixed to the Instrument; and
  - (iii) remain in force until Council determines to vary or revoke the Instrument.
3. The duties and functions set out in the Instruments of Delegation referred to in 1 above be performed and the powers, duties and functions set out in the Instruments be executed in accordance with any guidelines or policies of Council that Council may from time to time adopt.

**Key Points / Issues**

- Council has the power under the *Local Government Act* 1989, to delegate to a member of its staff power, duty or function of a Council under this Act or any other Act.
- Local Government cannot operate efficiently if Council does not delegate the majority of its powers, duties and functions to Council staff.
- To ensure Council's powers are exercised lawfully, delegations should be reviewed regularly to accommodate any changes to legislation or any staffing restructures, this is generally completed every six months.
- This update takes into account all legislative changes received from Maddocks, Council's lawyers in July and August 2017, **attached as attachment B to the agenda**.
- In total Council received 1 new provision under the *Food Act 1984* - s.19 (3) requiring directions by written order with conditions and limitations. And 4 changed provisions under the *Planning and Environment Act 1987*. The first



## 12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff

### Executive Summary

update noting the *Victorian Planning Authority Act 2017* would commence 1 July 2017, and the second update following the commencement of the *Victorian Planning Authority Act 2017 (Vic)* advising the removal of the reference to the *Growth Areas* which was replaced with the new reference to *Victorian Planning Authority*.

- This update also takes into account any new roles, title changes and includes the introduction of the new directorate since the delegations were adopted by Council on 10<sup>th</sup> July 2017. The table below highlights the main structural changes:

Role Title	Updated / New Role Title	Department/s Responsibilities
NEW	Director Community Assets (DCA)	Assets and Capital Works Planning, Infrastructure, Facilities
Manager Sustainable Assets (MSA)	Manager Assets and Capital Works Planning (MACWP)	Assets and Capital Works Planning
NEW	Executive Manager Frankston Revitalisation	Frankston Revitalisation Project
NEW	Strategic Infrastructure Coordinator	Frankston Revitalisation Project

- There were also several modifications to the Planning and Environment Act and Regulations and changes to staff in both the planning and building areas which prompted a full review of the planning and building staff powers across the suite of delegations including the S6 Instrument to better reflect the particular duties and responsibilities for decision making and financial management processes. A marked up version of the instrument is [attached as attached C to this agenda](#).
- Officers are currently in the process of conducting an extensive review of the S.5 Instrument of Delegations - Council to Chief Executive Officer, and the S.7 Instrument of Sub-delegations - CEO to Staff. This review includes financial delegated limits, all relevant policies, procedures, financial systems and associated documentation where delegated powers are used to ensure consistency, transparency, accountability and that it meets operational requirements. Any recommendations will be presented to Council in October.

### Financial Impact

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

**12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff**  
**Executive Summary**

There are no financial implications associated with the report. In regard to the infrastructure levies, Council does not collect, process and remit any funds to the government. Staff are merely required to sight a certificate issued by the State Revenue Office prior to approving any major development.

**Consultation****1. Internal Stakeholders**

Management was consulted as part of this update process to ensure the Instruments of Delegation are accurate, any role/title changes were incorporated and that it meets operational requirements.

**2. Other Stakeholders**

These Instruments are in line with the "model" Instruments prepared by Council's lawyers for the majority of Councils.

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

Delegation of powers enables Council's customers to obtain prompt decisions on a range of issues affecting their daily lives. Without delegations, Council's formal decision-making process would slow to unacceptable levels, leading to frustration for ratepayers and the many other Council customers.

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

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

Legal

The *Local Government Act* 1989, as well as other legislation, makes express provision for the appointment of delegates to act on behalf of Council and a requirement to review all delegations within twelve months of an election.

Policy Impacts

There are no policies or protocols that affect the proposed decision of this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

Council would be unable to operate without extensive staff delegations. Similar, delegations have existed for many years, largely, without any undue issues and there are a range of checks and balances to ensure that they are exercised appropriately including an annual check by the external auditor.

Council is required to update its instruments of delegation on a regular basis to accommodate frequent changes to legislation and any restructures or role title changes, failure to complete this on a regular basis may render a decision made under delegation being invalid, or lead to financial and or reputational consequences.

**12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff**  
**Executive Summary****Conclusion**

The Instruments of Delegation presented are in line with current Instruments and takes into account legislative updates released in July and August of this year, and all changes to roles and role titles since the Instruments were last updated on 10th July 2017.

Adoption of the presented Instruments facilitates continuation of Council's current decision-making processes.

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**ATTACHMENTS**

- Attachment A: Final Draft S6. Instrument Delegation - Council to Staff Aug 2017
- Attachment B: Legislative Updates as at 15 August 2017
- Attachment C: Marked up version S6. Instrument of Delegations as at 23 August 2017

**12.5 Review of Council's Instruments of Delegation - S6 Council to Members of Staff  
Officers' Assessment****Background**

At its ordinary meeting on 10 July 2017, Council resolved *“that appointment and revocation (including the reasoning) of staff delegation between ordinary meetings be reported, this must be kept upto date”*

**Issues and Discussion**

A marked up version of the S6 delegations, **attached as attachment C of the agenda**, outlining the new and changed provisions that were part of the update received from Maddocks Lawyers via “Advent Manager” Council’s automated delegation system and includes role and title changes due to staff movements.

## **Frankston City Council**

# **S6. Instrument of Delegation**

**Final Draft as at 23 August 2017**

**Council  
to  
Members of Staff**



## S6 Instrument of Delegation - Members of Staff

1. In exercise of the power conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Schedule, the Council:

delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. records that a reference in the Schedule to:

CAP: Coordinator Asset Planning  
 CCW: Coordinator City Works  
 CE: City Engineer  
 CEO: Chief Executive Officer  
 CP: Coordinator Prosecutions  
 CPG: Coordinator Parks and Gardens  
 CPM: Coordinator Property Management  
 CSC: Coordinator Community Safety  
 CSM: Manager Community Safety  
 CStrP: Coordinator Strategic Planning  
 CSV: Coordinator Specialist Vegetation  
 CWME: City Works Maintenance Engineer  
 DBS: Deputy Building Surveyor  
 DCA: Director Community Assets  
 DComm: Director Community Development  
 DCorp: Director Corporate Development  
 EHC: Co-ordinator Environmental Health  
 EHO: Environmental Health Officers  
 EMFR: Executive Manager Frankston Revitalisation  
 FMPO: Frankston Memorial Park Officer  
 FOIG: FOI and Governance Officer  
 GCO: Governance Compliance Officer  
 IPO: Investigations Prosecutions Officer  
 MACP: Manager Administration and Corporate Projects  
 MACWP: Manager Assets and Capital Works Planning  
 MBS: Municipal Building Surveyor  
 MCS: Manager Commercial Services  
 MFCP: Manager Finance and Corporate Planning  
 MFPO: Municipal Fire Prevention Officer  
 MHR: Manager Human Resources  
 MINF: Manager Infrastructure  
 MPP: Major Projects Planner  
 OPM: Operations Manager  
 OSA: Open Space Advisor  
 PAEM: Planning and Environment Manager  
 PIO: Planning Investigations Officer  
 PLSP: Practice Leader Statutory Planning  
 PLT: Payroll Team Leader  
 SBS: Senior Building Surveyor  
 SIC: Strategic Infrastructure Coordinator  
 SPC: Statutory Planning Co-ordinator

SPTO: Statutory Planning Technical Officer  
SSP: Senior Statutory Planner  
SSTRP: Senior Strategic Planner  
StatP: Statutory Planner  
StrP: Strategic Planner  
SUBO: Subdivision Officer  
TLPES: Team Leader Planning & Environment Support  
TLPM: Team Leader Parks Maintenance  
TLRRR: Team Leader Rapid Response and Roadsides  
TLSP: Team Leader Statutory Planning

declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on the 4 September 2017; and
- 3.2 the delegation:
  - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2.2 remains in force until Council resolves to vary or revoke it;
  - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph and the Schedule; and
  - 3.2.4 must be exercised in accordance with any guidelines or policies, which Council from time to time adopts;
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, act or thing which Council has previously designated as an issue, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
    - (c) adopted by Council; or
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

THE COMMON SEAL of )

FRANKSTON CITY COUNCIL )

was affixed in the presence of: )

Councillor

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Chief Executive Officer

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## Schedule



## S6 Instrument of Delegation - Members of Staff

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.8(1)(a)(ii)	power to manage one or more public cemeteries	DCorp, MACP, FMPO, GCO	
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust
s.12(2)	s.12(2) duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	DCorp, MACP, FMPO, GCO	
s.14	power to manage multiple public cemeteries as if they are one cemetery	DCorp, MACP, FMPO, GCO	
s.15(1) and (2)	power to delegate powers or functions other than those listed	DCorp, MACP, FMPO, GCO	
s.15(4)	duty to keep records of delegations	DCorp, MACP, FMPO, GCO	
s.17(1)	power to employ any persons necessary	DComm, DCorp, MACP, OPM	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
s.17(3)	power to determine the terms and conditions of employment or engagement	DComm, DCorp, MACP, MHR, OPM	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	DComm, DCorp, MACP, OPM, FMPO, GCO	
s.19	power to carry out or permit the carrying out of works	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
s.20(1)	duty to set aside areas for the interment of human remains	DCorp, MACP, FMPO, GCO	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	DCorp, MACP, FMPO, GCO	
s.20(3)	power to set aside areas for those things in paragraphs (a) - (e)	DCorp, MACP, FMPO, GCO	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	DCorp, MACP, FMPO, GCO	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	DCorp, MACP, FMPO, GCO	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	To be retained by Council	subject to the Minister approving the purpose

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.40	duty to notify Secretary of fees and charges fixed under section 39	DCorp, MACP, FMPO, GCO	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	To be retained by Council	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCorp, MACP, FMPO, GCO	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	DCorp, MACP, FMPO, GCO	
s.60(1)	duty to make information in records available to the public for historical or research purposes	DCorp, MACP, FMPO, GCO	
s.60(2)	power to charge fees for providing information	DCorp, MACP, FMPO, GCO	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	DCorp, MACP, FMPO, GCO	
s.64B(d)	power to permit interments at a reopened cemetery	DCorp, MACP, FMPO, GCO	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCorp, MACP, FMPO, GCO	the application must include the requirements listed in s.66(2)(a)-(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	DCorp, MACP, FMPO, GCO	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DCorp, MACP, FMPO, GCO	
s.70(2)	duty to make plans of existing place of interment available to the public	DCorp, MACP, FMPO, GCO	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	DCorp, MACP, FMPO, GCO	
s.71(2)	power to dispose of any memorial or other structure removed	DCorp, MACP, FMPO, GCO	
s.72(2)	duty to comply with request received under section 72	DCorp, MACP, FMPO, GCO	
s.73(1)	power to grant a right of interment	DCorp, MACP, FMPO, GCO	
s.73(2)	power to impose conditions on the right of interment	DCorp, MACP, FMPO, GCO	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	DCorp, MACP, FMPO, GCO	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	DCorp, MACP, FMPO, GCO	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCorp, MACP, FMPO, GCO	

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.80(1)	function of receiving notification and payment of transfer of right of interment	DCorp, MACP, FMPO, GCO	
s.80(2)	function of recording transfer of right of interment	DCorp, MACP, FMPO, GCO	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	DCorp, MACP, FMPO, GCO	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DCorp, MACP, FMPO, GCO	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	DCorp, MACP, FMPO, GCO	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	DCorp, MACP, FMPO, GCO	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCorp, MACP, FMPO, GCO	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DCorp, MACP, FMPO, GCO	does not apply where right of interment relates to remains of a deceased veteran.
s.85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	DCorp, MACP, FMPO, GCO	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DCorp, MACP, FMPO, GCO	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.86(4)	power to take action under s.86(4) relating to removing and re-intering cremated human remains	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
s.86(5)	duty to provide notification before taking action under s.86(4)	DComm, DCorp, MACP, OPM, FMPO,	

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
		GCO, TLPM, FOIG, CPG, TLRRR	
s.86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DCorp, MACP, FMPO, GCO	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	DCorp, MACP, FMPO, GCO	
s.91(1)	power to cancel a right of interment in accordance with this section	DCorp, MACP, FMPO, GCO	
s.91(3)	duty to publish notice of intention to cancel right of interment	DCorp, MACP, FMPO, GCO	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DCorp, MACP, FMPO, GCO	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	DCorp, MACP, FMPO, GCO	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	DCorp, MACP, FMPO, GCO	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DCorp, MACP, FMPO, GCO	
s.100(1)	power to require a person to remove memorials or places of interment	DCorp, MACP, FMPO, GCO	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	DCorp, MACP, FMPO, GCO	
s.100(3)	power to recover costs of taking action under section 100(2)	DCorp, MACP, FMPO, GCO	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCorp, MACP, FMPO, GCO	
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	DCorp, MACP, FMPO, GCO	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	DCorp, MACP, FMPO, GCO	
s.103(1)	power to require a person to remove a building for ceremonies	DCorp, MACP, FMPO, GCO	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	DCorp, MACP, FMPO, GCO	
s.103(3)	power to recover costs of taking action under section 103(2)	DCorp, MACP, FMPO, GCO	

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DCorp, MACP, FMPO, GCO	
s.106(2)	power to require the holder of the right of interment to provide for an examination	DCorp, MACP, FMPO, GCO	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	DCorp, MACP, FMPO, GCO	
s.106(4)	power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	DCorp, MACP, FMPO, GCO	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCorp, MACP, FMPO, GCO	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	DCorp, MACP, FMPO, GCO	
s.108	power to recover costs and expenses	DCorp, MACP, FMPO, GCO	
s.109(1)(a)	power to open, examine and repair a place of interment	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	DCorp, MACP, FMPO, GCO	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCorp, MACP, FMPO, GCO	
s.110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCorp, MACP	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCorp, MACP, FMPO, GCO	
s.112	power to sell and supply memorials	DCorp, MACP, FMPO, GCO	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	DCorp, MACP, FMPO, GCO	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	DCorp, MACP, FMPO, GCO	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2	DCorp, MACP, FMPO, GCO	

<b>Cemeteries and Crematoria Act 2003</b>			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
	of Part 8 have been met		
s.119	power to set terms and conditions for interment authorisations	DCorp, MACP, FMPO, GCO	
s.131	function of receiving an application for cremation authorisation	To be retained by Council	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	To be retained by Council	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	DCorp, MACP, FMPO, GCO	
s.146	power to dispose of bodily remains by a method other than interment or cremation	DCorp, MACP, FMPO, GCO	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCorp, MACP, FMPO, GCO	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	DCorp, MACP, FMPO, GCO	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DCorp, MACP, FMPO, GCO	
s.151	function of receiving applications to inter or cremate body parts	DCorp, MACP, FMPO, GCO	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	DCorp, MACP, FMPO, GCO	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DCorp, MACP, FMPO, GCO	
Schedule 1 clause 8(8)	power to regulate own proceedings	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust subject to clause 8
Schedule 1A clause 8(8)	power to regulate own proceedings	DCorp, MACP, FMPO, GCO	subject to clause 8
<b>Domestic Animals Act 1994</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.41A(1)	power to declare a dog to be a menacing dog	CSM, CSC, DComm	Council may delegate this power to an authorised officer
<b>Environment Protection Act 1970</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations



<b>Environment Protection Act 1970</b>			
s.53M(3)	power to require further information	CSM, EHC, EHO, DComm	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CSM, EHC, EHO, DComm	
s.53M(5)	duty to approve plans, issue permit or refuse permit	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
<b>Food Act 1984</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CSM, EHC, EHO, DComm	If section 19(1) applies  Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	To be retained by Council	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	To be retained by Council	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

Food Act 1984			
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	To be retained by Council	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	CSM, EHC, EHO, DComm	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	CSM, EHC, EHO, DComm	where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CSM, EHC, EHO, DComm	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CSM, EHC, EHO, DComm	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	CSM, EHC, EHO, DComm	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	CSM, EHC, EHO, DComm	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CSM, EHC, EHO, DComm	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CSM, EHC, EHO, DComm	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CSM, EHC, EHO, DComm	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CSM, EHC, EHO, DComm	where council is the registration authority
	power to register, renew or transfer registration	CSM, EHC, EHO, DComm	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CSM, EHC, EHO, DComm	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CSM, EHC, EHO, DComm	where council is the registration authority

<b>Food Act 1984</b>			
s.38A(4)	power to request a copy of a completed food safety program template	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	CSM, EHC, EHO, DComm	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	CSM, EHC, EHO, DComm	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	CSM, EHC, EHO, DComm	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CSM, EHC, EHO, DComm	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	CSM, EHC, EHO, DComm	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CSM, EHC, EHO, DComm	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CSM, EHC, EHO, DComm	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CSM, EHC, EHO, DComm	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CSM, EHC, EHO, DComm	where council is the registration authority

<b>Food Act 1984</b>			
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CSM, EHC, EHO, DComm	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CSM, EHC, EHO, DComm	where council is the registration authority
<b>Heritage Act 1995</b>			
Note: this Act is to be repealed on the day the Heritage Act 2017 comes into force, which is 1 November 2017, unless proclaimed earlier			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.84(2)	power to sub-delegate Executive Director's functions	DComm, PAEM	Must obtain Executive Director's written consent first.
<b>Planning and Environment Act 1987</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.4B	power to prepare an amendment to the Victorian Planning Provisions	To be retained by Council	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DComm, PAEM, CStrP	
s.4H	duty to make amendment to Victoria Planning Provisions available	DComm, PAEM, CStrP	
s.4I	duty to keep Victorian Planning Provisions and other documents available	DComm, PAEM, CStrP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DComm, PAEM, CStrP	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DComm, PAEM, CStrP	
s.8A(5)	function of receiving notice of the Minister's decision	DComm, PAEM, CStrP	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DComm, PAEM, CStrP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	To be retained by Council	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	To be retained by Council	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a	To be retained by Council	

<b>Planning and Environment Act 1987</b>			
	municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)		
s.12B(1)	duty to review planning scheme	DComm, PAEM, CStrP	
s.12B(2)	duty to review planning scheme at direction of Minister	DComm, PAEM, CStrP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DComm, PAEM, CStrP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DComm, PAEM, CStrP, MPP	
s.17(1)	duty of giving copy amendment to the planning scheme	DComm, PAEM, CStrP, MPP	
s.17(2)	duty of giving copy s.173 agreement	DComm, PAEM, CStrP, MPP	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DComm, PAEM, CStrP, MPP	
s.18	duty to make amendment etc. available	DComm, PAEM, CStrP, MPP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	To be retained by Council	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	To be retained by Council	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	To be retained by Council	
s.21(2)	duty to make submissions available	DComm, PAEM, CStrP, MPP	
s.21A(4)	duty to publish notice in accordance with section	DComm, PAEM, CStrP, MPP	
s.22	duty to consider all submissions	DComm, PAEM, CStrP, MPP	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	PAEM, CStrP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	To be retained by Council	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	
s.26(1)	power to make report available for inspection	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	
s.26(2)	duty to keep report of panel available for inspection	DComm, PAEM, SPC, TLSP, CStrP,	

Planning and Environment Act 1987			
		MPP, SSP, PLSP	
s.27(2)	power to apply for exemption if panel's report not received	To be retained by Council	
s.28	duty to notify the Minister if abandoning an amendment	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	DComm, PAEM, CStrP, MPP	
s.30(4)(b)	duty to provide information in writing upon request	DComm, PAEM, CStrP, MPP	
s.32(2)	duty to give more notice if required	DComm, PAEM, CStrP, MPP	
s.33(1)	duty to give more notice of changes to an amendment	DComm, PAEM, CStrP, MPP	
s.36(2)	duty to give notice of approval of amendment	DComm, PAEM, CStrP, MPP	
s.38(5)	duty to give notice of revocation of an amendment	DComm, PAEM, CStrP, MPP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DComm, PAEM, CStrP, MPP	
s.40(1)	function of lodging copy of approved amendment	DComm, PAEM, CStrP, MPP	
s.41	duty to make approved amendment available	DComm, PAEM, CStrP, MPP	
s.42	duty to make copy of planning scheme available	DComm, PAEM, CStrP, MPP	
s.46AS(ac)	power to request the Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DComm, PAEM, CStrP	
s.46GF	duty to comply with directions issued by the Minister	DComm, PAEM, CStrP, MPP	
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	where council is a collecting agency
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	where council is a collecting agency
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	DComm, PAEM, CStrP	where council is a collecting agency
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	MFCP, DComm, DCorp, PAEM, CStrP, TLPEs	Must be done in accordance with Local Government Act 1989.



<b>Planning and Environment Act 1987</b>			
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	MFCP, DComm, DCorp, PAEM, CStrP, TLPES	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	DComm, PAEM,	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	DComm, PAEM, CStrP	
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	MFCP, DComm, PAEM	where council is a collecting agency
s.46GM	duty to prepare report and give a report to the Minister	MFCP, DComm, PAEM	where council is a collecting agency or development agency
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, PAEM	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	SBS, DComm, MBS, PAEM, DBS, CSM	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, PAEM	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46Q(1)	duty to keep proper accounts of levies paid	MFCP, DCorp	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	MFCP, DComm, DCorp, PAEM, CStrP, TLPES	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs	MFCP, DCorp, MINF, DCA	

Planning and Environment Act 1987			
	or the works, services and facilities in respect of which the levy was paid etc		
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, PAEM	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	MFCP, DComm, DCorp, PAEM	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DComm, PAEM, CStrP, MPP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	DComm, MINF, DCorp, MFCP	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	DComm, PAEM	
s.46QD	duty to prepare report and give a report to the Minister	DComm, PAEM	where council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	DComm, PAEM, CStrP, MPP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DComm, MINF, PAEM, DCA	
s.47	power to decide that an application for a planning permit does not comply with that Act	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, PLSP, SPTO	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, TLPES, PLSP, SPTO	
s.49(2)	duty to make register available for inspection	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, TLPES, PLSP, SPTO	
s.50(4)	duty to amend application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, PLSP, SPTO	
s.50(5)	power to refuse to amend application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.50(6)	duty to make note of amendment to application in register	DComm, PAEM, SUBO, SPC, TLSP,	

Planning and Environment Act 1987			
		CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.50A(1)	power to make amendment to application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.50A(4)	duty to note amendment to application in register	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.51	duty to make copy of application available for inspection	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.52(3)	power to give any further notice of an application where appropriate	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.54(1)	power to require the applicant to provide more information	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	DComm, PAEM, SUBO, SPC, TLSP,	

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		CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.54(1B)	duty to specify the lapse date for an application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	To be retained by Council	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.57(5)	duty to make available for inspection copy of all objections	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.57A(5)	power to refuse to amend application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.57A(6)	duty to note amendments to application in register	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.57B(1)	duty to determine whether and to whom notice should be given	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.57C(1)	duty to give copy of amended application to referral authority	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.58	duty to consider every application for a permit	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.58A	power to request advice from the Planning Application Committee	DComm, PAEM, SPC, TLSP, PLSP	
s.60	duty to consider certain matters	DComm, PAEM, SUBO, SPC, TLSP,	

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		CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.60(1A)	power to consider certain matters before deciding on application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	DComm, PAEM, SUBO, SPC, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DComm, PAEM, SPC, TLSP, MPP, PLSP	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(2)	power to include other conditions	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or	DComm, PAEM, SPC, TLSP, MPP,	

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	provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	PLSP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP,	if the recommending referral authority did not object to the grant of the permit



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		SPTO	or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.69(1A)	function of receiving application for extension of time to complete development	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.69(2)	power to extend time	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.70	duty to make copy permit available for inspection	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.71(1)	power to correct certain mistakes	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.71(2)	duty to note corrections in register	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.73	power to decide to grant amendment subject to conditions	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.74	duty to issue amended permit to applicant if no objectors	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on

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			the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.83	function of being respondent to an appeal	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.83B	duty to give or publish notice of application for review	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	IPO, DComm, PAEM, SPC	

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s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	IPO, PIO, DComm, PAEM, SPC	
s.91(2)	duty to comply with the directions of VCAT	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO, IPO, PIO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	IPO, PIO, DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.93(2)	duty to give notice of VCAT order to stop development	IPO, PIO, DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.95(3)	function of referring certain applications to the Minister	DComm, PAEM, SPC, TLSP, PLSP	
s.95(4)	duty to comply with an order or direction	IPO, PIO, DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DComm, PAEM, SPC, TLSP, PLSP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DComm, PAEM, SPC, TLSP, PLSP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	To be retained by Council	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	To be retained by Council	
s.96F	duty to consider the panel's report under section 96E	To be retained by Council	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	To be retained by Council	
s.96H(3)	power to give notice in compliance with Minister's direction	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP	
s.96J	power to issue permit as directed by the Minister	DComm, PAEM, SUBO, SPC, TLSP,	

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		CStrP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.97C	power to request Minister to decide the application	To be retained by Council	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	To be retained by Council	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.97Q(4)	duty to comply with directions of VCAT	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DComm, PAEM, SPC	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be	DComm, PAEM, SPC	

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	claimed		
s.101	function of receiving claim for expenses in conjunction with claim	DComm, PAEM, SPC	
s.103	power to reject a claim for compensation in certain circumstances	DComm, PAEM, SPC	
s.107(1)	function of receiving claim for compensation	DComm, PAEM, SPC	
s.107(3)	power to agree to extend time for making claim	DComm, PAEM, SPC	
s.114(1)	power to apply to the VCAT for an enforcement order	IPO, PIO, DComm, PAEM, SPC	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	IPO, PIO, DComm, PAEM, SPC	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	IPO, PIO, DComm, PAEM, SPC	
s.123(1)	power to carry out work required by enforcement order and recover costs	IPO, PIO, DComm, PAEM, SPC	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DComm, PAEM, SPC	except Crown Land
s.129	function of recovering penalties	IPO, PIO, DComm, PAEM, SPC	
s.130(5)	power to allow person served with an infringement notice further time	IPO, PIO, DComm, PAEM, SPC	
s.149A(1)	power to refer a matter to the VCAT for determination	To be retained by Council	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DComm, PAEM, SPC	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DComm, PAEM, CStrP	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DComm, PAEM, SPC, CStrP	
s.171(2)(g)	power to grant and reserve easements	DComm, PAEM, SPC	
s.173	power to enter into agreement covering matters set out in section 174	DComm, PAEM, SPC	
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DComm, PAEM, SPC, TLSP, PLSP	
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DComm, PAEM, SPC, TLSP, PLSP	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any	DComm, PAEM, SPC	

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	covenant in the agreement or otherwise in accordance with Division 2 of Part 9		
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, PAEM, SPC	
s.178A(1)	function of receiving application to amend or end an agreement	DComm, PAEM, SPC	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DComm, PAEM, SPC	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, PAEM, SPC	
s.178A(5)	power to propose to amend or end an agreement	DComm, PAEM, SPC	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DComm, PAEM, SPC	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DComm, PAEM, SPC	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DComm, PAEM, SPC	
s.178C(4)	function of determining how to give notice under s.178C(2)	DComm, PAEM, SPC	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DComm, PAEM, SPC	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DComm, PAEM, SPC, PLSP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DComm, PAEM, SPC, PLSP	



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s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DComm, PAEM, SPC	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	DComm, PAEM, SPC	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DComm, PAEM, SPC	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, PAEM, SPC	
s.179(2)	duty to make available for inspection copy agreement	DComm, PAEM, SPC, TLPES	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DComm, PAEM, SPC	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DComm, PAEM, SPC	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, PAEM, SPC	
s.182	power to enforce an agreement	IPO, PIO, DComm, PAEM, SPC	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DComm, PAEM, SPC	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DComm, PAEM, SPC	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DComm, PAEM, SPC	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DComm, PAEM, SPC	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DComm, PAEM, SPC	
s.184G(2)	duty to comply with a direction of the Tribunal	DComm, PAEM, SPC	
s.184G(3)	duty to give notice as directed by the Tribunal	DComm, PAEM, SPC	
s.198(1)	function to receive application for planning certificate	DComm, PAEM, SPC, TLPES	
s.199(1)	duty to give planning certificate to applicant	DComm, PAEM, SPC, TLPES	
s.201(1)	function of receiving application for declaration of underlying zoning	DComm, PAEM, SPC, TLPES, CStrP, SSP	
s.201(3)	duty to make declaration	DComm, PAEM, SPC, TLSP, PLSP	

<b>Planning and Environment Act 1987</b>			
	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DComm, PAEM, SPC, TLSP, MPP, PLSP	
	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DComm, PAEM, SPC, TLSP, MPP, PLSP	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
	power to give written authorisation in accordance with a provision of a planning scheme	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.224(8)	duty to provide information requested by Victoria Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
<b>Rail Safety (Local Operations) Act 2006</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.33	duty to comply with a direction of the Safety Director under this section	DComm, MINF, OPM, CE, DCA	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DComm, MINF, OPM, CE, DCA	duty of council as a road authority under the Road Management Act 2004
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DComm, MINF, OPM, CE, CWME,	where council is the relevant road

<b>Rail Safety (Local Operations) Act 2006</b>			
		CCW, DCA	authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	CAP, MACWP, DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
<b>Residential Tenancies Act 1997</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.142D	function of receiving notice regarding an unregistered rooming house	CSM, EHC, EHO, DComm	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
s.142G(2)	power to enter certain information in the Rooming House Register	CSM, EHC, EHO, DComm	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CSM, EHC, EHO, DComm	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	where council is the landlord

<b>Residential Tenancies Act 1997</b>			
s.262(1)	power to give tenant a notice to vacate rented premises	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	SBS, CSM, EHC, EHO, DComm, DCorp, MBS, DBS	
s.522(1)	power to give a compliance notice to a person	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CSM, DComm	
s.525(4)	duty to issue identity card to authorised officers	CSM, DComm, PLT	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CSM, DComm	
s.526A(3)	function of receiving report of inspection	CSM, DComm	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CSM, EHC, DComm, CP	
<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DCorp, MACP, GCO	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DCorp, MACP, GCO	
s.11(9)(b)	duty to advise Registrar	DCorp, MACP, GCO	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DCorp, MACP, GCO	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DCorp, MACP, GCO	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	To be retained by Council	were council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DCorp, MACP, GCO	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

Road Management Act 2004			
s.12(5)	duty to consider written submissions received within 28 days of notice	DCorp, MACP	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	To be retained by Council	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DCorp, MACP, GCO	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DCorp, MACP, GCO	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	DCorp, MACP, GCO	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	DCorp, MACP, DCA	
s.14(7)	power to appeal against decision of VicRoads	DCorp, MACP, DCA	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	MACWP, DComm, MINF, OPM, CE, DCA	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MACWP, DComm, MINF, OPM, DCA	
s.15(2)	duty to include details of arrangement in public roads register	CAP, MACWP, DCA	
s.16(7)	power to enter into an arrangement under section 15	MACWP, DComm, MINF, OPM, DCA	
s.16(8)	duty to enter details of determination in public roads register	CAP, MACWP, DCA	
s.17(2)	duty to register public road in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	CAP, MACWP, MINF, CE, DCA	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority

Road Management Act 2004			
s.17(4)	power to decide that a road is no longer reasonably required for general public use	DComm, DCorp, MACP, MINF, GCO, DCA	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	CAP, MACWP, MINF, CE, DCA	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	CAP, MACWP, DCA	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	CAP, MACWP, DCA	
s.19(4)	duty to specify details of discontinuance in public roads register	CAP, MACWP, DCA	
s.19(5)	duty to ensure public roads register is available for public inspection	CAP, MACWP, DCA	
s.21	function of replying to request for information or advice	CAP, MACWP, DCA	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	CAP, MACWP, DCA	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	MINF, CE, DCA	
s.22(5)	duty to give effect to a direction under this section.	MINF, CE, DCA	
s.40(1)	duty to inspect, maintain and repair a public road.	DComm, MINF, OPM, CWME, CCW, DCA	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DComm, MINF, OPM, CWME, CCW, DCA	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	MACWP, DComm, MINF, OPM, CWME, CCW, DCA	
s.42(1)	power to declare a public road as a controlled access road	CAP, MACWP, MINF, DCA	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	CAP, MACWP, MINF, DCA	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	CAP, MACWP, MINF, DCA	where council is the coordinating road authority if road is a municipal road or part thereof



Road Management Act 2004			
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	MINF, CE, DCA	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	MINF, CE, DCA	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	MINF, CE, DCA	
s.49	power to develop and publish a road management plan	CAP, MACWP, DCA	
s.51	power to determine standards by incorporating the standards in a road management plan	CAP, MACWP, DCA	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, MACWP, DCA	
s.54(2)	duty to give notice of proposal to make a road management plan	CAP, MACWP, DCA	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	CAP, MACWP, DCA	
s.54(6)	power to amend road management plan	CAP, MACWP, DCA	
s.54(7)	duty to incorporate the amendments into the road management plan	CAP, MACWP, DCA	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, MACWP, CE, DCA	
s.63(1)	power to consent to conduct of works on road	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DComm, MINF, OPM, CE, DCA	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
s.67(3)	power to request information	MACWP, DComm, MINF, OPM, CE,	where council is the coordinating road

Road Management Act 2004			
		DCA	authority
s.68(2)	power to request information	MACWP, DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO, DComm, DCA	
s.72	duty to issue an identity card to each authorised officer	MACWP, DComm, MINF, MHR, OPM, DCA	
s.85	function of receiving report from authorised officer	MACWP, DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, DCA	
s.86	duty to keep register re section 85 matters	MACWP, DComm, MINF, OPM, DCA	
s.87(1)	function of receiving complaints	MACWP, DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, DCA	
s.87(2)	duty to investigate complaint and provide report	MACWP, DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, DCA	
s.112(2)	power to recover damages in court	MACWP, MFCP, DComm, MINF, OPM, MCS, DCA	
s.116	power to cause or carry out inspection	MACWP, DComm, MINF, OPM, CWME, CCW, DCA	
s.119(2)	function of consulting with VicRoads	MACWP, DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, DCA	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	MACWP, DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, DCA	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	MACWP, DComm, MINF, OPM, OSA, CPG, CSV, DCA	
s.121(1)	power to enter into an agreement in respect of works	MACWP, DComm, MINF, OPM, DCA	
s.122(1)	power to charge and recover fees	MACWP, DComm, MINF, OPM, DCA	
s.123(1)	power to charge for any service	MACWP, DComm, MINF, OPM, DCA	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	MACWP, MINF, DCA	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	MACWP, MINF, DCA	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	MACWP, MINF, DCA	
Schedule 2	function of receiving details of proposal from VicRoads	MACWP, DComm, MINF, PAEM, CE,	

Road Management Act 2004			
Clause 4		DCA, SIC, EMFR	
Schedule 2 Clause 5	duty to publish notice of declaration	MACWP, MINF, CE, DCA	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	MACWP, MINF, CE, DCA	where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	MACWP, DComm, MINF, OPM, CE, DCA	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	MACWP, DComm, MINF, OPM, CE, DCA	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	MACWP, MINF, CE, DCA	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAP, MACWP, DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	MACWP, DComm, MINF, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	MACWP, MINF, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	MACWP, DComm, MINF, DCA	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	MACWP, DComm, MINF, OPM, MCS, DCA	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	MACWP, DComm, MINF, OPM, CE, DCA	where council is the works manager
Schedule 7 Clause	power to vary notice period	MACWP, DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority

<b>Road Management Act 2004</b>			
13(2)			
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DComm, MINF, OPM, DCA	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	CAP, MACWP, DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority

Road Management Act 2004			
Schedule 7A Clause 2	power to cause street lights to be installed on roads	MINF, OPM, CE, CWME, CCW, DCA	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	MINF, CE, DCA	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	MINF, CE, DCA	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	MINF, CE, DCA	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)
Cemeteries and Crematoria Regulations 2015			
These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.24	duty to ensure that cemetery complies with depth of burial requirements	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, TLRRR	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Note only	

<b>Cemeteries and Crematoria Regulations 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, TLRRR	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	DCorp, MACP, FMPO, GCO	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCorp, MACP, FMPO, GCO	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DComm, OPM, TLPM	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	DCorp, MACP, FMPO, GCO	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	CEO, DCorp	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	CEO, DCorp	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules



Planning and Environment Regulations 2015			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DComm, PAEM, CStrP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	DComm, PAEM, SPC, TLSP, MPP, PLSP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, CStrP	Where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	PAEM, SPC, TLSP, MPP, SSP, TLPES, PLSP, SUBO, StatP, SPTO	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DComm, PAEM, CStrP, StrP, SSTRP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Planning and Environment (Fees) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	DComm, PAEM, CStrP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DComm, PAEM, SPC, TLSP, PLSP	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	DComm, PAEM, SPC, TLSP, CStrP, PLSP	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Delegate	Conditions and Limitations

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.7	function of entering into a written agreement with a caravan park owner	SBS, CSM, EHC, DComm, MBS, MCS, CPM, DBS	EHC and MBS in a coordinated approach
r.11	function of receiving application for registration	CSM, EHC, EHO, DComm	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	CSM, EHC, EHO, DComm	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	CSM, EHC, EHO, DComm	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CSM, EHC, DComm	
r.13(4) & (5)	duty to issue certificate of registration	CSM, EHC, EHO, DComm	
r.15(1)	function of receiving notice of transfer of ownership	CSM, EHC, EHO, DComm	
r.15(3)	power to determine where notice of transfer is displayed	CSM, EHC, EHO, DComm	
r.16(1)	duty to transfer registration to new caravan park owner	CSM, EHC, EHO, DComm	
r.16(2)	duty to issue a certificate of transfer of registration	CSM, EHC, DComm	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	CSM, EHC, DComm	
r.18	duty to keep register of caravan parks	CSM, EHC, DComm	
r.19(4)	power to determine where the emergency contact person's details are displayed	CSM, EHC, EHO, DComm	
r.19(6)	power to determine where certain information is displayed	CSM, EHC, EHO, DComm	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.22A(2)	duty to consult with relevant emergency services agencies	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	CSM, EHC, EHO, DComm	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.25(3)	duty to consult with relevant floodplain management authority	CSM, EHC, EHO, DComm, MFPO	EHO, EHC and MBS in coordinated approach
r.26	duty to have regard to any report of the relevant fire authority	SBS, CSM, EHC, DComm, MBS, MFPO, DBS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CSM, EHC, EHO, DComm	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	SBS, CSM, EHC, DComm, MBS, DBS	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	SBS, CSM, EHC, DComm, MBS, DBS	
r.40(4)	function of receiving installation certificate	SBS, CSM, EHC, DComm, MBS, DBS	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	SBS, CSM, EHC, DComm, MBS, DBS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	SBS, CSM, EHC, DComm, MBS, DBS	
Road Management (General) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.8(1)	duty to conduct reviews of road management plan	CAP, MACWP, DComm, DCorp, MINF, DCA	
r.9(2)	duty to produce written report of review of road management plan and make report available	CAP, MACWP, DComm, DCorp, MINF, DCA	
r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MACWP, DComm, MINF, DCA	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	CAP, MACWP, MINF, DCA	
r.13(1)	Duty to publish notice of amendments to road management plan	MACWP, MINF, DCA	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	CAP, MACWP, MINF, DCA	
r.16(3)	power to issue permit	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	MACWP, MINF, CE, DCA	where council is the coordinating road authority

<b>Road Management (General) Regulations 2016</b>			
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	MACWP, MFCP, DComm, DCorp, MINF, DCA	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DComm, MINF, OPM, CWME, CCW, DCA	where council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DComm, MINF, OPM, CWME, CCW, DCA	where council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	MFCP, DComm, DCorp, MINF, OPM, MCS, DCA	
<b>Road Management (Works and Infrastructure) Regulations 2015</b>			
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority

## S6 Instrument of Delegation - Members of Staff (Legislative Updates as at August 2017)

### NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
167005	Food Act 1984	s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	If section 19(1) applies Only in relation to temporary food premises or mobile food premises	

### CHANGED Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
28539	Planning and Environment Act 1987	s.46AS(ac)	power to request the Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria		DComm, PAEM, CStrP, MPP
28735	Planning and Environment Act 1987	s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district		DComm, PAEM, SPC, TLSP, PLSP
28736	Planning and Environment Act 1987	s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible		DComm, PAEM, SPC, TLSP, PLSP
166497	Planning and Environment Act 1987	s.224(8)	duty to provide information requested by Victoria Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority		



## MARKED UP VERSION

**RED = DELETED**  
**GREEN = CHANGED**  
**BLUE = NEW**

**Frankston City Council**

## **S6. Instrument of Delegation**

**Council  
to  
Members of Staff**



## S6 Instrument of Delegation - Members of Staff

1. In exercise of the power conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Schedule, the Council:

delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. records that a reference in the Schedule to:

CAP: Coordinator Asset Planning  
 CCW: Coordinator City Works  
 CE: City Engineer  
 CEO: Chief Executive Officer  
 CP: Coordinator Prosecutions  
 CPG: Coordinator Parks and Gardens  
 CPM: [Coordinator Property Management](#)  
 CSC: Coordinator Community Safety  
 CSM: Manager Community Safety  
 CStrP: Coordinator Strategic Planning  
 CSV: Coordinator Specialist Vegetation  
 CWME: City Works Maintenance Engineer  
 DBS: [Deputy Building Surveyor](#)  
 DCA: [Director Community Assets](#)  
 DComm: Director Community Development  
 DCorp: Director Corporate Development  
 EHC: Co-ordinator Environmental Health  
 EHO: Environmental Health Officers  
 EMFR: [Executive Manager Frankston Revitalisation](#)  
 FMPO: Frankston Memorial Park Officer  
 FOIG: FOI and Governance Officer  
 GCO: Governance Compliance Officer  
 IPO: Investigations Prosecutions Officer  
 MACP: Manager Administration and Corporate Projects  
 MACWP: [Manager Assets and Capital Works Planning](#)  
 MBS: Municipal Building Surveyor  
 MCS: Manager Commercial Services  
 MFCP: Manager Finance and Corporate Planning  
 MFPO: Municipal Fire Prevention Officer  
 MHR: Manager Human Resources  
 MINF: Manager Infrastructure  
 MPP: Major Projects Planner  
 OPM: Operations Manager  
 OSA: Open Space Advisor  
 PAEM: Planning and Environment Manager  
 PIO: Planning Investigations Officer  
 PLSP: Practice Leader Statutory Planning  
 PLT: Payroll Team Leader  
 SBS: [Senior Building Surveyor](#)  
 SIC: [Strategic Infrastructure Coordinator](#)  
 SPC: Statutory Planning Co-ordinator  
 SPTO: [Statutory Planning Technical Officer](#)

SSP: Senior Statutory Planner  
SSTRP: Senior Strategic Planner  
StatP: Statutory Planner  
StrP: Strategic Planner  
SUBO: Subdivision Officer  
TLPES: Team Leader Planning & Environment Support  
TLPM: Team Leader Parks Maintenance  
TLRRR: Team Leader Rapid Response and Roadsides  
TLSP: Team Leader Statutory Planning

declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on the 4 September 2017; and
- 3.2 the delegation:
  - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2.2 remains in force until Council resolves to vary or revoke it;
  - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph and the Schedule; and
  - 3.2.4 must be exercised in accordance with any guidelines or policies, which Council from time to time adopts;
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, act or thing which Council has previously designated as an issue, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
    - (c) adopted by Council; or
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

THE COMMON SEAL of )

FRANKSTON CITY COUNCIL )

was affixed in the presence of: )

Councillor

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Chief Executive Officer

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## Schedule

**S6 Instrument of Delegation - Members of Staff (MARKED UP VERSION)**

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.8(1)(a)(ii)	power to manage one or more public cemeteries	DCorp, MACP, FMPO, GCO	
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust
s.12(2)	s.12(2) duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	DCorp, MACP, FMPO, GCO	
s.14	power to manage multiple public cemeteries as if they are one cemetery	DCorp, MACP, FMPO, GCO	
s.15(1) and (2)	power to delegate powers or functions other than those listed	DCorp, MACP, FMPO, GCO	
s.15(4)	duty to keep records of delegations	DCorp, MACP, FMPO, GCO	
s.17(1)	power to employ any persons necessary	DComm, DCorp, MACP, OPM	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	DComm, DCorp, MACP, OPM, <del>QSA</del> , FMPO, GCO, TLPM, CPG, TLRRR	
s.17(3)	power to determine the terms and conditions of employment or engagement	DComm, DCorp, MACP, MHR, OPM	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	DComm, DCorp, MACP, OPM, FMPO, GCO	
s.19	power to carry out or permit the carrying out of works	DComm, DCorp, MACP, OPM, <del>QSA</del> , FMPO, GCO, TLPM, CPG, TLRRR	
s.20(1)	duty to set aside areas for the interment of human remains	DCorp, MACP, FMPO, GCO	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	DCorp, MACP, FMPO, GCO	
s.20(3)	power to set aside areas for those things in paragraphs (a) - (e)	DCorp, MACP, FMPO, GCO	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	DCorp, MACP, FMPO, GCO	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	DCorp, MACP, FMPO, GCO	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	To be retained by Council	subject to the Minister approving the purpose

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.40	duty to notify Secretary of fees and charges fixed under section 39	DCorp, MACP, FMPO, GCO	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	To be retained by Council	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCorp, MACP, FMPO, GCO	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	DCorp, MACP, FMPO, GCO	
s.60(1)	duty to make information in records available to the public for historical or research purposes	DCorp, MACP, FMPO, GCO	
s.60(2)	power to charge fees for providing information	DCorp, MACP, FMPO, GCO	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	DCorp, MACP, FMPO, GCO	
s.64B(d)	power to permit interments at a reopened cemetery	DCorp, MACP, FMPO, GCO	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCorp, MACP, FMPO, GCO	the application must include the requirements listed in s.66(2)(a)-(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	DCorp, MACP, FMPO, GCO	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DCorp, MACP, FMPO, GCO	
s.70(2)	duty to make plans of existing place of interment available to the public	DCorp, MACP, FMPO, GCO	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	DCorp, MACP, FMPO, GCO	
s.71(2)	power to dispose of any memorial or other structure removed	DCorp, MACP, FMPO, GCO	
s.72(2)	duty to comply with request received under section 72	DCorp, MACP, FMPO, GCO	
s.73(1)	power to grant a right of interment	DCorp, MACP, FMPO, GCO	
s.73(2)	power to impose conditions on the right of interment	DCorp, MACP, FMPO, GCO	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	DCorp, MACP, FMPO, GCO	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	DCorp, MACP, FMPO, GCO	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCorp, MACP, FMPO, GCO	



<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.80(1)	function of receiving notification and payment of transfer of right of interment	DCorp, MACP, FMPO, GCO	
s.80(2)	function of recording transfer of right of interment	DCorp, MACP, FMPO, GCO	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	DCorp, MACP, FMPO, GCO	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DCorp, MACP, FMPO, GCO	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	DCorp, MACP, FMPO, GCO	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	DCorp, MACP, FMPO, GCO	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCorp, MACP, FMPO, GCO	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DCorp, MACP, FMPO, GCO	does not apply where right of interment relates to remains of a deceased veteran.
s.85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	DCorp, MACP, FMPO, GCO	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DCorp, MACP, FMPO, GCO	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR,	
s.86(4)	power to take action under s.86(4) relating to removing and re-intering cremated human remains	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
s.86(5)	duty to provide notification before taking action under s.86(4)	DComm, DCorp, MACP, OPM, FMPO,	

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
		GCO, TLPM, FOIG, CPG, TLRRR	
s.86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, FOIG, CPG, TLRRR	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DCorp, MACP, FMPO, GCO	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	DCorp, MACP, FMPO, GCO	
s.91(1)	power to cancel a right of interment in accordance with this section	DCorp, MACP, FMPO, GCO	
s.91(3)	duty to publish notice of intention to cancel right of interment	DCorp, MACP, FMPO, GCO	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DCorp, MACP, FMPO, GCO	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	DCorp, MACP, FMPO, GCO	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	DCorp, MACP, FMPO, GCO	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DCorp, MACP, FMPO, GCO	
s.100(1)	power to require a person to remove memorials or places of interment	DCorp, MACP, FMPO, GCO	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	DCorp, MACP, FMPO, GCO	
s.100(3)	power to recover costs of taking action under section 100(2)	DCorp, MACP, FMPO, GCO	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCorp, MACP, FMPO, GCO	
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	DCorp, MACP, FMPO, GCO	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	DCorp, MACP, FMPO, GCO	
s.103(1)	power to require a person to remove a building for ceremonies	DCorp, MACP, FMPO, GCO	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	DCorp, MACP, FMPO, GCO	
s.103(3)	power to recover costs of taking action under section 103(2)	DCorp, MACP, FMPO, GCO	

<b>Cemeteries and Crematoria Act 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DCorp, MACP, FMPO, GCO	
s.106(2)	power to require the holder of the right of interment to provide for an examination	DCorp, MACP, FMPO, GCO	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	DCorp, MACP, FMPO, GCO	
s.106(4)	power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	DCorp, MACP, FMPO, GCO	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCorp, MACP, FMPO, GCO	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	DCorp, MACP, FMPO, GCO	
s.108	power to recover costs and expenses	DCorp, MACP, FMPO, GCO	
s.109(1)(a)	power to open, examine and repair a place of interment	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DCorp, MACP, FMPO, GCO	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	DCorp, MACP, FMPO, GCO	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCorp, MACP, FMPO, GCO	
s.110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCorp, MACP	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCorp, MACP, FMPO, GCO	
s.112	power to sell and supply memorials	DCorp, MACP, FMPO, GCO	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	DCorp, MACP, FMPO, GCO	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	DCorp, MACP, FMPO, GCO	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2	DCorp, MACP, FMPO, GCO	

<b>Cemeteries and Crematoria Act 2003</b>			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
	of Part 8 have been met		
s.119	power to set terms and conditions for interment authorisations	DCorp, MACP, FMPO, GCO	
s.131	function of receiving an application for cremation authorisation	To be retained by Council	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	To be retained by Council	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	DCorp, MACP, FMPO, GCO	
s.146	power to dispose of bodily remains by a method other than interment or cremation	DCorp, MACP, FMPO, GCO	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCorp, MACP, FMPO, GCO	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	DCorp, MACP, FMPO, GCO	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DCorp, MACP, FMPO, GCO	
s.151	function of receiving applications to inter or cremate body parts	DCorp, MACP, FMPO, GCO	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	DCorp, MACP, FMPO, GCO	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DCorp, MACP, FMPO, GCO	
Schedule 1 clause 8(8)	power to regulate own proceedings	DCorp, MACP, FMPO, GCO	where council is a Class B cemetery trust subject to clause 8
Schedule 1A clause 8(8)	power to regulate own proceedings	DCorp, MACP, FMPO, GCO	subject to clause 8
<b>Domestic Animals Act 1994</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.41A(1)	power to declare a dog to be a menacing dog	CSM, CSC, DComm	Council may delegate this power to an authorised officer
<b>Environment Protection Act 1970</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations

Environment Protection Act 1970			
s.53M(3)	power to require further information	CSM, EHC, EHO, DComm	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CSM, EHC, EHO, DComm	
s.53M(5)	duty to approve plans, issue permit or refuse permit	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	CSM, EHC, EHO, DComm	refusal must be ratified by council or it is of no effect
Food Act 1984			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CSM, EHC, EHO, DComm	If section 19(1) applies  Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CSM, EHC, EHO, DComm	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	To be retained by Council	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	To be retained by Council	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

Food Act 1984			
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	To be retained by Council	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	CSM, EHC, EHO, DComm	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	CSM, EHC, EHO, DComm	where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CSM, EHC, EHO, DComm	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CSM, EHC, EHO, DComm	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	CSM, EHC, EHO, DComm	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	CSM, EHC, EHO, DComm	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CSM, EHC, EHO, DComm	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CSM, EHC, EHO, DComm	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CSM, EHC, EHO, DComm	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CSM, EHC, EHO, DComm	where council is the registration authority
	power to register, renew or transfer registration	CSM, EHC, EHO, DComm	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CSM, EHC, EHO, DComm	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CSM, EHC, EHO, DComm	where council is the registration authority

<b>Food Act 1984</b>			
s.38A(4)	power to request a copy of a completed food safety program template	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CSM, EHC, EHO, DComm	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CSM, EHC, EHO, DComm	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	CSM, EHC, EHO, DComm	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	CSM, EHC, EHO, DComm	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	CSM, EHC, EHO, DComm	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CSM, EHC, EHO, DComm	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	CSM, EHC, EHO, DComm	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CSM, EHC, EHO, DComm	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CSM, EHC, EHO, DComm	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CSM, EHC, EHO, DComm	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CSM, EHC, EHO, DComm	where council is the registration authority



Food Act 1984			
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CSM, EHC, EHO, DComm	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CSM, EHC, EHO, DComm	where council is the registration authority
Heritage Act 1995			
Note: this Act is to be repealed on the day the Heritage Act 2017 comes into force, which is 1 November 2017, unless proclaimed earlier			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.84(2)	power to sub-delegate Executive Director's functions	DComm, PAEM	Must obtain Executive Director's written consent first.
Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.4B	power to prepare an amendment to the Victorian Planning Provisions	To be retained by Council	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DComm, PAEM, CStrP	
s.4H	duty to make amendment to Victoria Planning Provisions available	DComm, PAEM, CStrP	
s.4I	duty to keep Victorian Planning Provisions and other documents available	DComm, PAEM, CStrP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DComm, PAEM, CStrP	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DComm, PAEM, CStrP	
s.8A(5)	function of receiving notice of the Minister's decision	DComm, PAEM, CStrP	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DComm, PAEM, CStrP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	To be retained by Council	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	To be retained by Council	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a	To be retained by Council	

Planning and Environment Act 1987			
	municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)		
s.12B(1)	duty to review planning scheme	DComm, PAEM, CStrP	
s.12B(2)	duty to review planning scheme at direction of Minister	DComm, PAEM, CStrP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DComm, PAEM, CStrP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DComm, PAEM, CStrP, MPP	
s.17(1)	duty of giving copy amendment to the planning scheme	DComm, PAEM, CStrP, MPP	
s.17(2)	duty of giving copy s.173 agreement	DComm, PAEM, CStrP, MPP	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DComm, PAEM, CStrP, MPP	
s.18	duty to make amendment etc. available	DComm, PAEM, CStrP, MPP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	To be retained by Council	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	To be retained by Council	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	To be retained by Council	
s.21(2)	duty to make submissions available	DComm, PAEM, CStrP, MPP	
s.21A(4)	duty to publish notice in accordance with section	DComm, PAEM, CStrP, MPP	
s.22	duty to consider all submissions	DComm, PAEM, CStrP, MPP	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	PAEM, CStrP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	To be retained by Council	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	
s.26(1)	power to make report available for inspection	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	
s.26(2)	duty to keep report of panel available for inspection	DComm, PAEM, SPC, TLSP, CStrP,	

Planning and Environment Act 1987			
		MPP, SSP, PLSP	
s.27(2)	power to apply for exemption if panel's report not received	To be retained by Council	
s.28	duty to notify the Minister if abandoning an amendment	DComm, PAEM, SPC, TLSP, CStrP, MPP, SSP, PLSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	DComm, PAEM, CStrP, MPP	
s.30(4)(b)	duty to provide information in writing upon request	DComm, PAEM, CStrP, MPP	
s.32(2)	duty to give more notice if required	DComm, PAEM, CStrP, MPP	
s.33(1)	duty to give more notice of changes to an amendment	DComm, PAEM, CStrP, MPP	
s.36(2)	duty to give notice of approval of amendment	DComm, PAEM, CStrP, MPP	
s.38(5)	duty to give notice of revocation of an amendment	DComm, PAEM, CStrP, MPP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DComm, PAEM, CStrP, MPP	
s.40(1)	function of lodging copy of approved amendment	DComm, PAEM, CStrP, MPP	
s.41	duty to make approved amendment available	DComm, PAEM, CStrP, MPP	
s.42	duty to make copy of planning scheme available	DComm, PAEM, CStrP, MPP	
s.46AS(ac)	power to request the Growth Area Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DComm, PAEM, CStrP, MPP	
s.46GF	duty to comply with directions issued by the Minister	DComm, PAEM, CStrP, MPP	
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	where council is a collecting agency
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	where council is a collecting agency
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	DComm, PAEM, CStrP	where council is a collecting agency
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	MFCP, DComm, DCorp, PAEM, CStrP, TLPEs	Must be done in accordance with Local Government Act 1989.

Planning and Environment Act 1987			
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	MFCP, DComm, DCorp, PAEM, CStrP, TLPES	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	DComm, PAEM, CStrP	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	DComm, PAEM, CStrP	
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	MFCP, DComm, PAEM, CStrP	where council is a collecting agency
s.46GM	duty to prepare report and give a report to the Minister	MFCP, DComm, PAEM, CStrP	where council is a collecting agency or development agency
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, PAEM, CStrP, MPP	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	SBS, DComm, MBS, PAEM, DBS, CSM, CStrP, MPP	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, PAEM, CStrP, MPP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DComm, PAEM, SPC, TLSP, CStrP, MPP, PLSP	
s.46Q(1)	duty to keep proper accounts of levies paid	MFCP, DCorp	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	MFCP, DComm, DCorp, PAEM, CStrP, TLPES, MPP	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs	DComm, MFCP, DCorp, MINF, DCA	

Planning and Environment Act 1987			
	or the works, services and facilities in respect of which the levy was paid etc		
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, PAEM, <del>CStrP</del> , <del>MPP</del>	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	<del>MFCP</del> , DComm, <del>DCorp</del> , PAEM, <del>CStrP</del> , <del>MPP</del>	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DComm, PAEM, CStrP, MPP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	DComm, MINF, <del>DCorp</del> , <del>MFCP</del>	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	DComm, PAEM	
s.46QD	duty to prepare report and give a report to the Minister	DComm, PAEM	where council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	DComm, PAEM, CStrP, MPP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DComm, MINF, PAEM, <del>DCA</del> , <del>CStrP</del> , <del>MPP</del>	
s.47	power to decide that an application for a planning permit does not comply with that Act	DComm, PAEM, <del>SUBO</del> , SPC, TLSP, CStrP, MPP, SSP, PLSP, <del>SPTO</del>	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DComm, PAEM, <del>SUBO</del> , SPC, TLSP, CStrP, MPP, SSP, <del>TLPE</del> , PLSP, <del>SPTO</del>	
s.49(2)	duty to make register available for inspection	DComm, PAEM, <del>SUBO</del> , SPC, TLSP, CStrP, MPP, SSP, <del>TLPE</del> , PLSP, <del>SPTO</del>	
s.50(4)	duty to amend application	DComm, PAEM, <del>SUBO</del> , SPC, TLSP, CStrP, MPP, SSP, PLSP, <del>SPTO</del>	
s.50(5)	power to refuse to amend application	DComm, PAEM, <del>SUBO</del> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <del>SPTO</del>	

Planning and Environment Act 1987			
s.50(6)	duty to make note of amendment to application in register	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.50A(1)	power to make amendment to application	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.50A(4)	duty to note amendment to application in register	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.51	duty to make copy of application available for inspection	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, <a href="#">SPTO</a>	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.52(3)	power to give any further notice of an application where appropriate	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.54(1)	power to require the applicant to provide more information	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	

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s.54(1A)	duty to give notice in writing of information required under section 54(1)	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.54(1B)	duty to specify the lapse date for an application	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	To be retained by Council	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.57(5)	duty to make available for inspection copy of all objections	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.57A(5)	power to refuse to amend application	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.57A(6)	duty to note amendments to application in register	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.57B(1)	duty to determine whether and to whom notice should be given	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.57C(1)	duty to give copy of amended application to referral authority	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.58	duty to consider every application for a permit	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.58A	power to request advice from the Planning Application Committee	DComm, PAEM, SPC, TLSP, PLSP	



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s.60	duty to consider certain matters	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.60(1A)	power to consider certain matters before deciding on application	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DComm, PAEM, SPC, TLSP, MPP, PLSP	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(2)	power to include other conditions	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	DComm, PAEM, SPC, TLSP, MPP, PLSP	

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s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	DComm, PAEM, SUBO, SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council	DComm, PAEM, SUBO, SPC, TLSP,	if the recommending referral authority

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	decides to grant and a copy of any notice given under section 64 or 65	MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.69(1A)	function of receiving application for extension of time to complete development	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.69(2)	power to extend time	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.70	duty to make copy permit available for inspection	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.71(1)	power to correct certain mistakes	DComm, PAEM, SPC, TLSP, <a href="#">MPP</a> , PLSP	
s.71(2)	duty to note corrections in register	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.73	power to decide to grant amendment subject to conditions	DComm, PAEM, SPC, TLSP, <a href="#">MPP</a> , PLSP	
s.74	duty to issue amended permit to applicant if no objectors	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP,	if the recommending referral authority objected to the amendment of the

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		SPTO	permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.83	function of being respondent to an appeal	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, PLSP, SPTO	
s.83B	duty to give or publish notice of application for review	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP	
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP, <del>SSP, StatP</del>	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DComm, PAEM, SPC, TLSP, MPP, PLSP, <del>SSP, StatP</del>	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	<del>IPO, DComm, PAEM, SPC, TLSP, MPP, SSP, StatP, PLSP</del>	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	<del>IPO, PIO, DComm, PAEM, SPC, TLSP, MPP, SSP, StatP, PLSP</del>	
s.91(2)	duty to comply with the directions of VCAT	DComm, PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, SPTO, IPO, PIO	

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s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	<a href="#">IPO</a> , <a href="#">PIO</a> , DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.93(2)	duty to give notice of VCAT order to stop development	<a href="#">IPO</a> , <a href="#">PIO</a> , DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.95(3)	function of referring certain applications to the Minister	DComm, PAEM, SPC, TLSP, PLSP	
s.95(4)	duty to comply with an order or direction	<a href="#">IPO</a> , <a href="#">PIO</a> , DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DComm, PAEM, SPC, TLSP, PLSP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DComm, PAEM, SPC, TLSP, PLSP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	To be retained by Council	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	To be retained by Council	
s.96F	duty to consider the panel's report under section 96E	To be retained by Council	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	To be retained by Council	
s.96H(3)	power to give notice in compliance with Minister's direction	DComm, PAEM, SPC, TLSP, <a href="#">CStrP</a> , MPP, SSP, StatP, PLSP	
s.96J	power to issue permit as directed by the Minister	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, <a href="#">CStrP</a> , MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, <a href="#">CStrP</a> , MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP,	

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	from receipt of the certificate	CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97C	power to request Minister to decide the application	To be retained by Council	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, CStrP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	To be retained by Council	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97Q(4)	duty to comply with directions of VCAT	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, PLSP, <a href="#">SPTO</a>	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DComm, PAEM, <a href="#">SUBO</a> , SPC, TLSP, MPP, SSP, StatP, <a href="#">TLPES</a> , PLSP, <a href="#">SPTO</a>	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DComm, PAEM, SPC	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DComm, PAEM, SPC	
s.101	function of receiving claim for expenses in conjunction with claim	DComm, PAEM, SPC	
s.103	power to reject a claim for compensation in certain circumstances	DComm, PAEM, SPC	
s.107(1)	function of receiving claim for compensation	DComm, PAEM, SPC	



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s.107(3)	power to agree to extend time for making claim	DComm, PAEM, SPC	
s.114(1)	power to apply to the VCAT for an enforcement order	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.123(1)	power to carry out work required by enforcement order and recover costs	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DComm, PAEM, SPC	except Crown Land
s.129	function of recovering penalties	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
s.130(5)	power to allow person served with an infringement notice further time	IPO, PIO, DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
s.149A(1)	power to refer a matter to the VCAT for determination	To be retained by Council	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DComm, PAEM, <del>SPC, CStrP, TLSP, MPP, SSP, STATP, PLSP,</del>	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DComm, PAEM, SPC, <del>CStrP</del>	
s.171(2)(g)	power to grant and reserve easements	DComm, PAEM, SPC	
s.173	power to enter into agreement covering matters set out in section 174	DComm, PAEM, SPC	
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, PAEM, SPC	



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s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, PAEM, SPC	
s.178A(1)	function of receiving application to amend or end an agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178A(5)	power to propose to amend or end an agreement	DComm, PAEM, SPC	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, TLPES, PLSP</del>	
s.178C(4)	function of determining how to give notice under s.178C(2)	DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, PLSP</del>	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	DComm, PAEM, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	DComm, PAEM, SPC	After considering objections, submissions and matters in s.178B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DComm, PAEM, SPC, PLSP, <del>TLSP,</del>	

Planning and Environment Act 1987			
		<del>MPP, SSP</del>	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DComm, PAEM, SPC, <del>PLSP, TLSP, MPP, SSP</del>	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DComm, PAEM, SPC, <del>PLSP, TLSP, MPP, SSP</del>	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	DComm, PAEM, SPC,	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, PLSP</del>	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, PAEM, SPC, <del>TLSP, PLSP</del>	
s.179(2)	duty to make available for inspection copy agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, PAEM, SPC <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.182	power to enforce an agreement	<del>IPO, PIO</del> , DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DComm, PAEM, SPC	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	
s.184G(2)	duty to comply with a direction of the Tribunal	DComm, PAEM, SPC, <del>TLSP, MPP, SSP, StatP, PLSP</del>	

Planning and Environment Act 1987			
s.184G(3)	duty to give notice as directed by the Tribunal	DComm, PAEM, SPC, <del>TLSP</del> , <del>MPP</del> , <del>SSP</del> , <del>StatP</del> , <del>PLSP</del>	
s.198(1)	function to receive application for planning certificate	DComm, PAEM, SPC, <del>TLPE</del> , <del>TLSP</del> , <del>MPP</del> , <del>SSP</del> , <del>StatP</del> , <del>PLSP</del>	
s.199(1)	duty to give planning certificate to applicant	DComm, PAEM, SPC, <del>TLPE</del> , <del>TLSP</del> , <del>MPP</del> , <del>SSP</del> , <del>StatP</del> , <del>PLSP</del>	
s.201(1)	function of receiving application for declaration of underlying zoning	DComm, PAEM, SPC, <del>TLPE</del> , <del>CStrP</del> , <del>SSP</del> , <del>TLSP</del> , <del>MPP</del> , <del>SSP</del> , <del>StatP</del> , <del>PLSP</del>	
s.201(3)	duty to make declaration	DComm, PAEM, SPC, TLSP, PLSP	
	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DComm, PAEM, <del>SPC</del> , <del>TLSP</del> , <del>MPP</del> , <del>PLSP</del>	
	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DComm, PAEM, SPC, <del>TLSP</del> , <del>MPP</del> , <del>PLSP</del>	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DComm, PAEM, SPC, TLSP, <del>MPP</del> , <del>PLSP</del>	
	power to give written authorisation in accordance with a provision of a planning scheme	DComm, PAEM, SPC, TLSP, <del>MPP</del> , <del>PLSP</del>	
s.201UAB(1)	function of providing the <del>Growth Areas</del> Victoria Planning Authority with information relating to any land within municipal district	DComm, PAEM, SPC, TLSP, <del>CStrP</del> , <del>MPP</del> , <del>PLSP</del>	
s.201UAB(2)	duty to provide the <del>Growth Areas</del> Victoria Planning Authority with information requested under subsection (1) as soon as possible	DComm, PAEM, SPC, TLSP, <del>CStrP</del> , <del>MPP</del> , <del>PLSP</del>	
s.224(8)	duty to provide information requested by Victoria Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority	DComm, PAEM, SPC, TLSP, <del>CStrP</del> , <del>MPP</del> , <del>PLSP</del>	
Rail Safety (Local Operations) Act 2006			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.33	duty to comply with a direction of the Safety Director under this section	DComm, MINF, OPM, CE, <del>DCA</del>	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DComm, MINF, OPM, CE, <del>DCA</del>	duty of council as a road authority under the Road Management Act 2004
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DComm, MINF, OPM, CE, CWME, <del>CCW</del> , <del>DCA</del>	where council is a utility under section 3

Rail Safety (Local Operations) Act 2006			
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	MACWP, DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DComm, MINF, OPM, CE, DCA	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	CAP, MACWP, DComm, MINF, OPM, CE, CWME, CCW, DCA	where council is the relevant road authority
Residential Tenancies Act 1997			

Residential Tenancies Act 1997			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.142D	function of receiving notice regarding an unregistered rooming house	CSM, EHC, EHO, DComm	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
s.142G(2)	power to enter certain information in the Rooming House Register	CSM, EHC, EHO, DComm	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CSM, EHC, EHO, DComm	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	SBS, DComm, DCorp, MBS, MCS, CPM, DBS	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	SBS, CSM, EHC, EHO, DComm, DCorp, MBS, DBS	
s.522(1)	power to give a compliance notice to a person	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CSM, DComm	
s.525(4)	duty to issue identity card to authorised officers	CSM, DComm, PLT	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CSM, DComm	
s.526A(3)	function of receiving report of inspection	CSM, DComm	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CSM, EHC, DComm, CP	
Road Management Act 2004			
Provision	Item Delegated	Delegate	Conditions and Limitations
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DCorp, MACP, GCO	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DCorp, MACP, GCO	

Road Management Act 2004			
s.11(9)(b)	duty to advise Registrar	DCorp, MACP, GCO	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DCorp, MACP, GCO	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DCorp, MACP, GCO	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	To be retained by Council	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DCorp, MACP, GCO	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DCorp, MACP	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	To be retained by Council	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DCorp, MACP, GCO	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DCorp, MACP, GCO	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	DCorp, MACP, GCO	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	DCorp, MACP, DCA	
s.14(7)	power to appeal against decision of VicRoads	DCorp, MACP, DCA	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	MACWP, DComm, MINF, OPM, CE, DCA	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MACWP, DComm, MINF, OPM, DCA	



Road Management Act 2004			
s.15(2)	duty to include details of arrangement in public roads register	CAP, MACWP, DCA	
s.16(7)	power to enter into an arrangement under section 15	MACWP, DComm, MINF, OPM, DCA	
s.16(8)	duty to enter details of determination in public roads register	CAP, MACWP, DCA	
s.17(2)	duty to register public road in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	CAP, MACWP, MINF, CE, DCA	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	DComm, DCorp, MACP, MINF, GCO, DCA	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	CAP, MACWP, MINF, CE, DCA	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	CAP, MACWP, DCA	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	CAP, MACWP, DCA	where council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	CAP, MACWP, DCA	
s.19(4)	duty to specify details of discontinuance in public roads register	CAP, MACWP, DCA	
s.19(5)	duty to ensure public roads register is available for public inspection	CAP, MACWP, DCA	
s.21	function of replying to request for information or advice	CAP, MACWP, DCA	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	CAP, MACWP, DCA	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	MINF, CE, DCA	
s.22(5)	duty to give effect to a direction under this section.	MINF, CE, DCA	
s.40(1)	duty to inspect, maintain and repair a public road.	DComm, MINF, OPM, CWME, CCW, DCA	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DComm, MINF, OPM, CWME, CCW,	



Road Management Act 2004			
		DCA	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	MACWP, DComm, MINF, OPM, CWME, CCW, DCA	
s.42(1)	power to declare a public road as a controlled access road	CAP, MACWP, MINF, DCA	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	CAP, MACWP, MINF, DCA	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	CAP, MACWP, MINF, DCA	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	MINF, CE, DCA	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	MINF, CE, DCA	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	MINF, CE, DCA	
s.49	power to develop and publish a road management plan	CAP, MACWP, DCA	
s.51	power to determine standards by incorporating the standards in a road management plan	CAP, MACWP, DCA	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, MACWP, DCA	
s.54(2)	duty to give notice of proposal to make a road management plan	CAP, MACWP, DCA	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	CAP, MACWP, DCA	
s.54(6)	power to amend road management plan	CAP, MACWP, DCA	
s.54(7)	duty to incorporate the amendments into the road management plan	CAP, MACWP, DCA	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, MACWP, CE, DCA	
s.63(1)	power to consent to conduct of works on road	DComm, MINF, OPM, CE, CWME,	where council is the coordinating road

Road Management Act 2004			
		CCW, <a href="#">DCA</a>	authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DComm, MINF, OPM, CE, CWME, CCW, <a href="#">DCA</a>	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
s.67(3)	power to request information	<a href="#">MACWP</a> , DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
s.68(2)	power to request information	<a href="#">MACWP</a> , DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO, DComm, <a href="#">DCA</a>	
s.72	duty to issue an identity card to each authorised officer	<a href="#">MACWP</a> , DComm, MINF, MHR, OPM, <a href="#">DCA</a>	
s.85	function of receiving report from authorised officer	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, <a href="#">DCA</a>	
s.86	duty to keep register re section 85 matters	<a href="#">MACWP</a> , DComm, MINF, OPM, <a href="#">DCA</a>	
s.87(1)	function of receiving complaints	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, <a href="#">DCA</a>	
s.87(2)	duty to investigate complaint and provide report	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, <a href="#">DCA</a>	
s.112(2)	power to recover damages in court	<a href="#">MACWP</a> , MFCP, DComm, MINF, OPM, MCS, <a href="#">DCA</a>	
s.116	power to cause or carry out inspection	<a href="#">MACWP</a> , DComm, MINF, OPM, CWME, CCW, <a href="#">DCA</a>	
s.119(2)	function of consulting with VicRoads	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, <a href="#">DCA</a>	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA, CWME, CPG, CSV, CCW, <a href="#">DCA</a>	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before	<a href="#">MACWP</a> , DComm, MINF, OPM, OSA,	

Road Management Act 2004			
	exercising power in section 120(1)	CPG, CSV, <a href="#">DCA</a>	
s.121(1)	power to enter into an agreement in respect of works	<a href="#">MACWP</a> , DComm, MINF, OPM, <a href="#">DCA</a>	
s.122(1)	power to charge and recover fees	<a href="#">MACWP</a> , DComm, MINF, OPM, <a href="#">DCA</a>	
s.123(1)	power to charge for any service	<a href="#">MACWP</a> , DComm, MINF, OPM, <a href="#">DCA</a>	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	<a href="#">MACWP</a> , MINF, <a href="#">DCA</a>	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	<a href="#">MACWP</a> , MINF, <a href="#">DCA</a>	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	<a href="#">MACWP</a> , MINF, <a href="#">DCA</a>	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	<a href="#">MACWP</a> , DComm, MINF, PAEM, CE, <a href="#">DCA</a> , <a href="#">SIC</a> , <a href="#">EMFR</a>	
Schedule 2 Clause 5	duty to publish notice of declaration	<a href="#">MACWP</a> , MINF, CE, <a href="#">DCA</a>	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	<a href="#">MACWP</a> , MINF, CE, <a href="#">DCA</a>	where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	<a href="#">MACWP</a> , DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	<a href="#">MACWP</a> , DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	<a href="#">MACWP</a> , MINF, CE, <a href="#">DCA</a>	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAP, <a href="#">MACWP</a> , DComm, MINF, OPM, CE, CWME, CCW, <a href="#">DCA</a>	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	<a href="#">MACWP</a> , DComm, MINF, CE, <a href="#">DCA</a>	where council is the coordinating road authority
Schedule 7 Clause	power to take measures to ensure reinstatement works are completed	<a href="#">MACWP</a> , MINF, CE, <a href="#">DCA</a>	where council is the coordinating road authority

Road Management Act 2004			
12(3)			
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	MACWP, DComm, MINF, DCA	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	MACWP, DComm, MINF, OPM, MCS, DCA	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	MACWP, DComm, MINF, OPM, CE, DCA	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	MACWP, DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DComm, MINF, OPM, DCA	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	CAP, MACWP, DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DComm, MINF, OPM, CE, DCA	where council is the coordinating road authority

Road Management Act 2004			
Schedule 7 Clause 18(1)	power to enter into an agreement	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DComm, MINF, OPM, CE, CWME, CCW, <a href="#">DCA</a>	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DComm, MINF, OPM, CE, <a href="#">DCA</a>	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	MINF, <a href="#">OPM</a> , CE, CWME, CCW, <a href="#">DCA</a>	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	MINF, CE, <a href="#">DCA</a>	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	MINF, CE, <a href="#">DCA</a>	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	MINF, CE, <a href="#">DCA</a>	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)
Cemeteries and Crematoria Regulations 2015			
These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.24	duty to ensure that cemetery complies with depth of burial requirements	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.25	duty to ensure that the cemetery complies with the requirements for interment in	DComm, DCorp, MACP, OPM, FMPO,	

<b>Cemeteries and Crematoria Regulations 2015</b>			
These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
	concrete-lined graves	GCO, TLPM, CPG, TLRRR	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, TLRRR	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Note only	
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, TLRRR	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	DCorp, MACP, FMPO, GCO	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCorp, MACP, FMPO, GCO	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DComm, OPM, TLPM	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
Schedule 2,	power to approve an animal to enter into or remain in a cemetery	DCorp, MACP, FMPO, GCO	see note above regarding model rules

<b>Cemeteries and Crematoria Regulations 2015</b>			
These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
clause 14			
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	CEO, DCorp	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	CEO, DCorp	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	DComm, DCorp, MACP, OPM, FMPO, GCO, TLPM, CPG, TLRRR	see note above regarding model rules
<b>Planning and Environment Regulations 2015</b>			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DComm, PAEM, CStrP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	DComm, PAEM, SPC, TLSP, MPP, PLSP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	PAEM, SUBO, SPC, TLSP, MPP, SSP, StatP, TLPES, PLSP, CStrP	Where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	PAEM, SPC, TLSP, MPP, SSP, TLPES, PLSP, SUBO, StatP, SPTO	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DComm, PAEM, CStrP, StrP, SSTRP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or



Planning and Environment Regulations 2015			
			where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Planning and Environment (Fees) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	DComm, PAEM, CStrP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DComm, PAEM, SPC, TLSP, PLSP	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	DComm, PAEM, SPC, TLSP, CStrP, PLSP	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.7	function of entering into a written agreement with a caravan park owner	SBS, CSM, EHC, DComm, MBS, MCS, CPM, DBS	EHC and MBS in a coordinated approach
r.11	function of receiving application for registration	CSM, EHC, EHO, DComm	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	CSM, EHC, EHO, DComm	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	CSM, EHC, EHO, DComm	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CSM, EHC, DComm	
r.13(4) & (5)	duty to issue certificate of registration	CSM, EHC, EHO, DComm	
r.15(1)	function of receiving notice of transfer of ownership	CSM, EHC, EHO, DComm	
r.15(3)	power to determine where notice of transfer is displayed	CSM, EHC, EHO, DComm	
r.16(1)	duty to transfer registration to new caravan park owner	CSM, EHC, EHO, DComm	
r.16(2)	duty to issue a certificate of transfer of registration	CSM, EHC, DComm	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	CSM, EHC, DComm	
r.18	duty to keep register of caravan parks	CSM, EHC, DComm	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.19(4)	power to determine where the emergency contact person's details are displayed	CSM, EHC, EHO, DComm	
r.19(6)	power to determine where certain information is displayed	CSM, EHC, EHO, DComm	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.22A(2)	duty to consult with relevant emergency services agencies	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	CSM, EHC, EHO, DComm	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	SBS, CSM, EHC, EHO, DComm, MBS, DBS	
r.25(3)	duty to consult with relevant floodplain management authority	CSM, EHC, EHO, DComm, MFPO	EHO, EHC and MBS in coordinated approach
r.26	duty to have regard to any report of the relevant fire authority	SBS, CSM, EHC, DComm, MBS, MFPO, DBS	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CSM, EHC, EHO, DComm	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	SBS, CSM, EHC, DComm, MBS, DBS	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	SBS, CSM, EHC, DComm, MBS, DBS	
r.40(4)	function of receiving installation certificate	SBS, CSM, EHC, DComm, MBS, DBS	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	SBS, CSM, EHC, DComm, MBS, DBS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	SBS, CSM, EHC, DComm, MBS, DBS	
Road Management (General) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.8(1)	duty to conduct reviews of road management plan	CAP, MACWP, DComm, DCorp, MINF, DCA	
r.9(2)	duty to produce written report of review of road management plan and make report available	CAP, MACWP, DComm, DCorp, MINF, DCA	

Road Management (General) Regulations 2016			
r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MACWP, DComm, MINF, DCA	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	CAP, MACWP, MINF, DCA	
r.13(1)	Duty to publish notice of amendments to road management plan	MACWP, MINF, DCA	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	CAP, MACWP, MINF, DCA	
r.16(3)	power to issue permit	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	MACWP, MINF, CE, DCA	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	MACWP, MFCP, DComm, DCorp, MINF, DCA	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DComm, MINF, OPM, CWME, CCW, DCA	where council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DComm, MINF, OPM, CWME, CCW, DCA	where council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	MFCP, DComm, DCorp, MINF, OPM, MCS, DCA	
Road Management (Works and Infrastructure) Regulations 2015			
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
Provision	Item Delegated	Delegate	Conditions and Limitations
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	DComm, MINF, OPM, CE, CWME, DCA	where council is the coordinating road authority

**Executive Summary****12.6 Appointment and Authorisation of Council Staff**

*Enquiries: (Michael Craighead: Corporate Development)*

**Council Plan**

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To make the necessary appointment of Municipal Building Surveyor for the purpose of enforcing the *Planning and Environment Act 1987*.

**Recommendation (Director Corporate Development)**

That:

1. Pursuant to the provisions of Section 147 (4) of the Planning and Environment Act 1987 (The Act) and Section 232 of the Local Government Act 1989 (The Act), Council appoints the officer listed in the Instrument of Appointment and Authorisation, attached under separate cover, for the purposes of The Act and the regulations made under The Acts.
2. The Instrument of Appointment and Authorisation be signed and sealed..

**Key Points / Issues**

- For proper administration of the provisions of the *Planning and Environment Act 1987* and the Local Government Act 1989 (the Act), officers need to be appointed as authorised officers for the purposes of enforcing the Act.
- Council's Lawyers have reviewed the provisions of the Act in regard to delegation of powers and have concluded that authorisation of officers under the Act cannot be delegated by the Chief Executive Officer. The Lawyers are of the view that planning officers must be authorised by resolution of Council.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

The authorisation of officers has no financial implications.

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

Nil

**12.6 Appointment and Authorisation of Council Staff****Executive Summary****2. Other Stakeholders**

The authorisation of the officer listed for Council's consideration has been discussed with Council's Director Community Development.

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

Nil.

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

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

Legal

For proper administration of the provisions of the Act, officers need to be appointed as authorised officers under Section 147(4).

Policy Impacts

Nil

Officer's Declaration of Interests

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

**Risk Mitigation**

Officers would not be able to enforce the law without authorisations. A suite of authorisations has been developed for Councils by Maddocks and is used by almost all Councils in Victoria.

Similar authorisations to other officers in the same or similar roles have existed for many years without any undue issues.

There is a range of checks and balances to ensure these powers are exercised appropriately. When no longer required these powers are revoked to ensure good governance practices are being maintained and risks associated with inappropriate use is reduced.

**Conclusion**

The recommendation within this report needs to be adopted by Council to give effect to administrative changes within the Building Department to ensure effective on going administration of the provisions of the Act.

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**ATTACHMENTS**

Attachment A: Draft Instrument of Appointment and Authorisation (*Under Separate Cover*)

**Executive Summary****12.7 Progress of Council Resolutions resulting from Notice of Motions**

*Enquiries: (Michael Craighead: Corporate Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.3 Continue to build organisational capability and a customer service culture

**Purpose**

To brief Council on the current status of Notice of Motion Resolutions.

**Recommendation (Director Corporate Development)**

That Council:

1. Receives the Notice of Motion Report as at 4 September 2017.
2. Notes that the following Notices of Motion be archived from the Notice of Motion Report:
  - NOM 1232 - Additions to Domestic Animal Management Plan
  - NOM 1236 – Support to Traders CAA Development
  - NOM 1244 - Criminal Asset Forfeitures
  - NOM 1272 - Acknowledgement of Traditional Owners
  - NOM 1289 – Female Participation in Sports
  - NOM 1290 – New Closed Council Rules
  - NOM 1309 - New signature event for Frankston
  - NOM 1315 - Police Numbers in Frankston
  - NOM 1326 - Creation of Frankston Junior / Youth Mayor
  - NOM 1327 - Support for new and existing Planned Activity Groups
  - NOM 1337 - MAV Membership
  - NOM 1345 - Interim meal arrangements for City Life clients
  - NOM 1352 - Improved community consultation relating to Annual Budgets

**Key Points / Issues**

- At the Ordinary Council Meeting OM295 held on 19 December 2016, Council resolved that;

*“That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council’s resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).”*

**12.7 Progress of Council Resolutions resulting from Notice of Motions****Executive Summary**

- The Notice of Motion Report as at 4 September 2017 is attached and will continue to be updated and reported at each Ordinary Council Meeting.
- Thirteen (13) Notice of Motion actions are reported 'complete' and will be archived from the document. The Notice of Motion's relating to NOM 1232 - Additions to Domestic Animal Management Plan, NOM 1236 – Support to Traders CAA Development, NOM 1244 - Criminal Asset Forfeitures, NOM 1272 - Acknowledgement of Traditional Owners, NOM 1289 – Female Participation in Sports, NOM 1290 – New Closed Council Rules, NOM 1309 - New signature event for Frankston, NOM 1315 - Police Numbers in Frankston, NOM 1326 - Creation of Frankston Junior / Youth Mayor, NOM 1327 - Support for new and existing Planned Activity Groups, NOM 1337 - MAV Membership, NOM 1345 - Interim meal arrangements for City Life clients and NOM 1352 - Improved community consultation relating to Annual Budgets

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

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

Nil.

**2. Other Stakeholders**

Nil.

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

Making the written records available may provide some confidence in transparency in decision making and is in keeping with best practice advice from the Office of the local Government Inspectorate.

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

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

Legal

Nil.

Policy Impacts

There is no impact on Council Policies.

Officer's Declaration of Interests

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



**12.7 Progress of Council Resolutions resulting from Notice of Motions****Executive Summary****Risk Mitigation**

There are no significant risks.

**Conclusion**

It is recommended that the Notices of Motion as listed be archived.

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**ATTACHMENTS**

Attachment A: Notice of Motion Cost Summary at 4 September 2017

Attachment B: Notice of Motion at 4 September 2017

Attachment C: Notice of Motion Confidential at 4 September 2017 (*Under Separate Cover*)

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost
Cr Cunial	5	\$4,649	\$500	\$190,500
Cr McCormack	9	\$3,735	\$0	\$135,000
Cr Toms	19	\$7,898	\$0	\$60,000
Cr Aitken	16	\$8,979	\$0	\$55,000
Cr Bolam	39	\$19,196	\$0	\$149,000
Cr O'Connor	15	\$5,491	\$0	\$163
Cr Mayer	3	\$2,896	\$0	\$66,000
Cr Hampton	9	\$6,944	\$1,050	\$0
Cr O'Reilly	0	\$0	\$0	\$0
<b>TOTAL</b>	<b>115</b>	<b>\$ 59,788</b>	<b>\$ 1,550</b>	<b>\$ 655,663</b>

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
28-Nov-16	13.4	NOM 1232 - Additions to Domestic Animal Plan Cr Mayer	Moved: Mayer Seconded: Bolam That the Chief Executive Officer arrange for officers to investigate the following additions and associated costs to the Domestic Animal Management Plan: <ul style="list-style-type: none"> <li>When owners pay for their cats and dogs registration fees, Council staff do a complimentary check to see if microchip details are up to date.</li> <li>All registered and chipped dogs/cats are returned to their owners by vets and/or rangers FREE of charge.</li> <li>All health card holders can register their animal for minimal fee or free.</li> <li>Council shouldn't spend any money on Pets Day Out but all funding should come from sponsorship and be outsourced to an event organisation company. Monies raised should pay for the event.</li> <li>Leash free fencing zones should be built and funded in place of Pets Day Out.</li> <li>Council should create an allocated section on their website to post lost and found dogs.</li> <li>Dead animals cats or dogs should be scanned and reported to the owner.</li> <li>Animal owners should get a discounted registration fee if they take an online test outlining responsible animal ownership welfare.</li> <li>A committee should be formed to assist in implementing these ideas made up of residents.</li> <li>Initiate a campaign (e.g. go fund me) to raise funds for a day holding facility for lost animals such as Bayside City Council currently run.</li> <li>An exemption from desexing for select breeds with an additional registration charge such as neighbouring Councils.</li> <li>These issues be raised with animal welfare and interest groups to request their feedback, including local facebook forums.</li> </ul> CARRIED UNANIMOUSLY	Leonie Reints	21 August 2017 - Request to archive NOM as a report was considered back to Council at the 14 August 2017 OM. Answers to NOM are within this report. 10 July 2017 - Report was scheduled to go to Council 3/7/17 for approval to go out for public consultation. However it was requested that it go to a Councillor Briefing first which is now scheduled for 31/07/2017. 20 June 2017 - A report is scheduled to be presented back to Council on the 3 July 2017. 13 June 2017 - A report is scheduled to be presented back to Council on 3 July 2017 for the approval to go out for public consultation.	Primary Cost: Officers Investigations and reporting - \$450
28-Nov-16	13.8	NOM 1236 – Support to Traders CAA Development Cr Toms	Moved: Toms Seconded: Mayer That the Chief Executive Officer request officers to brief Councillors on how disruption to traders is being minimised during works in Wells Street and Young Street, detailing lessons learnt and plans/recommendations for the future on how Council can be more effective in this area. Following this the Mayor meet with the State MP, Mr Paul Edbrooke to relay findings from the Council Briefing. CARRIED	Sam Jackson	21 August 2017 - This NOM will be completed within the larger NOM of 1338- Young Street Traders Assistance Package. The Action Items will be addressed through this. Request to archive on this basis. 31 July 2017 - Revitalisation unit continues to liaise with Vic Roads, contractors and traders to ensure impacts from projected road closures are minimised. Moving forward, Economic Development and Communications units are best placed to coordinate trader communication and assistance. I recommend that responsibility for this NOM be assigned to Manager Community Relations 10 July 2017: Officers continue to raise with the State Government the need for the next phase of Business Resilience 13 June 2017 - Discussions continue with individual traders.	Primary Cost: Officers time preparing and presenting - \$300
19-Dec-16	13.2	NOM 1241 - Centenary Park Golf Course Committee Cr Hampton	Moved: Hampton Seconded: Toms That: <ol style="list-style-type: none"> <li>Council notes that the pro shop and golf course at Centenary Park remain as separate entities to the Centenary Park sporting complex.</li> <li>A Committee of interested Councillors and appropriate officers be appointed to develop a future 10 year business plan for the Centenary Park Golf Course.</li> <li>Regular reports be provided to Council on the development of the draft business plan including consultation undertaken with key stakeholders.</li> <li>The final draft business plan be presented to Council for consideration and adoption by the end of 2017 at the latest.</li> <li>Council notes that D&amp;S Golf have previously been advised that their current contract will not be extended.</li> <li>Notwithstanding the previous advice to D&amp;S Golf, Council now advises D&amp;S Golf that their current contract (expiry 30 June 2017) will now be extended to the 30 June 2018. This will allow for the development of the draft business plan for Centenary Park Golf Course and guarantee no interruption to the management and viability of the golf course.</li> </ol> CARRIED UNANIMOUSLY	Liz Daley	21 August 2017 - Consultant is progressing work on the Business Plan 31 July 2017 - 1. Noted 2. The consultant has met with the liaison committee a number of times 3. Extensive consultation has been undertaken including alternative models and golf clubs to understand opportunities. The next stage is to meet with interested councillors to gain further input 4. The current analysis will enable a draft to be developed by the end of 2017 5 & 6. The contract has been extended to 30 June 2018 10 July 2017 - 1) Noted 2) Committee established 3) Consultant is undertaking research following initial meetings with key stakeholders. 4) Noted 5) Noted 6) Complete 20 June 2017 - A report is scheduled to be presented back to Council on 27 July 2017	Primary Cost: \$2,350 (please note: an additional cost of \$226 has been added to the total figure of the Primary Cost)
19-Dec-16	13.4	NOM 1243 - Pedestrian Crossing Fletcher Road Cr Aitken	Moved: Aitken Seconded: Mayer That Council make representation to VicRoads to formalise a pedestrian crossing on Fletcher Road between the Police Station and Law Courts and Bayside Shopping Centre and that Council request Mr Paul Edbrooke MP, Member for Frankston to make appropriate representation on our behalf. CARRIED UNANIMOUSLY	Gill Kay	21 August 2017 - Council is still awaiting a response from VicRoads. 10 July 2017 - Council is still awaiting a response from VicRoads 13 June 2017 - No change to the status.	Primary Cost: \$75

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
19-Dec-16	13.5	NOM 1244 - Criminal Asset Forfeitures Cr Bolam	Moved: Bolam    Seconded: Aitken That Council writes to the Federal MP for Dunkley, Mr Chris Crewther, Federal Minister for Justice The Hon. Michael Keenan, State MP Mr Paul Edbrooke and State Minister for Justice The Hon. Martin Pakula, advocating that asset forfeitures for/from criminal proceeds be better channelled into the local communities (crime prevention programs, victim support programs, etc) where the proceeds of crime were claimed. CARRIED UNANIMOUSLY	Gill Kay	21 August 2017 - The response advised funds are made available as grants. Request to archive NOM. 31 July 2017 - Letters were sent and a response received and subsequently circulated to Councillors. 10 July 2017 - Comment left on behalf of Gill Kay: 1) A response from MP Paul Edbrooke on behalf of Hon Martin Pakula regarding asset for futures has been received. 2) The letter advises finding is available through a grants program administered by the Community Crime Prevention Unit within the Department Justice and Regulation. 20 June 2017 - Still waiting for a response from the Federal Minister for Justice and the Federal MP Dunkley. 22 May 2017 - No change to the status.	Primary Cost: \$75
19-Dec-16	13.6	NOM 1245 - Frankston Volunteer Coastguard Cr Bolam	That a report be provided to Council at the May 2017 Ordinary Meeting on non-marina / non-safe boat harbour options for the Frankston Volunteer Coastguard headquarters (HQ). These options should include: · Retrofitting of existing HQ; · Wholesale reconstruction of existing HQ; · Permanent and secure Mooring for the Coastguard's primary rescue vessel; · Relocation of existing HQ to an existing venue; and/or · Relocation of existing HQ to a newly constructed venue. The report should consider local, state, federal and philanthropic funding routes for any of the above options plus total anticipated costs for the most viable long-term option. Consultation should take place with the Executive of the Frankston Volunteer Coastguard, and the "most viable long-term option" explored within the context of this report must have the support of the organisation. The Frankston Volunteer Coastguard organisation plays a crucial role in maritime rescues in our municipality and deserves the full ongoing support of council. CARRIED UNANIMOUSLY	Gill Kay	21 August 2017 - It was agreed to have this report prepared for the 4 September Council Meeting as we are waiting on the cost plan for the proposed new facility and existing condition audit. Co-ordinator Building Projects is working on the report. Reporting being prepared for the 4 September OM. 31 July 2017 - A report is scheduled to be submitted to an ordinary Meeting 14th August. 10 July 2017 - Comment left on behalf of Gill Kay: Significant consultation has been undertaken with the Coastguard and Marine engineering experts. In respect of the building fitness for purpose is now understood and iterates the need for a new purpose built facility. A more detailed report and briefing is being prepared. With regard to the breakwater an application has been submitted an application has been to Federal Government and RFQ has been prepared to enable hydrographic work and plans. 22 June 2017 - A meeting with Councillor Bolam has been requested to discuss further as more preliminary work is required to inform the report 20 June 2017 - A further report to Council is subject to further consultation and consideration of technical information and will be presented to the September OM. 13 June 2017 - Further consultation with the coastguard is required re. spatial requirements. Hydrographic information is being confirmed to better inform the report and briefing of Councillors prior to a report being presented to the August Ordinary Meeting.	Primary Cost: \$750
19-Dec-16	13.1	NOM 1249 - Police Station in Langwarrin or Frankston North Cr Bolam	Moved: Bolam    Seconded: O'Connor That Council writes to the (state) Minister for Police and the Victoria Police Commissioner vigorously advocating for increased police resources in both Langwarrin and Frankston North on the basis of geographical displacement from Central Frankston and increased localised crime. CARRIED UNANIMOUSLY	Gill Kay	24 July 2017 - Meeting with police occurred 19 July and information received highlighting additional police stations are contraindicative to current model of resourcing i.e more police officers on the ground. Council is awaiting a response from minister's office 10 July 2017 - Meeting scheduled on 05/07/2017 with Manager, Councillor Bolam and Director with Local Area Commander VicPol (or delegate) was cancelled and will be re-scheduled. 22 June 2017 - Response has been received 14/3/17 from Minister of Police. Still awaiting response from Police Commissioner. 13 June 2017 - No change to the status. 22 May 2017 - No change to the status. 1 May 2017 - No change to the status. 3 April 2017 No change to the status. 14 Mar 2017 - 11:58 AM - No response received. 10 Feb 2017 - 12:04 PM - Member for Frankston has written letters to Minister and Police Commissioner. No other response. 05 Jan 2017 - 2:02 PM - Letters have been written (A3271494 and A3271361). Awaiting response.	Primary Cost: \$75
30-Jan-17	13.3	NOM 1258 - Civic Reception for CFA Volunteers Cr O'Connor	Moved: Hampton    Seconded: Toms That letters under seal be presented to all emergency services congratulating them on the wonderful work they do in our community and these letters be presented at the 2017 mayoral picnic. CARRIED UNANIMOUSLY	Leonie Reints	10 July 2017 - Letters have been drafted and will be presented to OM 24/7 for endorsement and available for the Mayor's Picnic in September 2017. 22 June 2017 - Letters will be drafted and presented to OM 24/7 for endorsement and available for the Mayor's Picnic in September 2017. 22 May 2017 - No change to the status 3 April 2017 - No change to the status. 214 Mar 2017 - 1:53 PM - No further action until September 2017. 21 Feb 2017 - 2:29 PM - Letters will be available for the Mayor's Picnic in September 2017.	Primary Cost: Nil



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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
30-Jan-17	13.7	NOM 1264 - Frankston History taught in Local Schools Cr Bolam	Moved: Bolam Seconded: Aitken That a report be provided to Council at the May Ordinary Meeting in relation to the introduction of local (Frankston) history as curriculum for primary school students. The report should consider: 1. Council's capacity with local community groups and historians to put together a yearly curriculum package (including any recurrent costings such as research, subsidies and paperwork); 2. The inclusion of history in a potential curriculum package which spans from Frankston's initial indigenous inhabitants (the Boonerwung and Bunurong people) to Frankston's modern European settlement; 3. The receptiveness of the Department of Education and public, private and denominational schools within the Frankston LGA to embrace such curriculum; and 4. The introduction of a resource portal / website section on the Frankston City Council website for residents (beyond primary school students) interested in learning more about diverse Frankston's history CARRIED	Gill Kay	10 July 2017 - A meeting was held on 29 June with Cr Bolam, Gill Kay, Andrew Moon, Kim Kearsey, representatives from the Department of Education and Early Childhood Development and the Frankston Historical Society. There is support from the Department to develop a teaching resource aimed at primary school students which will meet the criteria of the Victorian Curriculum. A project plan for this will be developed for inclusion in the NOM report due in September along with a discussion of online publishing options. To ensure the local history component of the curriculum will be available for the wider community. 21 June 2017 - Councillor Bolam has been invited to the meeting scheduled for 29/6. 20 June 2017 - A meeting has been organised between Frankston Historical Society and Department of Education and Training to further explore this opportunity. A report has been scheduled for September OM. 13 June 2017 - At the meeting held on 8 May 2017 the Regional Director DET was open to involvement and was to confirm in writing. No correspondence to date received and follow up has occurred. A report to August Ordinary Meeting has been scheduled. 01 June 2017 - Action reassigned to Gillian Kay by Andrea Gaynor 22 May 2017 - Meeting with the Department of Education representatives was held on 8 May 2017. As per Community Development Division Resolution Progress Report dated 22 May 2017, a report will be presented to the 13 June 2017 Ordinary Meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 A meeting has been scheduled with the Department of Education on 8 May 2017. 23 March 2017 - No response has been received. 21 Feb 2017 - 2:32 PM - A letter has been sent by the Mayor to the Regional Director, South East Region of the Department of Education and Training on 7 February 2017. Council is now awaiting advice.	Primary Cost: \$175
30-Jan-17	13.8	NOM 1265 - Cleanliness of Frankston City Cr Bolam	Moved: Bolam Seconded: Aitken To ensure the cleanliness of our streets, parks and reserves – Council resolves that the following measures occur: 1. That the CEO reviews the management of the cleaning maintenance of all council land and presents a maintenance model to Council's satisfaction in May 2017. The model must ensure Council land is maintained to an agreed service level which also includes random audits against the service levels. 2. That a letter be sent to Frankston MP, Mr Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of land belonging to VicRoads in the Frankston LGA. The letter outline the proposal of a pilot project between Council and VicRoads to implement a cleaning maintenance program at an appropriate and similar service level to that endorsed by Council as a consequence of the maintenance service review and further, the council undertake maintenance works on their behalf on the proviso that VicRoads be invoiced for services rendered. 3. That a letter be sent to Frankston MP Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of VicTrack land and that Council, should there be no improvements by May 2017, considers it option to pursue issuing infringement notices for unsightly land under the General Local Law No. 8. 4. That the outcome of the responses from VicRoads, VicTrack and the State Government be included in the report to council in May 2017. If the responses are not to the satisfaction of council it considers options including a public campaign to State Government to compel VicRoads and or VicTrack to improve its cleaning regime on the land for which they are responsible. 5. That a 'rapid response' team be established to improve responsiveness to community requests for maintenance of a reactive nature. Such a team would be able to respond to reactive requests quickly, which in turn would ensure programmed maintenance activities remain on track. The team also report any unsightly private land to Council's Authorised Officers for follow up investigation and infringement. 6. It be noted that council formally impounds abandoned trolleys found on council/common land under the appropriate subject to General Local Law Number 8. Council officers are to seek formal Australian Tax Office advice to assess Council's ability to 'donate' a proportion of shopping trolley impound and or release fees to the Frankston Charitable Fund and include the advice in the May 2017 report to Council. 7. That state legislative provisions to curtail rubbish dumping outside private properties are included in the May 2017 report. If considered necessary recommendations regarding the need for further legislative change also be included. 8. That a detailed letter be prepared and included in the next rates notice to all property owners on the rates register to remind them of the council's expectations that they ensure no rubbish is placed the nature strip outside of the provisions for hard waste collections. 9. That officers improve and provide a supportive customer service response to public reports of dumped rubbish and abandoned shopping trolleys and this also be considered in the May 2017 report. 10. The document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" (Seiffert, B. 2017) also be considered in the May 2017 report to Council. CARRIED UNANIMOUSLY	Gill Kay	31 July 2017 - A briefing has been scheduled for 21/8. A further report will come back to Council OM 4/9 19 July 2017 - Additional staff member has been appointed to address the trolley issues. Outcome cost added. 10 July 2017 - A meeting has been scheduled on 13/07/2017 with Councillor Bolam and Mr Seiffert to discuss his recommended initiatives. 21 June 2017 - A meeting has been sought with VicTrack and VicRoads to discuss maintenance. A separate meeting has been arranged with Councillor Bolam and Mr Seiffert to discuss his recommended initiatives. 20 June 2017 - A report was provided to 22 May OM and deferred until September for further information 13 June 2017 - Report deferred for further discussion with Cr Bolam. 01 June 2017 - Action reassigned to Gillian Kay by Andrea Gaynor 22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 Council report will be provided to May 2017 meeting. 21 Feb 2017 - 1. Noted - a report will be prepared 2. A letter has been sent. 3. A letter has been sent. 4. Noted 5. A Rapid Response Team had been established by the time of the January OM. 6. Advice from the ATO has been sought. 7. Noted 8. Finance Department has been requested to include a reminder in the next rates notices. 9. Officers have been requested to revise advice to customers. 10. A copy of the document has been requested.	Primary Cost: \$5,876.75 (additional \$5,414.75 added to the primary cost of \$462)

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
30-Jan-17	13.13	NOM 1270 - Funding for Life Saving Clubs Cr Toms	Moved: Aitken Seconded: Hampton: That Council consider the best and most reasonable means to acknowledge volunteers in the city. CARRIED UNANIMOUSLY	Gill Kay	10 July 2017 - Letters have been drafted for approval for presentation at the Mayors picnic in September. 22 June 2017 - A meeting has been requested with Councillor Aitken and Chairperson Impact Volunteering to discuss acknowledgement of all volunteers at the Mayors Family Picnic 13 June 2017 - No change to the status. 22 May 2017 - No change to the status. 3 April 2017 - No change to the status.	Primary Cost: \$100
30-Jan-17	13.15	NOM 1272 - Acknowledgement of Traditional Owners Cr McCormack	Moved: McCormack Seconded: Hampton That Council ensure forthwith that an acknowledgement of Traditional Owners is included in all printed itineraries advertising for events and festivals co-ordinated by Council and that Traditional Owners are invited to perform a Welcome to Country at events such as, but not limited to, the Lighting of the Tree and Waterfront Festivals. CARRIED UNANIMOUSLY	Andrew Moon	21 August 2017 - As per initial request, acknowledgement of Traditional Owners has been included in all relevant documentation. Request NOM to be archived. 31 July 2017 - Welcome to the Country will be included in the following events - The Mayor's Family Picnic - Pet's Day Out - Frankston's Christmas Festival of Lights - Ventana Fiesta - Party in the Park Welcome to the Country and Smoking Ceremony will be included in the following event - The Waterfront Festival Unbudgeted expenditure of \$5,000 per annum to deliver these Welcome ceremony's Currently developing appropriate content for promotional materials. 10 July 2017 - A meeting has been scheduled in early July with Frankston City Council Events team and Coordinator Programming to discuss this NOM. 13 June 2017 - Council has been advised of spelling change for the Boonwurrung. A clear outcome	Primary Cost: \$300 Meeting Cost \$2,000
30-Jan-17	13.17	NOM 1274 - Procurement Policies and Contracts Cr McCormack	Moved: McCormack Seconded: Mayer That a review be undertaken of all procurement policies and contracts for goods and service provision to Council and a report be provided to Council within 12 weeks detailing where efficiencies could be achieved and where further local investment can be promoted. CARRIED UNANIMOUSLY	Jo Cross	13 July 2017 - As the report was deferred to include further changes these will need to be referred to Council's Audit and Risk Committee for the 22 September 2017. The report will go back to Council at the Ordinary Meeting for 16 October 2017. 10 July 2017 - As per last note, changes to this request will be submitted at the Audit and Risk Committee. 20 June 2017 - Reponse to this NOM was submitted to Council Meeting in May but was deferred to include further changes. These changes will need to be referred to Council's Audit and Risk Committee. The report will go to Council in October 2017. 22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 No change to the status. 24 March 2017 - Action reassigned to George Vass 14 Mar 2017 - 2:12 PM - Report will be presented to May 2017 meeting. 21 Feb 2017 - 2:36 PM - Review process will be undertaken in accordance with NOM.	Primary Cost: \$400



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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
20-Feb-17	13.4	NOM 1279 – Local Government/State Government Financial Arrangements Cr Hampton	Moved: Hampton Seconded: Mayer That: 1. The Council write to the Premier of Victoria, the Treasurer of Victoria and the Minister for Local Government, to again highlight the future loss of revenue to Local Government as a result of the introduction of Rate Capping and that it will diminish Council's capacity to provide services and major projects. 2. The Council call upon the Premier of Victoria and the Treasurer of Victoria, to undertake an urgent review of all current legislation that imposes financial burdens on Local Government in having to pay levies to the State Government eg, Waste Levy, Building Levy, Dog and Cat Registration Levy due to the impact of the Rate Capping legislation and that support for the legislative review be sought from the Minister for Local Government on the basis of the commitment to the State/Local Government Accord. 3. The Premier of Victoria be requested to review the legislation whereby Local Government is required to pay annually for Fire Plug Maintenance on the basis that the Fire Services Levy pool of funding is significantly higher now due to it being linked to Local Government rate bases and the Fire Plug Maintenance could be funded from this fund and the Minister for Local Government be requested to support this request in the spirit of the State/Local Government Accord and recognising the impact of Rate Capping on Councils. 4. The Premier of Victoria and the Treasurer of Victoria be requested to urgently review the prohibition placed upon Local Government to not be able to apply rates charges on State Government property in recognition of the impact rate capping and amend legislation to allow for rates to be levied on State Government properties. 5. The Member for Frankston and the Member for Carrum be called upon to support Council in its efforts to address the imbalances and requirements that the current legislation imposes on Local Government in having to pay levies to the State Government and not being able to impose charges on State Government. 6. Council writes to all members of State Parliament representing the municipality raising its concerns and seeking support for legislative change to address the imbalance. 7. Council reconsider its membership with the VLGA so as to have a vehicle to promote these recommendations within the Local Government forum and also with the State Government. 8. A decision be made at the next Ordinary Meeting on our VLGA membership. CARRIED UNANIMOUSLY	Michael Craighead	21 August 2017 - Follow up letters sent to all parties seeking a response. 31 July 2017 - No response to the letter sent to Kathryn Arndt (VIC Local Governance Association), Mr Paul Edbrooke (member for Frankston), The Hon Matthew Guy (Leader of the VIC State Opposition) and Mr Timothy Pallas (Treasurer of VIC). Acknowledgement letter from The Hon Natalie Hutchins MP (Minister for Local Government) and a response from The Hon Daniel Andrews MP (Premier of VIC). 13 June 2017 - No change to status. Council voted against rejoining the VLGA at 22 May 2017 OM301. 22 May 2017 - No change on State Government matters. Letter received from VLGA dated 5 May 2017 (A3349018). VLGA report submitted to this meeting. 1 May 2017 - Councillor Briefing on VLGA membership held on 18 April 2017. No response to report to 1 May 2017 from letters sent. Additional Cost \$150. 3 April 2017 - Working towards a briefing to Council by VLGA. Report will be provided following the Councillor Briefing. 14 Mar 2017 - 2:18 PM - Letters have been written to all nominated in the various recommendations.	Primary Cost: \$600
14-Mar-17	13.4	NOM 1289 – Female Participation in Sports Cr O'Connor	Moved: Councillor O'Connor Seconded: Councillor Hampton That a report be provided at the June Ordinary Meeting outlining Frankston City Council and intergovernmental options (i.e. funding, grants etc) to further encourage female participation in sporting endeavours and/or sporting activities, including those that are traditionally dominated by the opposite sex. CARRIED UNANIMOUSLY	Liz Daley	21 August 2017 - Request to archive as a report was considered at Council for the 24 July 2017 OM. 31 July 2017 - The report was deferred pending a meeting with Councillor. Currently scheduled to be presented to OM 14/8/17. 13 July 2017 - This report will be going to OM 24 July 2017 as per the resolution. 06 July 2017 - At the request of Councillor O'Connor, report will be submitted to OM 14/08/2017 20 June 2017 - The report has been delayed due to further consultation and direction required from Councillor. 13 June 2017 - A report will be submitted to this meeting. 22 May 2017 - Report is being prepared 1 May 2017 - Report is being prepared. 3 April 2017 A report will be submitted to OM 13/6/17.	Primary Cost: \$287.21
14-Mar-17	13.5	NOM 1290 – New Closed Council Rules Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken 1. That Council works towards achieving no less than 90% (i.e. an 18% improvement) of all decisions being made in Open Council, and the Chief Executive Officer highlight this annual result in future LGPRF reports to Council, and in future annual reports. 2. In the public meeting agenda and minutes section relating to Closed Council Items, in addition to the existing description field describing the Closed Council items, a new section be created summarising the exact reasoning for referral under LGA Sec. 89 (h) (2). 3. That the matter return to (open) council with recommendation/s for implementation in the next three months. CARRIED	Michael Craighead	31 July 2017 - Request to archive NOM as a report was presented back to Council at the 24 July 2017 OM. 3 July 2017 - A report is being prepared to be presented to Council 24 July 2017. 20 June 2017 - A report was present to Council at its June meeting. It was deferred pending further work and will now be brought to Council in August 2017. 13 June 2017 - A report will be submitted to this meeting. 22 May 2017 - Report is being prepared 1 May 2017 - Report is being prepared. 3 April 2017 Report will be prepared for the June 2017 meeting.	Primary Cost: \$715
3-Apr-17	13.1	NOM 1295 - Mental Health Cr O'Connor	Moved: Councillor O'Connor Seconded: Councillor Toms That Frankston City Council writes to both the (State) Minister for Mental Health, The Hon. Martin Foley, and the (Federal) Minister for Health, the Hon. Greg Hunt, advocating for improved local mental health services and increased local mental health awareness. Prior to this occurring, the CEO is to instruct officers to identify specific service shortfalls in Frankston which require rectification. This should be reflected in the letter to the relevant ministers. The final draft of this letter is to be provided at the May Council meeting for consideration. This letter should form the basis of Frankston City Council's future advocacy relating to mental health based outcomes in the Frankston municipality.  Carried Unanimously	Liz Daley	21 August 2017 - Phone calls were made to the (State) Minister for Mental Health, The Hon. Martin Foley, and the (Federal) Minister for Health, the Hon. Greg Hunt, offices on 18 July 2017. The Hon. Greg Hunt's office advised the letter is with the Ministerial office to prepare a response. The Hon. Martin Foley's office advised letters are with advisors, response will follow in a few weeks. 10 July 2017 - Awaiting on response to letters sent to relevant Ministers on 14 June 2017. 21 June 2017 - The letter was submitted to Council for endorsement OM 22/5 and sent to the relevant Ministers. 13 June 2017 - Letter approved by Council and sent to all intended recipients. Primary cost of \$1,580 added. 22 May 2017 - No change to the status. 1 May 2017 - Letters being prepared along with report.	Primary Cost: \$1,580



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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
3-Apr-17	13.2	NOM 1296 - Support for Self-Funded Retirees	Moved: Councillor O'Connor Seconded: Councillor Toms Council writes to the State Government formally seeking their support for a discount scheme for self-funded retirees relative to municipal rates. Council's support for this advocacy measure would allow self-funded retirees access to the same discounts that pensioners receive on their annual council rates. The Minister, in potentially allowing self-funded retirees a discount on their annual council rates, should devise a mechanism which prevents self-funded retirees with exceptional liquidity / assets from having access to the proposed discount.  CARRIED	Kim Jaensch	22 August 2017 - Correspondence received from Minister for Local Government (A3405385) dated 31 July 2017. Correspondence received from Treasurer of Victoria (A3401648) dated 25 July 2017. 31 July 2017 - Awaiting response to letters. no change to status 14 July 2017 - Letter sent 14 July 2014 20 June 2016 - No change to the status 22 May 2017 - No change to the status. 1 May 2017- Letters being sent.	Primary Cost: \$100
3-Apr-17	13.4	NOM 1298 - Food Security in Frankston Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken 1. That Council continues to adhere to 53D and 53E of the Victorian Food Act 1984 – all local food premises convicted of food safety contraventions be put on the Victorian Department of Health's 'Convictions Register'; 2. That all food premises be informed (in writing) of this process and be encouraged to practice adequate food practices; 3. Furthermore, all Councillors are to be supplied with the outcome of food businesses inspections (including any breaches and fines issued) in the form of either a report or briefing annually; and 4. The total number of convictions, breaches and fines be released publicly annually. Carried Unanimously	Leonie Reints	21 August 2017 - Letters will be sent out to all food premise proprietors with their Food Act Renewals in October 2017. 10 July 2017 - Council is continuing to put all food safety contraventions on the Victorian Department of Health Convictions Register. Letters will be sent out to all food premise proprietors with their Food Act Renewal in October 2017. Councillors will be provided with a high level summary of all statutory food inspections and their outcomes through the quarterly performance reporting process. 20 June 2017 - 1. Environmental Health Officers currently adhere to Sections 53D and 53E of the Victoria Food Act and all local food premises convicted of food safety contraventions will be put on the Victorian Department of Health's 'Convictions Register'. 2. All food premise proprietors will be reminded in writing of their obligations under the Food Act in October when they receive their Food Act renewal application. 3. Councillors will be provided with a high level summary of all statutory food inspections and their outcomes. 4. Due to privacy laws it is only possible to disclose information regarding convicted food premise proprietors which is available on the DHHS Convictions Register (public site). 1 May 2017 - Letters being sent . Actions to be undertaken at appropriate time.	Primary Cost: \$100
3-Apr-17	13.5	NOM 1299 - Level Crossing Removal Cr McCormack	Moved: Councillor McCormack Seconded: Councillor Bolam 1. Requests from the Level Crossing Removal Authority and the Hon Jacinta Allen MP, Minister for Transport, as a matter of urgency, the release of all technical reports and associated information to the Council and community, which provides justification for the chosen options for treatments at the Frankston railway line grade separations located within the Frankston municipality. 2. Notes that the State Government has failed to provide all of the information as requested previously by Council to date. 3. Technical information also be sought on the proposed – and council opposed – Seaford/Kananook train stabling yard. Carried Unanimously	Kate Jewell	31 July 2017 - No response regarding technical reports. 10 July 2017 - Awaiting response from Level Crossing Removal Authority and the Hon Jacinta Allan MP, Minister for Public Transport. 13 June 2017 - No change to the status. 22 May 2017 - No change to the status. 1 May 2017 - Letters have been sent.	Primary Cost: \$100
1-May-17	13.1	NOM 1300 - Reinstatement of Full Voting Rights for Frankston City Council  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council writes to the Australian Local Government Association (ALGA) in relation to the Association bylaw which requires municipal member councils in Victoria to also be a member of the Municipal Association of Victoria (MAV). Municipal councils in Victoria that are not members of the MAV are currently prevented from voting at all ALGA conferences. As Frankston City Council is not presently a member of the MAV, this bylaw effectively leaves Frankston City Council - and its 137,000 residents - disenfranchised. Therefore, the Council formally requests that this bylaw be amended to allow all municipal councils throughout Australia to partake in voting on national matters under the ALGA umbrella regardless of state-based membership/s. Carried Unanimously	Michael Craighead	31 July 2017 - No change in status as no response received from ALGA 18 July 2017 - No change in status as no response recieved from ALGA 22 May 2017 Letter prepared and sent (A3349749)	Primary Cost: \$100

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
1-May-17	13.2	NOM 1301 - Eel Race Road Closure Opposition  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council writes to LXRA, the Premier of Victoria (The Hon. Daniel Andrews), the Opposition Leader of Victoria (The Hon. Matthew Guy), the Minister for Transport (The Hon. Jacinta Allan) and the State Member for Carrum (Ms. Sonya Kilkeny), expressing concern of the closure of Eel Race Road. Much like the recent decisions relating to Overton Road (Seaford), Seaford Road (Seaford) and the sudden announcement of a train stabling facility at the Kananook Railway Station (Seaford), the process has once again failed Frankston residents in that no consultation and no justification was evident in arriving at this decision. Frankston City Council formally opposes the closure of Eel Race Road on a number of grounds including the increase of congestion, particularly on Railway Parade (Seaford), Armstrongs Road (Seaford) and Station St (Seaford); and the impact that this will have on the amenity/character of Seaford and pedestrian safety. Council commits to this new position given contemporary community feedback. Carried Unanimously	Kate Jewell	31 July 2017 - The 10th July 2017 comment still relevant - still awaiting reply to correspondence sent 10 July 2017 - Awaiting a response from LXRA, the Premier of Victoria, the Hon Daniel Andrews, the opposition leader of Victoria, the Hon Matthew Guy, the Minister for Transport, the Hon Jacinta Allen MP and the State Member for Carrum, Ms Sonya Kilkeny MP. 22 May 2017 Letters prepared and sent (A3349564, A3349536, A3349544).	Primary Cost: \$100
1-May-17	13.3	NOM 1302 - Financial Literacy Classes  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council at the July Ordinary Meeting detailing the use of financial literacy classes/workshops to allow interested residents to consider methods to gain better control and understanding of their finances. The report is to consider providers – Governmental, private and Not for Profit – who are able to appeal to residents of varying ages and societal circumstances. The report should consider areas of the municipality in high need of these classes/workshops; and how to attract residents to such classes/workshops. The report is to also consider subsidies (by Council and local businesses such as community banks) to support such classes/workshops occurring within the municipality on a consistent basis. That a section be made available on the FCC Website with a list of existing financial literacy programs in Frankston. Carried	Gill Kay	19 July 2017 - 1) & 3) Stakeholders consulted and have arranged pilot workshop at the Frankston Library in September within existing budget. 4) Information on financial literacy support readily available online and not recommended to add to Council's website. 10 July 2017 - A report has been prepared for Council's consideration 20 June 2017 - A meeting of Managers has been held. A report has been scheduled for OM 24/7. 22 May 2017 - Report will be prepared Estimated Completion Date changed by: Tracee Hall-davis From: 22 May 2017 To: 15/6/2017 10 May 2017 - A meeting of Managers who have potential involvement in the funding, promotion or delivery of the classes has been arranged to inform the report.	Primary Cost:
1-May-17	13.4	NOM 1303 - Quality of Life / Anti Social Behaviour in the Frankston LGA  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Toms 1. Council officers identify the scope and costs of commissioning the preparation of a formal 'white paper' to both tiers of government detailing particulars on the type of crimes most prevalent in Frankston. The White Paper should explore potential legislative and Local Law reforms and what new funding options might be available to improve the municipality's liveability. Interested Councillors, key groups and individuals would also form a consultative group for the preparation of the paper which should include but not be limited to: • The status of the once successful Neighbourhood Watch program. • An analysis of the types of crime and crime rates currently committed in Frankston and the capacity of state legislation and local laws to respond effectively. • The Victorian Police regime of monitoring CCTV cameras and their consideration of the CCTV network's shortfalls. • A review the graffiti clauses in General Local Law Number 8 to consider potential enhancements to the Local Law and opportunities for state government grants funding. • Consideration of existing e referral systems and opportunities for Council's field staff, in their day to day work, to refer vulnerable people to services. The cost of the 'white paper' should be included in the Community Development Progress report to Council's June Ordinary Meeting. 2. Council authorises the Mayor to write to the Victorian Attorney General, the Honourable Martin Pakula, congratulating him and the Government for the prohibition of synthetic psychoactive drugs such as Kronik and further seek prohibition of selling glue with mind altering effects to children under the age of 18 years using Council's Local Law Number 8, Clause 3.3 as an analogy. This would reflect the existing regulatory requirement regarding the refusal of sale of aerosol/spray canisters to those under the age of eighteen in Victoria. ('Graffiti Prevention Act 2007'). 3. That Council encourages residents and ratepayers of the municipality to promote downloading (free of charge) the official 'Crime Stoppers Victoria' smartphone and the 'MyFrankston' apps which will improve reporting suspected offences to Police. Increased use of both smartphone apps will assist the Police in growing intelligence gathering and holdings. Opportunities to promote the app include council's website, Facebook webpage and in the 'What's On' printed advertisements as well as through University of the Third Age, community centres and the library.  Carried Unanimously	Gill Kay	10 July 2017 - Request for Quote for development of white paper has been finalised. Draft Terms of Reference have been developed and first Consultative Committee meeting is currently being organised. Report due to go to council early September. 10 July 2017 - 1) The costs and scope have been provided to Council. 2) Letters have been sent to State Government. 3) Media and Communications are including this advice in statements, stories and social media. Work is underway to set up a Consultative Committee to address some of the issues raised in this NOM. Officers are also planning to meet with a member of Victoria Police and Cr Bolam to clarify some of these issues.  21 June 2017 - A consultative community of 6 chaired by the Deputy Mayor is being organised together with an RFQ for the development of the white paper. A report is anticipated for January 2018 20 June 2017 - The Mayor has written to the Victorian Attorney General seeking prohibition of glue that has mind altering effects. Officers are also working on an approach to encouraging residents to promote use of 'MyFrankston' app and Crime Stoppers to report suspected offenders. A university has provided indicative feedback on the scope of the research and the number of days (\$\$) required to complete it (@ \$1,200 per day). 13 June 2017 - An update has been included in the Resolutionn Progress report for 13 June highlighting the time and cost of preparing the 'white paper'.  22 May 2017 - Report will be prepared for June 2017 Ordinary Meeting. Estimated Completion Date changed by: Tracee Hall-davis From: 22 May 2017 To: 30/6/2017 10 May 2017 - A letter has been drafted for the Mayor's signature to the Attorney General seeking the prohibition of selling glue with mind altering effects to children under 18 year of age. The scope for the 'white paper' is under consideration to enable the costs to be reported back to Council. A digital and print format to promote the use of reporting applications is being prepared.	Primary Cost:

**Notice of Motion Report**

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
22-May-17	13.2	NOM 1312 - Unemployment in Frankston  Cr Bolam	Moved: Councillor Bolam    Seconded: Councillor Hampton In light of unsatisfactory unemployment statistics which put Frankston in the upper tier of municipalities with significant local unemployment, a report be provided at the September Ordinary Meeting in relation to the following: 1. How the Frankston City Council could increase apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience; 2. How the Council could lobby other major local employers (i.e. Peninsula Health, South East Water etc) to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience; 3. How the Council could work with local media, local businesses and the Frankston Business Network to encourage businesses and industries to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience; and 4. Identify employment programmes currently not in effect in Frankston – new and existing – which would be beneficial; and prepare a letter (for adoption in September) to relevant state and federal ministers requesting the implementation of such programmes. The report is to provide specific options including costings and resourcing considerations, particularly in relation to Frankston City Council's potential to increase placements.  Carried Unanimously	Sam Jackson	31 July 2017 - While research is being undertaken by Officers, the status of actioning this resolution for reporting purposes remains unchanged at this stage. Officers are working to present a report to the Ordinary Council Meeting on 25 September. 06 July 2017 - While research is being undertaken by Officers, the status of actioning this resolution for reporting purposes remains unchanged at this stage. 20 June 2017 - While research is being undertaken by Officers, the status of actioning this resolution for reporting purposes remains unchanged at this stage. 13 June 2017 - A report will be prepared.	Primary Cost:



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
22-May-17	13.5	NOM 1315 - Police Numbers in Frankston  Cr Toms	Moved: Councillor Toms Seconded: Councillor Aitken That Council writes to the Premier of Victoria The Hon Daniel Andrews, Minister for Police The Hon Lisa Neville, Police Commissioner Graham Ashton AM, Shadow Minister for Police The Hon Edward O'Donohue, Leader of the Opposition The Hon Matthew Guy and State Member for Frankston Paul Edbrooke, to advocate for an increase in police officers in the Frankston municipality. The Labor Government announced a \$2 billion boost for Police which will allow 3,135 new police officers to be delivered over a five (5) year period. Additional police officers at Frankston and Carrum Downs stations would ensure they are adequately resourced to provide a safe place for our community.  Carried Unanimously	Gill Kay	21 August 2017 - Responses immediate. Level of resources is unlikely to change in Frankston. Request to archive NOM. 31 July 2017 - NOM followed up in meeting with Local Police 19/7. 06 July 2017 - Letter of response received from Edward O'Donohue. Still awaiting respons from the Premier of Vistoria The Hon Daniel Andrews, Minister for Police The Hon Lisa Neville, Police Commissioner Graham Ashton AM, Leader of the Opposition The Hon Matthew Guy and State Menber for Frankston Paul Edbrooke. 22 June 2017 - Letters have been prepared and were sent 12/6/2017 13 June 2017 - Letters have been prepared. Primary Cost added \$75.00	Primary Cost: \$75.00
22-May-17	13.6	NOM 1317 - Frankston Nature Conservation Reserve  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That in light of the State Government's precipitous decision, without Council and community consultation, to discontinue the Frankston Nature Conservation Reserve Committee: 1. Council writes to Frankston MP, Paul Edbrooke and the Victorian Minister for the Environment, Lily D'Ambrosio MP seeking confirmation that the Frankston Reservoir will remain open to the public as per existing access arrangements upon the transfer of reserve stewardship to Parks Victoria; and 2. Letters of Appreciation be presented to members of the Frankston Nature Conservation Reserve Committee appointed in March 2014 and its volunteers, expressing appreciation for their tireless dedication to the Frankston Reservoir. Letters of appreciation be presented to the committee members and volunteers at the next 'Mayor's Picnic' event (in the spirit of NOM 1258). 3. That Council writes to the State Government and asks that the volunteers that are currently preserving the Frankston Nature Conservation Reserve be part of the future management of the reserve.  Carried Unanimously	Michael Papageorgiou	21 August 2017 - Letters were mailed to the Ministers on 23rd June 2017. Mayors Picnic is scheduled for September 2017 19 July 2017 - Letter sent back to Paul Edbrooke indicating Council does not wish to take over the reserve. 22 June 2017 - The letter to the Ministers have been prepared and will be mailed by 23/6. 13 June 2017 - Letters have been prepared. Primary Cost added \$75.00 Letter from Mr Paul Edbrooke received (A3363269).	Primary Cost: \$150.00 (additional \$75 added to the primary cost of \$75)
22-May-17	13.7	NOM 1318 - Metropolitan Waste and Resource Recovery Group  Cr Hampton	Moved: Councillor Hampton Seconded: Councillor Aitken That Council formally endorse the Notice of Motion carried at last meeting of the Metropolitan Waste and Resource and Recovery Group (MWRRG) which read as follows: "That the MWRRG write to the Minister for Energy, Environment and Climate Change and Shadow Minister for Energy and Resources requesting that funding generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purpose for which the Levy was introduced and raising concerns with the Levy funds being allocated to supplement Park Victoria initiatives not related to the purpose of the Levy" Also forward to the MWRRG this endorsement along with all the amounts of money collected by this Council and which has been passed on to the State Government over the last 10 years from the Levy and what this Council has received back from the Government in programs associated directly with this Levy over this same period."  Carried Unanimously	Bruce Howden	10 July 2017 - Letter from Mayor has been sent to MWRRG. 20 June 2017 - The letter to MWRRG has been drafted and provided to Cr Hampton for any additional changes/inclusions. The letter will be finalised and sent out week commencing 19/6/17. 13 June 2017 - Letters have been prepared. Primary Cost added \$75.00 (A3365636 and A3367373)	Primary Cost: \$75.00
22-May-17	13.8	NOM 1319 - Access to Hindu Temple via Boundary Lane  Cr Hampton	Moved: Councillor Hampton Seconded: Councillor Mayer That the CEO investigates the cost required to open Boundary Lane to one way vehicular traffic as an alternate entry into the Hindu temple on Boundary Road and that a report be provided to the 13 June Ordinary Meeting.  Carried Unanimously	Michael Rathbone	21 August 2017 - The Officer met with a Fulton Hogan representative onsite to discuss requirements to make Boundary Lane accessible. A preliminary scope of works includes: Lowering entrance and culvert under Strip and clean area prior to placement of rock (removal of any soft spots) Placement and compaction of approx. 300 tonne of rock Install approx. 250m gaurdrail along creek side, and is estimated to be \$120K plus to complete. 10 July 2017 - Officers have met with Councillor Hampton who indicated gravel access may be appropriate. Officers are investigating existing conditions and low cost improvements to facilitate access. 20 June 2017 - A meeting has been arranged with Councillor Hampton to explore options further. 13 June 2017 - An update has been included in the Resolutionn Progress report for 13 June indicating costs for the investigation to occur.	
22-May-17	13.1	NOM 1321 - Wells Street Lighting  Cr Aitken	Moved: Councillor Aitken Seconded: Councillor Toms That the Chief Executive Officer oversee the works required to ensure all lighting in Wells Street is made fully operational and that this be completed within four weeks of this motion being adopted by Council.  Carried Unanimously	Brad Hurren	31 July 2017 - Original installer attended meeting and identified unfinished work 17/7/17. Electrical contractor has fixed a number of issues but identified some further safety issues 17/7/17 22 June 2017 - The original installer of the lights has been contacted. He is available second week of July to advise on rectification 13 June 2017 - In order to effectively action an electrical engineer is required to assess the cause of persistent problems. Identifying of remaining issues occurring.	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
22-May-17	13.11	NOM 1323 - Young Street Precinct  Cr McCormack	Moved: Councillor McCormack Seconded: Councillor Aitken That Council writes to the Member for Frankston, Paul Edbrooke MP and the Minister for Transport, the Hon Jacinta Allen MP requesting updated information with respect to expected completion of the works affecting traffic movement in Young Street; expressing Council's dissatisfaction with the ongoing state of construction which has had and will continue to have disastrous impacts on businesses in the affected Young Street precinct; and seeking financial assistance from the State Government for those affected businesses  Carried Unanimously	Kate Jewell	31 July 2017 - Still awaiting an acknowledgement of correspondence and/or reply. 10 July 2017 - Awaiting for a reply from both Minister for Public Transport and Member for Frankston 13 June 2017 - Letters have been prepared and sent (A3355696 and A3355663). Primary Cost added \$75.00	Primary Cost: \$75.00
22-May-17	C.7	NOM 1311 - St Kilda Football Club Withdrawal  Cr Bolam	<b>Under Separate Cover</b>	Liz Daley	Under Separate Cover	
22-May-17	C.8	NOM 1322 - Peninsula Leisure Core Obligations  Cr Hampton	Moved: Councillor Hampton Seconded: Councillor Aitken That Council write to the Chairman and Directors of Peninsula Leisure Pty Ltd instructing them not to enter into or tender for projects outside of their core obligation, that being management of PARC and the Pines Pool. Carried	Tim Frederico	31 July 2017 - A letter was sent to the Chair of Peninsula Leisure regarding the Council decision and the key focus of PeninsulaLeisure. 13 June 2017 - Letters have been prepared. Primary Cost added \$75.00	Primary Cost: \$75.00
13-Jun-17	13.1	NOM 1309 - New signature event for Frankston  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That: 1. Officers continue to pursue opportunities to expand the calendar of tourism events within the City through attracting a new signature event. In accordance with Council's Destination Development Plan any additional event should, where practical: • be delivered outside of peak event season (December – March); • give consideration to utilising other venues / locations throughout the municipality; • complement Frankston City's visitor offering locations; • provide demonstrated economic benefit through increased visitation; and uniquely designed and executed - outside of the mainstream of what other municipalities do. 2. Officers bring a report to the August 2017 Ordinary meeting of Council outlining the process required to seek market interest in holding an event that meets the above objectives. Carried Unanimously	Sam Jackson	21 August 2017 - Request to archive NOM as a report was considered back to Council the 14 August 2017 OM. 31 July 2017 - Officers are preparing a report on this NOM for consideration at the Ordinary Council Meeting on 14 August 2017. 06 July 2017 - Officers are preparing a report on this NOM for consideration at the Ordinary Council Meeting on 14 August 2017. 20 June 2017 - While research is being undertaken by Officers, the status of actioning this resolution for reporting purposes remains unchanged at this stage.	Primary Cost:
13-Jun-17	13.2	NOM 1316 - Frankston Ambassador  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That the following be actioned in regards to the Frankston Ambassador site: 1 A quarterly report to councillors and relevant officers highlighting the numbers of Notices to Comply and Infringements issued relating to unsightly and dilapidated building be prepared. 3 Subject to credible advice and reasonable cause, Authorised Officers inspect accommodation units at the Ambassador to ensure all compliance codes are being met. The findings from the initial audit of this site be provided to Councillors and relevant officers. 4 Council officers survey residents in the vicinity of the Ambassador about their perceptions of safety, amenity and quality of life as neighbours of the Ambassador. The results of the survey should contribute to exploration of 'eminent domain' (compulsory acquisition) of the Ambassador site with the local MP and relevant Ministers. 5 Council officers source examples of unsightly and dilapidated clauses in other municipal local laws to determine if improvements can be made to Frankston general local law No. 8. 7 All directives are to be responded to in the form of a report no later than November 2017. Carried Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That the following be actioned in regards to the Frankston Ambassador site: 2 Council officers meet with the new owner of the vacant land at the Ambassador site to enable an understanding of their plans for redeveloping the site and any short term options to improve the appearance of the site. 6 Council officers investigate and infringe dumped rubbish and also explore opportunities to work with Victoria Police and Sherriff's office to address anti-social and criminal behaviour in and around the Ambassador site. Carried Unanimously	Leonie Reints	21 August 2017 - The new owner has been contacted and advised that he intends to submit a Planning Application by November 2017 and hopes to commence work by April 2018. the new owner has a team who will regularly maintain the site. Continuous liaison with Police will identify support unities to work together. A joint visit to the Ambassador is scheduled for August 2017. 31 July 2017 - Following a meeting held 19 July 2014 with Senior VicPol Officers, Cr Bolam and FCC Officers a report will be written for council meeting 9 November 2017. 10 July 2017 - 1) Unsightly and dilapidated NTC and infringement will be included in a quarterly report. 3) Noted 4) A survey will be designed and distributed. 5) Other examples are being reviewed by Council's Local laws prosecutor. 7) Noted 2) Manager Planning & Environment has met with the new owners. 6) Exploration of this issue will be included on the agenda for a meeting with VicPol. This meeting was scheduled and cancelled at short notice due to the Councillors unavailability.  20 June 2017 - A report will be scheduled for November OM addressing issues raised.	Primary Cost:



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
13-Jun-17	13.3	NOM 1325 - Student Action Grants  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council at the September 2017 Ordinary Meeting on the introduction of a new grants route for primary and secondary student representative councils and/or local youth movements (i.e. Scouts) designed for such groups to identify local advocacy campaigns to bring about positive improvements. Grant inclusions are to include minor funding for appropriate projects and/or in-kind support by officers to assist in progressing appropriate projects (i.e. assisting with submission writing / advocacy / advertising / hiring of facilities). Any grant considered must be deemed appropriate and should be accompanied with sufficient information to demonstrate the need basis, as well as forward planning (i.e. 'action plan'). The model to base this report upon should be the work done by the Student Representative Council of Karingal Park Secondary College in the early 2000's to bring about the creation of 'Nats Track' in Karingal. This was a community-wide beneficial project and greatly enhanced students feelings of belonging in the area (i.e. they felt they were listened to). The report should consider the overall grants mechanism (i.e. grants vs. in-kind support vs. hybrid), the monetary amount that a fiscal grant amount will carry per representative council/association, and the role the Frankston Youth Council could perform in either authorising such grants or referring such grants to Council for approval.  Carried Unanimously	Liz Daley	21 August 2017 - A report has been scheduled to come to 4th September 2017 Ordinary Meeting. 31 July 2017 - Report is being developed for September Council meeting. 06 July 2017 - Meeting requested with Councillor to seek direction. 20 June 2017 - A report has been scheduled to come to 25/9 OM	Primary Cost:
13-Jun-17	13.4	NOM 1326 - Creation of Frankston Junior / Youth Mayor  Cr O'Connor	Council Decision Moved: Councillor O'Connor Seconded: Councillor Toms That Council investigates the establishment of a 'Junior / Youth Mayor' position. The voluntary role is to have civic and ceremonial precedence. The position is to be term limited at a single twelve month term. The occupant of the role is to be determined by a majority vote of the Frankston Youth Council; and then re-affirmed by a majority vote of the Frankston City Council. A report be provided at the August Ordinary Meeting with full scope of what the role should entail, the formal name of the role, expected behaviours to be exhibited by those who serve in the position and any nominal costings (ie. name tag, honour board, medallion/robes and ceremonial roles etc).  Carried Unanimously	Michael Craighead & Liz Daley	21 August 2017 - Junior Mayor Program endorsed at Ordinary Meeting 14th August 2017. Costs to be referred to mid-year budget review for program to commence in February 2018. Request to archive NOM as per the report considered back to Council. 31 July 2017 - A draft report has been prepared for the August meeting and the proposal will be considered by Youth Council at their meeting on 25 July 2017. 10 July 2017 - A report is being prepared for August OM 22 June 2017 - A meeting has been requested with Councillor O'Connor and the Chairperson to explore this NOM further. 20 June 2017 - A meeting has been requested with Cr Bolam and officers Liz Daley, Ken Liddicoat and Michael Craighead to explore the options and issues to inform a report back to Council	Primary Cost: \$150
13-Jun-17	13.5	NOM 1327 - Support for new and existing Planned Activity Groups  Cr O'Connor	Council Decision Moved: Councillor O'Connor Seconded: Councillor Aitken That Council considers additional resourcing, advertising, advocacy and funding for planned activity groups – new and existing – in the Frankston municipality. A report is to be provided at the August Ordinary Meeting with suggestions on how to support such groups with in-kind support, advertising, state-federal advocacy and financial assistance. The report is to also consider the need for any new planned activity groups based on demographics and other empirical demands. Finally, the report is to consider the following: 1. The creation or enhancement of a social group for young people with disabilities and/or may be socially isolated; 2. The creation or enhancement of a social group for middle aged people with disabilities and/or may be socially isolated; 3. The creation or enhancement of a social group for senior citizens who may be socially isolated, disabled or have difficulties with mobility; and 4. Improved advertising and regularity of council mandated bus services for senior citizens and people with disabilities wishing to access library services in either Carrum Downs or Frankston.  Carried Unanimously	Frances Thompson	21 August 2017 - Request to archive NOM as this was considered back to Council at its 14 August 2017 OM. This matter was deferred pending presentation of the HACC model review estimated to be October 2017. 10 July 2017 - A meeting held with Cr O'Connor on 29 June to discuss services, Councillor suggested a Council briefing report, prior to submitting to council. Briefing time will be held. 20 June 2017 - A meeting has been requested with Councillor O'Connor to explore options further. This meeting has been scheduled for 29/6.	Primary Cost:
13-Jun-17	13.6	NOM 1328 - Consultants Register  Cr Hampton	Council Decision Moved: Councillor Hampton Seconded: Councillor Aitken That: 1. Council produce a register of consultants and or any companies which have invoiced Council for services provided and the amounts invoiced for the work they have undertaken; 2. A brief description of the services and the name of the officer(s) who initiated the consultancy and or services, also the department(s) who used them, be included in the register; 3. This is to include any legal advice obtained; 4. This register be updated on a monthly basis and be made available to Councillors. 5. Tenders that have come before Council for approval are to be included in this register.  Carried Unanimously	Jo Cross	21 August 2017 - The confidential transaction listings register will be updated monthly and can be viewed in the office of the Manager Administration and Corporate Projects by appointment from Friday 11th August. Michael Craighead - telephone 9784 1709. Copies of the document will not be permitted. 10 July 2017 - Investigating request for report information inclusion re: officer and department raising invoice. 20 June 2017 - A register of payments made to companies for services delivered to Council will be made available monthly in the Councillors lounge area for perusal.	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
13-Jun-17	13.7	NOM 1329 - Quality of Life / Anti Social Behaviour II  Cr Bolam	<p><b>Council Decision</b>  <b>Moved: Councillor Bolam Seconded: Councillor Aitken</b>  <b>That:</b>                      1. The additional items be added to the purview of the consultative group assisting with the proposed Community Safety 'White Paper' per NOM 1303:                      a. The prospect of the Minister for Gaming authorising a moratorium / covenant (ban) on any further gaming machines within the municipality;                      b. Exploring the establishment of 'Police Beats' (semi-manned shopfronts for specific localities within a municipality) as is practiced in Queensland. Given the Council's past concern with the lack of physical law enforcement presence in the Frankston town centre, Frankston North and Langwarrin; this course of action would be consistent with previous council resolutions, and a more cost effective alternative for the State Government than the present approach of building central command structures (i.e. fully fledged police stations);                      c. Exploration of bylaws practiced by other municipalities outside of Frankston, as well as bylaws not currently practiced in Australia but if (potentially) incorporated could have beneficial value;                      d. Determine whether Frankston Police require any specific bylaws to enable them (via delegation) to have the means to infringe in the absence of legislative and/or statutory powers; and                      e. The role of Frankston City Council in deterring family / domestic violence; and considering what advocacy and funding routes Frankston City Council may have available to assist in mitigating family / domestic violence.                      2. A report be provided to Council in relation to the introduction of increased Local Laws Authorising Officers during peak day-time hours. This includes the Frankston town centre, the Seaford town centre; and other locations within the municipality where there is either significant public traffic and/or low perceptions of public safety. The report is to also consider the use of authorised officers insofar patrolling in groups and engaging with local stakeholders (ie. public, traders etc.) to improve both perceptions and realities of community safety. Local Laws vehicle patrols are to also increase in isolated areas of the municipality with a view to increasing visibility.                      This report return for consideration in September. The report must contain total costings for additional staff and resources.                      3. The same a report be provided to Council on the number of infringement notices cancelled prior to progression to the Magistrates Court and Infringements Court. The report should consider the number of infringement notices issued (and then cancelled) per department, the types of infringements issued (and then cancelled) per department including the accrued penalty amounts rescinded, the general reasons for the cancellation of infringements and the officer/s responsible for approving infringement revocations.                      4. In the same report, officers devise a strategy/campaign for council's consideration to encourage local traders (and their staff) to report criminal activities / anti-social behaviours. The strategy / campaign should contribute to an increase in police and local laws intelligence holdings courtesy of the intelligence gathering by local traders. Methods for local traders (and their staff) to relay such information should also be considered in the report.                      5. The Deputy Mayor, Cr Steve Toms be appointed as the chairperson of the aforementioned consultative committee. As well as contributing to the proposed 'White Paper', each item referred to the consultative committee must return to Council for consideration upon the dissolution of the consultative committee. This can be done as an 'en masse' report which incorporates all the topics referred to the consultative committee.                      Carried Unanimously</p>	Leonie Reints	<p>21 August 2017 - The drafts Term of Reference have been prepared and consultative representatives identified and first meeting has been held.                      31 July 2017 - A meeting of Cr Bolam, the police and officers was held 19 July 2017.                      10 July 2017 - 1) A meeting of Cr Bolam, the police and officers was scheduled morning 5 July. However, it was cancelled at short notice due to Cr Bolam's unavailability. The meeting will be rescheduled to also include other interested councillor.                      The draft Term of Reference have been prepared and consultative representatives identified for confirmation at the rescheduled meeting date TBA.                      The RFQ for quotes is also being prepared for approval subject to timing and other items being agreed to above meeting.                      2) A report is being prepared in consultation with Police, for September meeting.                      3) This information will be included in the September report.                      20 June 2017 - Work is currently being undertaken to address items in this NOM. Report to be returned to Council in September</p>	Primary Cost:
13-Jun-17	13.10	NOM 1333 - Enquiry to Wells Street Lighting  Cr Aitken	<p><b>Council Decision</b>  <b>Moved: Councillor Aitken Seconded: Councillor Toms</b>                      That an immediate and a full enquiry be made into the special effect lighting in Wells Street and that a working party be established comprising the Mayor, CEO and interested Councillors who will work harmoniously together to oversee the project to achieve a satisfactory outcome.                       Carried</p>	Gillian Kay	<p>21 August 2017 - All of the lighting has been audited and maintenance undertaken. Additional up lights installed where they were previously missing, seat lighting is working and new safety certificate issued where 'issues' were identified. The lighting expert will be in Frankston week of 21st August 2017 to install DX data cable box to program feature lighting.                      A solution to gravel is being sourced.                      The 'pot' lighting outside the Entertainment Centre is now connected to power (and lights) but not data cabling due to impact on paving.                      31 July 2017 - Officers are working with the original lighting designer and an electrical contractor. safety issues and incomplete wiring have been identified and will be resolved. A solution to the gravel is also being explored and costed                      19 July 2017 - Meeting held with Councillors and updated on the action take to get the lights to work.                      20 June 2017 - A meeting with interested Councillors and CEO will be organised</p>	Primary Cost: \$150



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
13-Jun-17	13.11	NOM 1334 - Recognition of Indigenous Australians in Frankston and Australia-Wide  Cr McCormack	Council Decision Moved: Councillor McCormack Seconded: Councillor Hampton 1. That a report be provided at the September Ordinary Meeting providing a road map for the introduction and implementation of a Frankston City 'Reconciliation Action Plan'. The report should explore costs, the prioritisation of tasks within any 'action plan', comparisons to/of other similar 'action plans' in effect throughout Victoria and how to better improve dialogue with Indigenous Australians within the Frankston municipality; 2. That Frankston City Council writes to the Prime Minister of Australia, The Hon. Malcolm Turnbull, Opposition Leader, The Hon. Bill Shorten, Dunkley MP, Chris Crewther, Isaacs MP The Hon. Mark Dreyfus QC, as well as Victoria's twelve federal senators, formally expressing support for the recognition of Aboriginal and Torres Strait Islander people in the Australian Constitution. Frankston City Council calls on the Parliament of Australia to allow a national referendum to be conducted to determine nation-wide sentiments on this matter; and 3. That Frankston City Council writes to the Premier of Victoria, The Hon. Daniel Andrews, Opposition Leader of Victoria, The Hon. Matthew Guy, Frankston MP Paul Edbrooke, Carrum MP Sonya Kilkeny and Hastings MP Neale Burgess requesting them to join Frankston City Council in lobbying their federal counterparts in relation to the previous directive (support for the recognition of Aboriginal and Torres Strait Islander people in the Australian Constitution)  Carried Unanimously	Liz Daley	21 August 2017 - Work is progressing on the report for September Meeting 24 July 2017 - 1. A meeting with Cr McCormack has been requested to explore road map further 10 July 2017 - 2) Letters have been signed by Mayor and sent to relevant Ministers. 3) As 2) above. 22 June 2017 - A meeting with Councillor McCormack and idenally Aboriginal Elders has been requested to explore road map for plan further. 20 June 2017 - A meeting to discuss with Councillor will be scheduled. Report scheduled for September OM has been noted.Letters have been drafted for Mayor's signature.	Primary Cost:
3-Jul-17	13.6	NOM 1340 - Frankston Homelessness Count  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms That recurrent funding, of no more than \$20,000 pa, be formally earmarked for the creation of an 'Annual Frankston Homelessness Count'. With the exception of the given year where homeless counts are actively conducted by the Australian Bureau of Statistics, the 'count' is to be performed each year by the Frankston City Council. Funding will be sourced from the 2017/2018 (and vice versa thereafter). In the interim, a report is to be provided to Council on how the 'Annual Frankston Homelessness Count' will be conducted. The report should seek to duplicate the refined model used by the City of Parramatta which utilises few volunteers but relies on strong partnerships with local PBIs, NFPs, local support services, governmental agencies and volunteer organisations in gathering relevant data prior to the actual 'count' occurring. The purpose of the 'count' is to get an accurate depiction of those sleeping 'rough' in the City; as well as those in emergency crisis accommodation (temporary housing). This raw data, combined with existing data from non-government organisations and government service providers on other forms of homelessness (i.e. 'couch surfers', 'hotel dwellers' etc.), is to be collated together and presented annually to both tiers of government to seek improved funding for addressing homelessness and borderline homelessness in the Frankston LGA. In addition, the report is to also consider how Council can encourage increases in donations to the 'Frankston Homeless Fund'. This report is to be presented to Council in September.	Liz Daley	31 July 2017 - A meeting to discuss with Councillor has been requested. Report scheduled for September OM.	Primary Cost:
3-Jul-17	13.11	NOM 1345 - Interim meal arrangements for City Life clients  Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That an urgent briefing be held with Councillors on the recommendations of the DHHS (Department of Health and Human Services) consultancy investigation into the future service supports for people accessing the interim meals arrangements for City Life clients.  Carried Unanimously	Liz Daley	21 August 2017 - Briefing held 9th august 17 with DHHS. No further action. Request to archive NOM 31 July 2017 - Briefing scheduled in August with Department of Health and Human Services (DHHS) and Councillors.	Primary Cost:
3-Jul-17	13.13	NOM 1347 - Budget addition for Pre-Schools  Cr McCormack	Council Decision Moved: Councillor McCormack Seconded: Councillor Toms That the sum of \$5,000 be made available to each parent association of pre-schools within the municipality to assist with renewal works, maintenance, three year old kindergarten programs, advertising, children's necessities and the like. This funding is to be made available in this current year budget (from the operating surplus of Frankston City Council's 2017/2018 Budget) and each association be notified of the funding allocation and its purpose.  Carried	Joanne Ferrie	22 August 2017 - Noted- awaiting end of financial year account reconciliation. 19 July 2017 - Correspondence is being prepared to send to all pre-schools with a parent association with a view to this action being completed by the end if the 31 July 2017	Primary Cost: (Outcome Cost of \$135,000 added)
3-Jul-17	13.1	NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council on either a staff position or the external workforce undertaking increased audits of all Council footpaths and roads throughout the entire Frankston City Council municipal district. This may include a combination of existing resources as well as new funding. The report be provided in September 2017. Carried	Craig Dinsdale	21 August 2017 - Report to be presented to Council in September 2017. 31 July 2017 - Report to be presented to Council in September 2017. 19 July 2017 - Report to be presented to Council in September 2017.	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
3-Jul-17	13.2	NOM 1336 - Green Infrastructure  Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That a report be prepared for the October Council meeting detailing options for Frankston City Council to become a leader in Urban Forest / green initiatives. The report should consider: 1. Current and future green initiatives within the Frankston municipality including the delivery of a boulevard program; 2. Current initiatives run by State Government or other municipalities and the possibility of these programs being initiated within Frankston, for example Melbourne City Council's Green Infrastructure fund; 3. Opportunities to replicate successful funding models for green initiatives elsewhere; 4. Opportunities to ensure green infrastructure, other than tree canopies, is incorporated into the fabric of the city, including, but not limited to green walls and roofs; and 5. The timing and resources required for preparation of an Urban Forest Action Plan and how such a plan could incorporate green infrastructure other than tree canopy, including but not limited to green walls and roofs. 6. That Council officers explore and research the practice of resident and commercial rebates for the use of green friendly products and practices (City of Whitehorse) and consider them for the City of Frankston where it is demonstrated to be practicable and beneficial.  Carried	Michael Papageorgiou	21 August 2017 - A report will be prepared for the October 2017 meeting of Council.	Primary Cost:
3-Jul-17	13.3	NOM 1337 - MAV Membership  Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Bolam 1. That the President of MAV, Mary Lalios be invited to brief Councillors on the merits of re-joining the Municipal Association of Victoria. 2. That the Chief Executive Officer request officers to prepare a report for the next Council meeting. Carried	Dennis Hovenden	22 August 2017 - A Response to NOM 1337 Council report was presented to Council at the meeting held on 14 August 2017. Request that this NOM now be archived. 19 July 2017 - Letter to Cr Lalio, President, MAV has been prepared (A3394308).	Primary Cost:
3-Jul-17	13.7	NOM 1341 - Anti-Truancy Strategy  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council works with local schools, politicians and (state and federal) Department of Education officials, to crackdown on instances of truancy in local secondary schools. In order to facilitate this, the following actions should be undertaken: 1. Frankston City Council devises a strategy with local school principals and local politicians to curtail truancy and/or better detection of truants; 2. That the strategy includes what role council bylaws officers and Victoria Police could perform in identifying and mitigating truancy; 3. That the strategy includes views from the Frankston Youth Council insofar creative options to identify and curtail local truancy; 4. Advocacy to the Victorian Department of Education and Training (including the relevant minister and Frankston MP Paul Edbrooke), and the Australian Department of Education and Training (including the relevant minister and Dunkley MP Chris Crewther) to consider models, such as the 'Show Up, Standout' initiative currently operating in the United States, which pro-actively seek to decrease unexcused school absences; and 5. That progress on all directives be reported back to Council in November 2017. Carried Unanimously	Kim Kearsey	21 August 2017 - A meeting has been scheduled for 29 August to discuss truancy in Frankston. Representatives from DEECD and Victoria Police will attend along with Council officers and interested Councillors. 31 July 2017 - Youth Services staff have raised this issue with the Youth Council and provided feedback on areas to investigate further.	Primary Cost:
3-Jul-17	13.8	NOM 1342 - Mayor's Role of Speaking in Ordinary Meetings of Council  Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That Council give consideration to amending the Governance Local Law when it is next reviewed; to require any Mayor who wishes to speak at an ordinary meeting (when it has been established that Councillors wish to speak to a motion), to speak immediately after the mover and seconder have spoken and where the seconder defers, then the Mayor is to speak in the space the seconder would normally have occupied. Carried Unanimously	Michael Craighead	21 August 2017 - The proposed change has been incorporated into the revised draft Local Law which has yet to be settled and agreed by Council. Staff are seeking legal advice on several points of issue between Councillors and the matters will then be reconsidered by Council for a direction forward. Awaiting legal advice. 19 July 2017 - Noted. The proposal will be discussed with councillor in the Local Law workshop to be held on Monday 17 July and incorporated into the proposed revised Local Law to be adopted by Council in due course.	Primary Cost:
3-Jul-17	13.9	NOM 1343 - Use of Microphones in Council Meetings  Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That all Councillors be required to turn their microphones on at Ordinary meetings of Council for the purpose of transparency and accountability.  Carried Unanimously	Michael Craighead	21 August 2017 - A requirement for all Councillors to use the microphone provided in the Council Chambers when in a Council Meeting has been incorporated into the revised draft Local Law to be considered by Council when other matters are resolved 19 July 2017 - A requirement for all Councillors to use the microphone provided in the Council Chambers when in a Council Meeting will be incorporated into the revised draft Local Law to be adopted by Council.	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
3-Jul-17	13.10	NOM 1344 - Access Friendly Frankston  Cr O'Connor	Council Decision Moved: Councillor O'Connor Seconded: Councillor Bolam That: 1. A review be conducted that would allow access and egress to the area around Seaford pier for both the disabled and elderly. This access to enable both the disabled and elderly the ability to enter the water by means of a disability chair as is currently used at the Frankston pier; 2. A review be conducted of all prominent foreshore access-egress points including Seaford Road and Keast Park to determine sufficient accessibility for both the disabled and the elderly; 3. A further review be conducted of all prominent (public) landmarks to determine sufficient accessibility for both the disabled and the elderly; 4. Officers investigate available State/Federal funding and grants that could be accessed to address any detected deficiencies; and 5. A report be provided to Council in September with findings, as well as recommendations to address any detected deficiencies.  Carried Unanimously	Liz Daley	21 August 2017 - A meeting held with Cr. O'Connor to discuss preferred landmark sites. A report will be submitted to the September Meeting. 31 July 2017 - Meeting scheduled with Cr O'Connor to discuss NOM.	Primary Cost:
3-Jul-17	13.12	NOM 1346 - My Frankston App and Crime Stoppers  Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms In addition to the street and park signage designed to increase awareness of the 'myFrankston' app and Crime Stoppers (per 'Hoon Driving Report'), the following should also be implemented: • \$9,000 be referred to the 2017/2018 Mid-Year Budget Review for the strategic placement of durable footpath/walking path street decals throughout the municipality, advertising the 'MyFrankston' app and Crime Stoppers. Council should also seek permission to have decals installed outside major shopping centres (i.e. Karingal Hub, The Gateway etc.) where footpaths are not owned by Frankston City Council.  Carried Unanimously	Michael Rathbone	21 August 2017 - A status update to be provided in Jan 2018 following mid year budget review.	Primary Cost:
3-Jul-17	13.14	NOM 1348 - Southern Metropolitan Partnership  Cr McCormack	Council Decision Moved: Councillor McCormack Seconded: Councillor Bolam That: 1. In light of the decision of the State Government to appoint unelected representatives to a group –Southern Metropolitan Partnership- to discuss issues pertaining to Frankston, Frankston City Council writes to the responsible Ministers, the Hon Lily D'Ambrosio and the Hon Gavin Jennings expressing concern at the undemocratic appointment of such a group, the lack of inclusion of publicly elected and scrutinised Councils and the cost to tax payers to facilitate such an unelected group. 2. An urgent briefing to be held Wednesday, 26 July 2017 surrounding the cost, purpose and involvement of Frankston City Council be convened and Frankston City Council reserves any involvement with the Partnership until full particulars are known.  Carried Unanimously	Dennis Hovenden	31 July 2017 - The Councillor Briefing item previously scheduled for Wednesday 26 July 2017, is currently listed to be rescheduled.	Primary Cost:
3-Jul-17	13.15	NOM 1350 – Community Bus Service  Cr O'Connor	Council Decision Moved: Councillor O'Connor Seconded: Councillor Bolam That: 1. A review be undertaken of the present practice of providing a community bus service for the elderly, disabled and disadvantaged; how the frequency could be improved, how patronage could be increased and the potential inclusion of other integral destinations that may be difficult for such clients to traverse to/from (i.e. libraries, aquatic facilities, health and wellbeing hubs, NGOs etc.). 2. The findings be presented back to Council at the 16 October 2017 Council Meeting.  Carried Unanimously	Joanne Ferrie	19 July 2017 - This is report is due to OM October 2017	Primary Cost:



Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
24-Jul-17	13.1	NOM 1351 - Notice of Rescission - Urgent Business Independence of Notice of Motion Process and Independent Costings  Cr Hampton	We, Councillors Hampton, Cunial and O'Reilly, hereby give notice that at the next appropriate meeting of Council, we will move that the following decision of Council made at Ordinary Meeting OM303 held on Wednesday 5 July 2017 regarding Urgent Business Item Independence of Notice of Motion Process and Independent Costings be rescinded: 1. The following must occur: a) The Council expresses its dissatisfaction with the CEO's new Notice of Motion template and request that the CEO desist from providing advice in this format in the future; b) The only exception to this moratorium is if a Notice of Motion is considered legally dubious or 'ultra vires' (refer to the City of Kingston process which is a model the CEO should consider emulating); c) The CEO is requested to encourage his staff to raise any material issues with councillors at briefings and pre-agenda meetings where such discussions in many municipalities generally take place; and d) The CEO is requested to introduce an ongoing mechanism for interested councillors to have specific costings / quotes 'independently verified'. The mechanics of this are to be presented no later than August at a briefing of Councillors and the CEO. 2. Pursuant to Frankston City Council Local Law 1 and Part 4, Section 84 (2A) of the Victorian Local Government Act, the following items be added to the Agenda for the 'Special Meeting' of Council on 28 August 2017 at 6pm: a) Readoption of the Frankston City Council Councillor Code of Conduct; and b) Final report on the proposed Frankston City Council Meeting Local Law Upon the passage of this motion, the CEO is directed to make necessary preparations for the 'Special Meeting'. Furthermore, the CEO is to ensure that councillors are promptly provided with the final report on the proposed Meeting Local Law revamp as per the work of both councillors and officers on this document over the past few months. The CEO is to also ensure that councillors are promptly provided with a copy of the present Councillor Code of Conduct. Carried	Michael Craighead	21 August 2017 - Awaiting Councillor briefing to determine what action if any is to be taken. Deferred from briefing 9 August. 02 August 2017 - Noted no action required on parts 1-4 Briefing organised for Council on Wednesday 9 August to discuss Local Law review and Code of Conduct review.	Primary Cost:
14-Aug-17	14.1	NOM 1352 - Improved community consultation relating to Annual Budgets  Cr Bolam	That for all future budget processes, the following two initiatives mandatorily take place prior to Council approving its annual budgets: 1. Budget Information session - for residents and ratepayers who are interested in understanding how budgets work. The information session is designed to explain the more esoteric aspects of a budget so the public have a better grasp (i.e. financial statements, jargon etc.); and 2. Budget Q & A session – for residents and ratepayers who have specific questions about a proposed budget. This process is an extension of the public exhibition stage of the budgetary process and will allow interested members of the public to openly pose questions/queries about the benefits and implications of a given budget. 3. That recurrent funding be provided in future budgets.  Carried Unanimously	Kim Jaensch	21 August 2017 - 1. A budget information session will be arranged annually in late January or early February to explain the more esoteric aspects of a budget so the public have a better grasp (i.e. financial statements, jargon etc.). 2. A budget Q & A session will be arranged annually in late March or early April (to coincide with Council's release of the draft budget for consultation) to allow interested members of the public to openly pose question / queries about the benefits and implications of a given budget. 3. The estimated recurrent funding of \$5,000 (costs include room hire, food & drinks, printing, media & advertising but not staff time) will be included in the 2017-2018 mid year budget review. In supplying the above NOM is requested to be archived	Primary Cost: \$5,000
14-Aug-17	14.2	NOM 1353 - Advocating for Increased Bus Services  Cr Toms	1. That the Mayor write to Mr Paul Edbrooke MP, State Transport Minister Jacinta Allan, Shadow Minister for Public Transport the Hon David Hodgett MP and Public Transport Victoria advocating for upgraded bus services from Frankston South to Frankston CAA (Services 772, 774 and 776) to assist residents in being able to access public transport more readily. 2. That the CEO is required to provide a report at the 25 September 2017 next Council meeting on the outcomes of this advocacy. The report is also to include options of the possibility of increasing the number of bus shelters in Frankston South. 3. That Council include this and the entire municipality as part of advocacy (bus services and public transport services) during the State Election Campaign to candidates as part of Council's transport initiatives.  Carried Unanimously	Kate Jewell and Sam Jackson	21 August 2017 - 1. Letters prepared (A3420301, A3420307, A3420319,A3420323) awaiting Mayor's sign off as at 18 August 2017.	Primary Cost:
14-Aug-17	14.3	NOM 1354 - Urban Design Excellence  Cr Aitken	That a report identifying the ways in which urban design excellence may be embedded in all relevant Council processes and procedures be prepared by Council's planning department. This report is to outline the statutory planning methods currently employed by Council, and other metropolitan municipalities, which facilitate reputable urban design outcomes. The report is to also investigate alternative or additional approaches Council might adopt to improve the urban design quality of development applications.  Carried Unanimously	Gill Kay	22 August 2017 - The Town Planning department will produce a report reviewing the processes Council currently employs to ensure urban design excellence is achieved in all new development applications. The department has commissioned a series of guideline documents to direct and improve the urban design and built form outcomes of medium and higher density development within the municipality. These will be presented to Council in conjunction with the findings and recommendations of the above-mentioned report.	Primary Cost:

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
14-Aug-17	14.4	NOM 1355 - Major Works  Cr Aitken	That: 1. The independent audit regarding Wells Street and other Council projects included in that audit, be publicly released; and 2. Council re-establish the Major Projects Committee (Committee). That the terms of reference for this Committee be arranged in consultation with Councillors and further, this process is to be completed and the Committee activated no later than one (1) month after this resolution is passed by Council. Carried Unanimously	Craig Dinsdale	21 August 2017 - 1. The independent audit regarding Wells Street and other Council projects included in that audit, be publicly released; and 2. Council re-establish the Major Projects Committee (Committee). That the terms of reference for this Committee be arranged in consultation with Councillors and further, this process is to be completed and the Committee activated no later than one (1) month after this resolution is passed by Council.	Primary Cost:
14-Aug-17	14.6	NOM 1357 - Young Street Redevelopment Works  Cr Toms	That Council call on the State Government to release the full financials to date (Forecast and Actual) of the Young Street Redevelopment Works. Carried	Kate Jewell	21 August 2017 - Matter highlighted with the Senior Project Manager - State Government 17 August 2017. Listed for discussion with Council and the State at the next PCB meeting - Friday 25 August 2017.	Primary Cost:
14-Aug-17	14.7	NOM 1358 - Formation of Strategic Alliance with prominent local organisations  Cr Bolam	That a report be provided at the October Ordinary Meeting on the formation of a 'strategic alliance' pact with local organisations – i.e. the 'Proudly Frankston' NFP, the 'Committee for Greater Frankston', the 'Frankston Business Network', the 'Langwarrin Business Network' etc. – to better improve coordination and consistency insofar lobbying and advocacy efforts to the Victorian Government and the Australian Government on municipal and regional initiatives. The report is to consider the interest of local groups / organisations of considerable repute to conjoin with Frankston City Council in the activation of the proposed 'strategic alliance'. The report is to also consider what form a potential Memorandum of Understanding (MOU) may take; and how to ensure that participating groups / organisations can continue to practice independence and autonomy within and outside of the proposed 'strategic alliance'. Finally, the report is to consider how often the members of the 'strategic alliance' meet and how lobbying and advocacy parameters should be approached in both election and non-election periods. Carried Unanimously	Sam Jackson	21 August 2017 - While research is being undertaken by Officers, the status of actioning this resolution for reporting purposes remains unchanged at this stage.	Primary Cost:

**Executive Summary****12.8 MAV State Council Motions and Councillor Delegate**

*Enquiries: (Dennis Hovenden: Chief Executive Office)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To seek Council approval for seven (7) Notice of Motions (NOMs) to be submitted to the Municipal Association of Victoria (MAV) State Council Meeting on Friday 22 September 2017 and to appoint the Mayor as the representative, with a Councillor as a sub-delegate, to the MAV.

**Recommendation (Chief Executive Office)**

That:

1. Council adopts the proposed MAV State Council Motions and that the motions be forwarded to the MAV prior to the deadline date; and
2. The Mayor be appointed as the delegate, and a Councillor be appointed as the substitute delegate to the Municipal Association of Victoria (MAV) and that this appointment be reviewed annually at the Special Statutory Meeting.

**Key Points / Issues**

- At its meeting on 14<sup>th</sup> August 2017, Council resolved:  
“ Council determines to re-join the MAV and authorises the Chief Executive Officer to take appropriate action including payment of membership subscription and that the necessary adjustments be made to the budget at mid-year review.”
- Each year Councils across Victoria are invited to submit Motions to be heard at the MAV State Council Meeting. This provides Council with the opportunity to highlight specific topics and projects at a State level, to clearly demonstrate the level of commitment of Frankston City Council to both local and State issues.
- This year the State Council is being held on Friday 20 October 2017 and the due date for receipt of motions is no later than Friday 22 September 2017. Late motions are not accepted.
- Council staff have prepared seven (7) Notice of Motions for consideration and are seeking Council endorsement to submit the following motions;
  - Reaffirming January 26 (Australia Day) as the official National Day;
  - Level Crossing Removals Consultation;
  - Local Government Decision Making and Autonomy;
  - Greater Council buy-in on the composition of bureaucratic Councils;
  - Lack of compensation provided to Councils on State Government Fees and Levies;
  - State Constitutional Recognition of Local Government; and



**12.8 MAV State Council Motions and Councillor Delegate****Executive Summary**

- Public Transport Victoria Maintenance Contract.
- A representative must also be appointed to attend each State Council Meetings, to vote on every matter under consideration, provide regular reports to Council on MAV issues and decisions and to comply with protocols and guidelines published by the Board. It is encouraged a substitute representative be appointed in the event the representative is not able to do so.

**Financial Impact**

There are no financial implications associated with this report.

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

Nil

**2. Other Stakeholders**

Nil

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

This has been addressed within the proposed MAV motions.

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

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

Legal

The statutory and legal obligations would be met by the MAV on behalf of all Councils.

Policy Impacts

There are no known policy impacts.

Officer's Declaration of Interests

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

**Risk Mitigation**

There are no risks associated with this report.

**Conclusion**

The proposed motions have merit and are commended to Council for submission to the October 2017 MAV State Council meeting for its consideration.

**12.8 MAV State Council Motions and Councillor Delegate****Executive Summary**

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**ATTACHMENTS**

- Attachment A: MAV State Council Motion - Reaffirming 26 January (Australia Day) as the official National Day.
- Attachment B: MAV State Council Motion - Level Crossing Removals Consultation
- Attachment C: MAV State Council Motion - Local Government Decision Making and Autonomy
- Attachment D: MAV State Council Motion - Greater Council buy-in on the composition of bureaucratic Councils
- Attachment E: MAV State Council Motion - Lack of compensation provided to Councils on State Government Fees and Levies
- Attachment F: MAV State Council Motion - State Constitutional Recognition of Local Government
- Attachment G: MAV State Council Motion - Public Transport Victoria Maintenance Contract



FORM

### MAV State Council Meeting – 20 October 2017

To submit a motion for consideration by State Council on Friday, 20 October 2017, please complete this form and email to the **State Council** email address [S2@mav.asn.au](mailto:S2@mav.asn.au), **no later than 22 September**. Please note, motions received by **14 September** (early motions) will be distributed to all MAV representatives on **15 September**. Submitters may amend their own motions up to 5pm on **29 September**.

#### Motion

#### Reaffirming January 26 as Australia's Official National Day

*Submitted by: Frankston City Council*

#### MOTION:

The motion and rationale should be no longer than one page.

*That the Municipal Association of Victoria (MAV) State Council, calls upon the Federal Government and State Government to reaffirm January 26 as the official National Day of Australia.*

#### MAV Strategic Work Plan (SWP):

Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.

Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	

#### RATIONALE:

Australia Day, 26 January, traditionally marks the anniversary of the arrival of the First Fleet of 11 convict ships from Great Britain. To many Aboriginal and Torres Strait Island people, they see it as a day of sorrow and mourning.

Although 26 January marks this specific event, today many Australians come together on Australia Day to celebrate our diverse and multicultural society, bringing together communities from all cultures and backgrounds to celebrate this national identity. Australia Day highlights our remarkable achievements and makes us think about how we can continue to make Australia a better place for future generations.

Australia Day is celebrated in each town, with millions of people attending community events with family and friends. It is also a day where new Citizens call themselves Australians for the first time after being conferred at a Citizenship Ceremony.

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#### Motion Level Crossing Removals consultation

*Submitted by: Frankston City Council*

#### MOTION:

That the MAV, and this MAV State Council, call upon the State Government and the Level Crossing Removal Authority to improve consultation and engagement with affected residents, landholders, traders and municipal Councils in the planning and implementation of level crossing removal projects.

#### MAV Strategic Work Plan (SWP):

Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.

Is the subject matter of this motion included in the SWP?	No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	

#### RATIONALE:

It is considered that there has been insufficient opportunity for affected communities to be engaged in the design, location and construction effects stemming from level crossing removals.

This deficiency became particularly apparent when the LXRA designated a 6.5 ha parcel of prime commercial land in Seaford be transformed to a stabling facility for in excess of 30 train sets. No prior notice was given to affected residents, businesses or Council.

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#### Motion

#### Systematic decimation of Local Government Decision making and autonomy

*Submitted by: Frankston City Council*

#### MOTION:

The motion and rationale should be no longer than one page.

That the MAV express its dissatisfaction with the apparent ongoing diminishment of the autonomy of Local Government by successive Ministers over a broad range of portfolios and initiate discussions with the Victorian Premier and Minister for Local Government with a view to improving and enshrining the powers of Councils to make and implement decisions for the betterment of their local communities without State intervention and or control.

Is the subject matter of this motion included in the SWP?	<b>Yes</b>
If yes, identify the following:	
Objective No.	<b>2</b>
Priority No.	<b>4</b>
Item No.	

#### RATIONALE:

Successive Ministerial decisions have resulted in a reduction of planning powers, autonomous decision-making (councillor initiative fund) , the introduction of rate-capping, ongoing cost shifting, additional state imposed costs eg increased waste levies, fire services levy reimbursement being less than the cost to collect etc.

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#### Motion

#### Southern and other Metropolitan Partnerships

*Submitted by: Frankston City Council*

#### MOTION:

The motion and rationale should be no longer than one page.

That the MAV, call upon the Minister for Suburban Development the Hon Lily D'Ambrosio, to formally recognise the important role Councillors play in Local Government decision making and the need for more opportunity for Councillor involvement in Metropolitan Partnerships and the Southern and other Metropolitan Partnerships by expanding the current representation on the partnerships to include Councillors from each municipality in addition to their CEOs.

Is the subject matter of this motion included in the SWP?	Yes / No
If yes, identify the following:	<b>yes</b>
Objective No.	<b>4</b>
Priority No.	<b>12</b>
Item No.	1?

#### RATIONALE:

The Minister in her own words in a letter to Mayors and Councillors dated 2 August 2017 stated; 'Local Government has a critical role to play in securing Melbourne's future liveability, sustainability and prosperity. I have asked the office for Suburban Development to identify and address the challenges and opportunities facing each of Melbourne's regions'.

It is the Council's view that the current representation of Councils by CEOs only is deficient and a more representative model involving Councillors and officers would provide a more balanced approach of both political and administrative views and therefore be more reflective of all issues resulting in better outcomes.

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**Motion****Lack of compensation provided to Councils on State Government Fees and Levies***Submitted by: Frankston City Council***MOTION:**

That the Municipal Association of Victoria (MAV) State Council, calls upon the State Government to provide appropriate compensation to Local Government on imposed fees and levies.

**MAV Strategic Work Plan (SWP):****Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.**

Is the subject matter of this motion included in the SWP? Yes

If yes, identify the following:

Objective No.	<b>1</b>
Priority No.	<b>3</b>
Item No.	<b>4</b>

**RATIONALE:****State Landfill Levy**

The Victorian Government charges a landfill levy on solid waste. Frankston City Council pays the levy on municipal waste, with the cost passed through to ratepayers in garbage charges for kerbside collections and gate fees at its transfer station.

A sharp increase in state landfill levies was introduced in 2010 to reduce waste going to landfills and councils have been reporting increased illegal dumping as a result. The cost per tonne in 2009-10 was \$9 however this has risen progressively to \$63.28 in metropolitan areas in 2017-2018 and continues to rise each year.

The total funds the state collected from this levy in 2015-16 were \$201 million, and while the purpose of this money is to reduce waste, the total money accrued in the Sustainability Fund as at 30 June 2016 was \$466 million. This motion proposes that funds from the Sustainability Fund be allocated to the originating local government to support long term provision of landfill remediation and for projects that take further action on climate change, waste reduction, recycling and illegal dumping.

**Fire Services Levy**

In July 2013 the Victorian Government introduced a property-based fire service levy (PFSL) to fund the Metropolitan Fire and Emergency Services Board (MFB) and Country Fire Authority (CFA). The Treasurer to the State Revenue Office Victoria issues a letter to Mayors of all Victorian Councils advising them of the funding support amounts to be provided to each municipality.

In 2016-2017, Frankston City Council received \$73,295 to fund the Councils administration and collection costs of the PFSL on behalf of the State Revenue Office. This funding support is determined by the Treasurer pursuant to section 70 of the Fire Service Property Levy Act 2012 ('the Act'). Actual costs incurred by Council during 2016-2017 were in excess of this amount by more than 50% (\$110,989). This motion calls upon the State Government to provide appropriate compensation to Local Government for the administration of this levy.

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#### Motion

#### Recognition of Local Government

*Submitted by: Frankston City Council*

#### MOTION:

The motion and rationale should be no longer than one page.

That the MAV renew its campaign and combine its efforts with the Australian Local Governance Association to formally recognize the role of local government in the Australian Constitution including the ability of the Federal government to directly fund local Councils and for residents to directly elect their representatives.

#### MAV Strategic Work Plan (SWP):

Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.

Is the subject matter of this motion included in the SWP?	Not currently
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	

#### RATIONALE:

Recognition of Local Government's role in the Australian Community is long overdue, as is appropriate funding of the many services by Council's to their communities. Council share of tax revenue is miniscule and subject to the vagaries of both Federal and State Government decisions and processes often tying the hands of Local Councils to the detriment of their communities.

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#### Motion Public Transport Victoria Maintenance Contract

*Submitted by: Frankston City Council*

#### MOTION:

**The motion and rationale should be no longer than one page.**

That MAV writes to the Premier and Minister for Public Transport to ensure removal of litter and graffiti in the rail corridor be included in the Public Transport Victoria (PTV) maintenance contract and adequate funding be made available for this to occur. The contract is currently under review and should this be extended it will commence in December 2017.

Should the contract not include removal of litter and graffiti MAV continue advocacy to achieve a satisfactory outcome.

#### MAV Strategic Work Plan (SWP):

**Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.**

Is the subject matter of this motion included in the SWP?	Yes / No
If yes, identify the following:	
Objective No.	
Priority No.	
Item No.	

#### RATIONALE:

Graffiti and litter build up within the rail corridor over time which presents poorly and is detrimental to the amenity of the area. Research shows that graffiti and unsightly land both increases the perception of crime and promotes anti-social behavior and criminal activity.

Frankston City Council has previously, to no avail, endeavoured to engage with Public Transport Victoria, VicTrack and Metro trains to improve their maintenance and cleanliness of the rail corridor.

At a recent meeting it was confirmed by VicTrack, Public Transport Victoria and Metro that there is no budget allocation or inclusion of graffiti and litter removal in maintenance contracts for the area outside of each station precinct (this includes up to 50 metres either side of the station) unless the graffiti is deemed obscene.

Currently, to comply with Fire Prevention Standards and requirements a slashing program only is undertaken twice a year, however, this further escalates the issue by spreading the rubbish further within the rail corridor.

The lack of adequate contract management and resources demonstrates the State Government's inadequate management of their properties.

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## Executive Summary

### 13.1 Response to NOM 1245 - Frankston Volunteer Coastguard

*Enquiries: (Cam Arullanantham: Corporate Development)*

#### Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.3 Engage the Community in shaping the services and future of the city and their local area
Priority Action	2.3.1 Establish agreed standards for infrastructure that will meet current and future service needs

#### **Purpose**

To brief Council on the opportunity to construct a safe boat harbour enabling a port as a safe haven, a home for the Coastguard and support for the water police.

#### **Recommendation (Director Corporate Development)**

That Council:

1. Notes that its August Ordinary Meeting it supported the need for a permanent mooring for the Coast Guard and resolved that a letter be written to the State Government seeking funding for up to \$10M for a new coastguard building and adequate breakwater facilities.
2. Allocate \$55K to the Capital Works budget 2018/19 for the geotechnical investigation and preparation of concept plans associated with the Coast Guard building
3. Notes a \$500K Federal Government grant application is pending to enable hydrological studies and development of concept plans together with part construction of the breakwater.

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

- At the Ordinary Meeting 19 December 2016 the following Notice of Motion was tabled:

*"That a report be provided to Council at the May 2017 Ordinary Meeting on non-marina / non-safe boat harbour options for the Frankston Volunteer Coastguard headquarters (HQ).*

*These options should include:*

- *Retrofitting of existing HQ;*
- *Wholesale reconstruction of existing HQ;*
- *Permanent and secure Mooring for the Coastguard's primary rescue vessel;*
- *Relocation of existing HQ to an existing venue; and/or*
- *Relocation of existing HQ to a newly constructed venue.*

*The report should consider local, state, federal and philanthropic funding routes for any of the above options plus total anticipated costs for the most viable long-term option.*

**13.1 Response to NOM 1245 - Frankston Volunteer Coastguard****Executive Summary**

*Consultation should take place with the Executive of the Frankston Volunteer Coastguard, and the "most viable long-term option" explored within the context of this report must have the support of the organisation."*

Further, at its Ordinary Meeting on 13 June 2017, Council resolved:

*"3. Notes a report for NOM 1245 on the 'Frankston Coastguard' is subject to further consultation and consideration of technical information will be presented to the September meeting."*

- The Frankston Volunteer Coastguard organisation plays a crucial role in maritime rescues in our municipality and seeks the full ongoing support of council.
- In January 2013 Council's Building Surveyor issued a emergency building notice for the Coast Guard Headquarters due to the deteriorating condition of the external structure. The Coastguard has undertaken the required repairs which have significantly reduced their resources and ability to continue the service.
- At the meeting on 5/06/17 with Frankston Coast Guard team confirmed that the building is no longer fit for purpose. The current facility does not have adequate meeting room spaces to provide education and training to the boating public including basic seamanship, coastal navigation, marine radio and boat licensing classes.
- There were two (2) independent structural assessment/Audit carried out in 2013 by Richard Fooks and Joel Grimond and both Structural Engineers confirmed that the volunteer Coastguard building requires major structural repair work and the building is at end of its useful life and in need of replacement.
- While the Coastguard has its building in Frankston, its boat is moored in Patterson River. Calls for rescue take up to 45 mins to respond to due to the length of time to enter the bay and travel to the vicinity of the emergency.
- There is no safe port between Safety Beach and Sandringham highlighting the need for somewhere from which the Coastguard can reasonably operate an emergency support service. In addition, a safe boat harbour would also enable water police somewhere in the south eastern bayside suburbs for which to operate to meet their needs.
- An opportunity exists to construct a breakwater and encompassing the new boat ramp at Olivers Hill. A grant from the Federal Government of \$500K is available to contribute to the breakwater in particular. Prior to any construction a hydrological and geotechnical study would need to be completed to fully inform concept plans and any further commitment to the project.
- At this point there are only indicative costs to enable Councillors to consider a safe boat harbour project. More detailed costs would be developed as part of the concept plans using a quantity surveyor. The indicative costs are:
  - \$145,000 for a Hydrological Study & Concept design of breakwater (utilising part of the \$500K Federal Government grant currently awaiting approval)
  - \$15,000 for a Geotechnical Report for new building location
  - \$40,000 for a Concept Design for new building



**13.1 Response to NOM 1245 - Frankston Volunteer Coastguard****Executive Summary**

- The item below is framed to respond to the numbered elements of the NOM detailed above
  1. Retrofitting of existing HQ: Not recommended

The building requires major structural repair work and the building is at end of its useful life and in need of replacement.
  2. Wholesale reconstruction of existing HQ; Recommended

The total anticipated project cost of the building was obtained based on the concept plan provided by the Frankston Coastguards. The anticipated cost is in excess of \$5million excluding Car Park (refer attachments E & F).
  3. Permanent and secure Mooring for the Coastguard's primary rescue vessel

At the Ordinary Meeting of Council 14 August Council supported a permanent mooring for the Coast Guard and safe boat refuge at the base of Olivers hill and also resolved to write to State Government seeking up to \$10M for completion of the breakwater and a new coast Guard building and facilities.
  4. Relocation of existing HQ to an existing venue; and/or Relocation of existing HQ to a newly constructed venue.

The Coast Guard has provided information highlighting the need for purpose built facilities including storage for boats and rescue equipment and training facilities for boat owners / operators. These facilities by virtue of the fact they are coastal / water related require the facility to be located adjacent to the breakwater and boat mooring area. Currently there are no suitable or fit for purpose alternative facilities that meet these requirements in Frankston south of Patterson River to the north and Mornington to the South.

Accordingly, it is proposed that based on the poor asset condition of the existing building it is necessary to relate the service to a new building at the base of Olivers Hill adjacent to the boat ramp and the proposed new breakwater that will provide protection for the Coast Guard vessel in heavy weather.

The anticipated total project cost of the relocation of the building carpark and landscaping, including lighting CCTV and public toilets is in the order of \$7.5M. In addition, the total cost of the breakwater is estimated to be in the order of \$3M.
  6. Consultation with Coast guards

Several meetings has been held between Council Executives and Coast Guard management to ascertain the most viable long-term option. They have provided information that the greatest priority currently is the breakwater for their search and rescue vessel followed by the building. Representation by the Coast Guard also has occurred at the OM 14th August meeting and they have made a submission to the Minister for Education and Emergency Services; Minister Merlino.



**13.1 Response to NOM 1245 - Frankston Volunteer Coastguard****Executive Summary****Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

To establish a Coast Guard facility and boat refuge (Council Plan ref: 1.1.2) the anticipated costs are as follows:

- \$200K in 2017/18 for Concept Planning (breakwater and the building)
- \$3M in 2018/19 for breakwater construction
- \$7.5M in 2019/20 for construction of the new coast guard building car park, landscaping and public toilets

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

Meeting has been taken place on 5/06/17 with Frankston Coastguard team Council executives. At the meeting coastguard team confirmed that the building is no longer fit for purpose.

Coastguard and the local Federal Member of Parliament have been involved in discussions to identify the needs for boating safety.

**2. Other Stakeholders**

Subject to Council support additional stakeholders will be consulted.

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

Enhancing the safety for boats in poor weather and the speed of response of the Coastguard and water police has the potential to save lives and enhance the interest in recreational boating and fishing; both of which boosts the economy and health.

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

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

Legal

There are no legal requirements in relation to this report.

Policy Impacts

It is essential that a hydrological study be undertaken to better inform and movements and accessible depths for construction of a harbour.

Officer's Declaration of Interests

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

**13.1 Response to NOM 1245 - Frankston Volunteer Coastguard****Executive Summary****Risk Mitigation**

The key risks relate to understanding the impact of the breakwater on the coastline and sand movements.

The risk of not replacing the coastguard building will result, when the building fails, in the coastguard relocating to another municipality where facilities can cater for the building and their boat. Olivers Hill is the only location in Frankston that offers an opportunity.

**Conclusion**

The Frankston volunteer Coast Guard has held a long tradition of serving the Frankston community and the users of the bay. Their building on the Frankston foreshore is now in poor condition and no longer fit for purpose. It should be noted that emergency works were undertaken on the building in 2013 to make it safe. In addition, the Coast Guard volunteers have sought support to enable them to moor their vessel in Frankston enabling them to respond to emergency situations more rapidly.

Council, in formulating its most recent Council Plan, adopted a priority to 'develop a coast guard facility and boat refuge'. Work to date has included an application for a Federal Government grant to complete the hydrological studies, plans and part construction as stage one of this project and approached the Minister for Education and Emergency Services seeking funding of up to \$10M to support stage two and three, which would see the completion of the breakwater and construction of a new building at the base of Olivers Hill incorporating new public toilets together with car parking, lighting, CCTV and landscaping.

Currently approval of the \$500K grant is pending and approximately \$400K is included in the capital works for the Olivers Hill public toilets.

To enable progress of this priority Council project \$55,000 is required undertake concept planning for a replacement (new) Coast Guard building. This is recommended to be included in the 2018/19 capital works program.

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**ATTACHMENTS**

- Attachment A: Coast Guard Building Emergency notice dated 17.01.13
- Attachment B: Coast Guard Building Emergency notice dated 18.01.13
- Attachment C: Strucural Engineering Audit Report - Coast Guard Building - Richard Fooks
- Attachment D: Strucural Engineering Audit Report - Coast Guard Building - Chadwic Grimmond Consulting
- Attachment E: Coast Guard Building Concept Drawing Provided by the Coast Gurads
- Attachment F: Cost Plan based on the concept design provided by the Coastguard

Reference: 16/2013-ENF  
Enquiries: Rob Hicks  
Telephone: 9784 1795  
Facsimile: 9784 1087  
Email: rob.hicks@frankston.vic.gov.au



17 January 2013

**VF1 Frankston Coast Guard  
Attention: Flotilla Commander  
2 Pier Promenade,  
Frankston VIC 3199**

Dear John,

**Re: Emergency Order – Dangerous external walls  
At: Frankston Volunteer Coast Guard 9N Pier Promenade, Frankston 3199**

Subsequent to our telephone conversations today in regard to the above matter, I wish to confirm our discussion as follows.

Similar to your duties as a Coast Guard, my responsibility is to ensure the safety of you, your members and the public. As the buildings structural components supporting portions of the external walls are reaching the end of their life span due to the materials not being protected against the hard salt environment, their stability is compromised and may collapse without warning especially if exasperated by upper floor vibrations or wind pressures.

Seeing the Coast Guard as an integral part of the community safety and your duties especially this weekend in Mornington and the Frankston Waterfront Festival, I wish to assist you in any way possible in your service to the community.

For this reason, I authorise you only to enter the building main entry this weekend to gain access to the Coast Guard Boat. Access to the other areas of the upper and lower levels are prohibited and no other person is allowed access any other part of the building. Any future access will be considered by me only in writing upon the below considerations.

I have co-ordinated our Operations Centre to install the temporary safety barriers and will meet you onsite on your only available time between **2.00pm-3.00pm on Saturday 19<sup>th</sup> January 2013** so that I can inspect the inside of the building to re-evaluate the buildings safety.

Furthermore, you advised me that you engaged John from JV Consulting Engineers to carry out an onsite inspection, prepare a report with the proposed buttress remedial works to the south-west corner where you have obtained a quote of \$20,000-\$40,000. I have contacted John and requested that he email this report immediately so that I can make a decision on his recommendations and provide you with further direction on the removal of the Emergency Order.

I strongly encourage for you to arrange John to meet me onsite preferably on Saturday so that we can discuss the suitable make safe works required to the building especially to the single storey section of building that stores the boat so that you hopefully can re-occupy it.

This portion of the south-western single storey wall is currently also considered dangerous due to the wall tie deterioration that would normally require immediate propping or other suitable remedial work designed by the Engineer to my satisfaction.

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199  
**T: 9784 1900 F: 9784 1087 E: building@frankston.vic.gov.au W: www.frankston.vic.gov.au**  
ABN: 49 454 768 065

I will discuss this matter further on Saturday upon inspection of the internal wall in effort to allow occupation of the single storey component of the building containing your boat.

All other parties of Council will be immediately updated on this important issue in effort to assist you where possible where all options will be considered to facilitate the Coast Guard operations to continue.

Please do not hesitate to contact me for any further assistance or information to expediate this urgent matter on 0417 396 102 or 9784 1795.

Yours faithfully,



Rob Hicks  
**Municipal Building Surveyor**

C.c.

Department of Sustainability & Environment  
30 Prospect Street  
BOX HILL VIC 3128

VF1 Frankston Coast Guard  
PO Box 297,  
Victoria 3199

Building Act 1993, Building Regulations 2006

# EMERGENCY ORDER

Section 102 of the Building Act 1993



TO THE OWNER: Department of Sustainability & Environment ("Owner")  
30 Prospect Street  
BOX HILL VIC 3128

COPY TO OCCUPIER: VF1 Frankston Coast Guard ("Licensee")  
Attention: Flotilla Commander  
2 Pier Promenade,  
Frankston VIC 3199

VF1 Frankston Coast Guard  
PO Box 297,  
Victoria 3199

COPY TO: Frankston City Council ("Committee of Management")  
Governance Department  
Davey Street,  
Frankston 3199

OF THE BUILDING LOCATED AT:

**Frankston Volunteer Coast Guard 9N Pier  
Promenade, Frankston 3199** ("Building")

## WHEREAS:

1. I am the Municipal Building Surveyor of Frankston City Council and am authorised to make an emergency order under Section 102 of the Building Act 1993 ("Act").
2. I inspected the building externally today 17<sup>th</sup> January 2013 at 12.00pm.
3. Pursuant to sub-section 102(1) of the Act, I am of the opinion that this Order is necessary because of a danger to life or property arising out of the condition of the building.
4. The reasons why this Order was issued are that:
  - 4.1.1 The **north western** and **south western external walls** of the building are structurally unsound and may collapse as a result of structural wall ties and steel lintel openings being severely corroded

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199  
T: 9784 1900 F: 9784 1087 E: [building@frankston.vic.gov.au](mailto:building@frankston.vic.gov.au) W: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
ABN: 49 454 768 065

**NOW THEREFORE TAKE NOTICE THAT:**

5. The **Occupier** is required within the below timeframe from the service of this Order:

- 5.1. **Immediately** evacuate the building and
- 5.2. **Immediately** install **temporary safety barriers** to the north western and south western perimeter of the building all to the satisfaction of the Municipal Building Surveyor.
- 5.3. Engage a suitably qualified Engineer to inspect the building and provide a **Make Safe Report** on the building all to the satisfaction of the Municipal Building Surveyor **within 7 days.**

**ANY TAKE FURTHER NOTICE THAT**

This Order prohibits the occupation of the building commencing from the serving of this Order until such time that I have approved in writing to re-occupy the building.

DATE: 17 January 2013



Robert Hicks  
Municipal Building Surveyor

Frankston City Council  
Civic Centre, Davey Street  
Frankston, Victoria 3199



**IMPORTANT NOTES:****Duration of an Emergency Order**

Subject to sub-section 103(2) of the Act, an emergency order remains in force until it is complied with or it is cancelled by the Municipal Building Surveyor under section 105 or the Building Appeals Board under section 142 of the Act.

**Cancellation of an Emergency Order**

The Municipal Building Surveyor may cancel an Emergency Order by written notice given to the owner and to the occupier of the building, land or place of public entertainment concerned if the Order was made in error or the circumstances giving rise to the making of the Order have changed (section 105).

**Penalty for failure to comply**

A person to whom an Emergency Order is directed must comply with that Order (penalty: 100 Penalty Units in the case of a natural person and 500 Penalty Units in the case of a body corporate) pursuant to section 118 (1).

**Appeals to the Building Appeals Board**

Under section 142(3) of the Act, an owner of a building or land may appeal to the Building Appeals Board against a refusal of the Municipal Building Surveyor to cancel an Emergency Order under Division 1 of Part 8 applying to that building or land, or, a failure, within a reasonable time, to cancel that Order. In accordance with section 146 of the Act and regulation 1601 of the Regulations the prescribed appeal period is 30 days from the date of this Order.

**Subsequent Owners of the Land**

Pursuant to section 236 of the Act, this Emergency Order is binding on every subsequent owner of the land.

**Completion of Work**

Pursuant to section 120 of the Act, the owner must notify the Municipal Building Surveyor in writing, without delay, on completion of the work required to be carried out by an Emergency Order.  
(Failure = Maximum Penalty of 10 Penalty Units).

**Court Orders**

Pursuant to section 253 of the Act, the Municipal Building Surveyor may bring proceedings in any court of competent jurisdiction for an Order under this section in the event of a breach, or threatened or apprehended breach, of this Act or the Regulations or a Notice, Permit, Order or Determination issued or made under this Act (including a Notice or Order or Determination of the Building Appeals Board).

**Work Carried out by Municipal Building Surveyor**

Pursuant to section 121 of the Act, if an owner fails to carry out work as required by an Emergency Order made by a Municipal Building Surveyor, the Municipal Building Surveyor may cause that work to be carried out.

**Recovery of Costs for Work Carried out by Municipal Building Surveyor**

Pursuant to section 123 of the Act, if a Municipal Building Surveyor carries out any work or takes any action under this Division, the relevant Council may recover the costs of carrying out the work or taking the action from the owner in a court of competent jurisdiction as a debt due to the Council.

Reference: 17/2013-ENF  
Enquiries: Robert Hicks  
Telephone: 9784 1795  
Facsimile: 9784 1087  
Email: rob.hicks@frankston.vic.gov.au



18 January 2013

**VF1 Frankston Coast Guard**  
**Attention: Flotilla Commander**  
**2 Pier Promenade,**  
**Frankston VIC 3199**

Dear John,

**Re: Building Notice – Dangerous external walls**  
**At: Frankston Volunteer Coast Guard 9N Pier Promenade, Frankston 3199**

Further to my previous letter in regard to the **Emergency Order** requiring immediate actions and work to take place at the above property, the attached **Building Notice** forms part of the procedures required to be followed in the Building Act to address the long term safety issues involved with the building.

This Notice gives you and all directly related parties an opportunity to respond ("show cause") in writing to Council **within 30 days** of this letter as to why you should not comply with the directions of the attached Building Notice.

More importantly, it is a mechanism for you to put forward alternative options based on the cost, time and future of this old building that contains significant long term issues. For these reasons it is imperative that you seek further advice from suitably qualified engineers and consultants to provide the most reasonable and cost effective solution and deadline so that the imperative service that the Coast Guard provides to the community is not compromised.

As there are significant future decisions to be considered beyond my capacity that you have explained to me to be on the table without decision for some time, please also seek further direction from your Coast Guard organization, DSE and Council that may assist in understanding the buildings long term future plans.

Attached is also a specific page - "Owners Response to Building Notice" for you to complete and more detailed explanation on this procedure to assist you in complying with the Building Act requirements.

It is important to note that during this period no works are permitted to be carried out unless required by me in writing as a result of the make safe works contained in the Emergency Order.

After the 30 day notice period, I will consider any representation you provide in making a determination as to whether a Building Order should be issued requiring specific works to be carried out within a timeframe.

It is imperative that you address this matter to reduce your exposure to any liability claims, building insurance claims being rejected, penalties, prosecution or injury from the building issues.

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199

T: 9784 1900 F: 9784 1087 E: building@frankston.vic.gov.au W: www.frankston.vic.gov.au  
ABN: 49 454 768 065



Please do not hesitate to contact me for any further assistance or information on 0417 396 102 or 9784 1795.

Yours faithfully,



Rob Hicks  
**Municipal Building Surveyor**

C.c.

Department of Sustainability & Environment  
30 Prospect Street  
BOX HILL VIC 3128

VF1 Frankston Coast Guard  
PO Box 297,  
Victoria 3199

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199

T: 9784 1900 F: 9784 1087 E: [building@frankston.vic.gov.au](mailto:building@frankston.vic.gov.au) W: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
ABN: 49 454 768 065



Building Act 1993, Building Regulations 2006

# BUILDING NOTICE

*Section 106 of the Building Act 1993*



("Licensee")

TO THE OCCUPIER: VF1 Frankston Coast Guard  
Attention: Flotilla Commander  
2 Pier Promenade,  
Frankston VIC 3199

VF1 Frankston Coast Guard  
PO Box 297,  
Victoria 3199

COPY TO: Department of Sustainability & Environment  
30 Prospect Street  
BOX HILL VIC 3128

("Owner")

COPY TO: Frankston City Council  
Governance Department  
Davey Street,  
Frankston 3199

("Committee of  
Management")

OF THE BUILDING LOCATED AT:

**Frankston Volunteer Coast Guard 9N Pier Promenade,  
Frankston 3199**

("building/land")

## WHEREAS:

1. I inspected the building on 17-Jan-2013.
2. Pursuant to section 106 of the Act, I am of the opinion that:
  - 2.1. the building is a danger to the life, safety or health of any member of the public or of any person using the building, in that:
    - 2.1.1. The **north western** and **south western external walls** of the building are structurally unsound and may collapse as a result of structural wall ties and steel lintel openings being severely corroded.
3. The previously mentioned is the reason why this Notice was issued.

## NOW THEREFORE TAKE NOTICE THAT:

4. The **Occupier** is required to SHOW CAUSE within **30 days (i.e. by Thursday 21<sup>st</sup> February 2013 )** of the date of service of this Notice:
  - 4.1. Why occupation of the building should not remain prohibited;
  - 4.2. Why the temporary safety barriers should not be upgraded to 1.8m high temporary fencing.



- 4.3. Why you should carry out all the required **Make Safe Works** requested in the Emergency Order within 60 days all to the satisfaction of the Municipal Building Surveyor;
- 4.4. Why you should not arrange for a suitably qualified Engineer to carry out a comprehensive written assessment on the structural adequacy and safety of the entire building to the satisfaction of the Municipal Building Surveyor; and
- 4.5. Why you should not carry out all structural upgrade works as detailed in the abovementioned item 4.4 structural assessment report.
- 4.6. Why you not demolish the building.

**Important:** Pursuant to Section 230 of the *Building Act 1993*, I hereby advise you that a member of the 'Frankston City Council - Building Services Unit' will conduct an inspection of the building/land after expiry of this Notice.

A **Building Permit** may be required for work associated with this building notice.

DATE: 18 January 2013



Robert Hicks  
**Municipal Building Surveyor**

**Frankston City Council**  
**Civic Centre, Davey Street**  
**Frankston, Victoria 3199**

**NOTES:**

**Representations by owner**

Pursuant to section 109 of the *Act*, an owner may make representations to the Municipal Building Surveyor about the matters contained in the building notice. Any representations are to be made in writing to the Municipal Building Surveyor before the end of the show cause period.

**Cancellation of a building notice**

Pursuant to section 110 of the *Act*, the Municipal Building Surveyor may cancel a building notice if he or she considers it appropriate to do so after considering any representations made under section 109.

**Building Order**

Subject to section 107 of the *Act*, the Municipal Building Surveyor may make a building order under section 111 after the end of the time allowed by the building notice for making representations.

**Appeals to the Building Appeals Board**

Pursuant to section 142(1) of the *Act*, an owner of a building or land may appeal to the Building Appeals Board against a decision to serve a notice, and a failure within a reasonable time, or refusal, to cancel a notice. In accordance with section 146 of the *Act* and regulation 1601 of the *Regulations* the prescribed appeal period is 30 days from the date of this notice.

**Subsequent Owners of the Land**

Pursuant to section 236 of the *Act*, this building notice is binding on every subsequent owner of the land.

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199

T: 9784 1900 F: 9784 1087 E: [building@frankston.vic.gov.au](mailto:building@frankston.vic.gov.au) W: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
ABN: 49 454 768 065



## Information on Building Notice

### What is a Building Notice?

A Building Notice is a "show cause" notice which gives the owner an opportunity to provide information and details justifying why certain work or procedures should not be carried out. In simple terms, the recipient of a building notice is required to provide the Municipal Building Surveyor reasons why he or she should not comply with the directions detailed in the notice.

### Why has a Building Notice been issued?

A Building Officer of the Frankston City Council has recently inspected the property/land and identified either general safety deficiencies or aspects that do not comply with the *Building Act 1993* or *Building Regulations 2006*. Under section 212 of the 'Act', council is responsible for enforcement provisions including Section 106 of the *Building Act 1993*. The Municipal Building Surveyor also has a duty of care and is responsible to give the owner an opportunity to justify why certain works or procedures should not be carried out.

### What are you required to do?

It is in the owner's best interest to submit a written response containing statements as to why he or she should not comply with the directions of the Building Notice, or alternatively, submit a submission agreeing to undertake the works. A submission should include a schedule of works containing details of how and when the works will be completed. It is important to respond to **all** items and address them individually.

In regard to certain matters, it is in the owner's best interest to engage a suitable professional to act on his/her behalf to achieve clear resolution. If the matters raised in the notice are of a technical nature, an informed technical justification from a competent professional in the relevant field may be required. If you require advice on suitable professional fields, please contact the Building Services Unit on 9784 1900. Please ask for the officer listed for enquiries on the covering letter.

It is important that no work is carried out until an agreement is reached between the owner and the Municipal Building Surveyor, unless safety aspects require immediate attention which will generally be represented in a separate emergency order.

### Consideration of your statements

The Municipal Building Surveyor, or delegated representative will consider all written statements from the owner or persons engaged to act on his or her behalf if received within the **Thirty (30) day** period. After consideration of the written statements the Municipal Building Surveyor may request further information in respect to certain items. Once all items have been adequately addressed, one of three actions will occur. The Building Notice may be cancelled **or**, a Building Order may be issued with some items deleted or amended to reflect the outcome of previous discussions and submissions **or**, a Building Order will be issued and contain all the directions detailed in the Building Notice.

A Building Order is the next step in the process. If a Building Order is issued, it will require the owner to undertake the directions of the order within a stated time period. Importantly, should compliance with a Building Order not be achieved, penalties will be determined in the Magistrates Court.

### What if you do nothing?

The intention of a Building Notice process is to raise discussion of the issue/s between the owner of the property and the Municipal Building Surveyor or delegate. In the event the Municipal Building Surveyor does not receive any response, a Building Order will be issued based on the original observations, and generally contain all the directions detailed in the notice.

### Appeals

An appeal may be made to the Building Appeals Board against a decision to serve a building notice or, failure or refusal to cancel a building notice as requested by the owner. Application forms and advice on appeals can be gained from the Building Appeals Board on telephone number 9285 6400.

### Frankston Magistrates Court

Unfortunately Frankston City Council frequently attends court to penalise owners in regard to breaches of the *Building Act 1993*. It is in the owners' best interest to resolve the subject issues and work with Frankston City Council rather than be convicted for breaching sections of the *Building Act 1993*. Penalties issued by Frankston Magistrate Court for failure to comply generally range from \$2000 - \$60,000 plus any costs incurred by Frankston City Council.

We hope the contents of this document has aided in your understanding of the building notice process. Attached is a form to aid you in your written statements. We strongly encourage you to complete this form or compile something of a similar nature and return within the designated time period. If you have any further queries please contact the Building Services Unit on telephone number 9784 1900.

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199

T: 9784 1900 F: 9784 1087 E: [building@frankston.vic.gov.au](mailto:building@frankston.vic.gov.au) W: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
ABN: 49 454 768 065



## Owners Response to Building Notice

I, ....., owner/occupier of the building/land located at Frankston Volunteer Coast Guard 9N Pier Promenade, Frankston 3199, wish to submit the following response to the Building Notice 17/2013-ENF dated 18-Jan-2013. Please note, all items have been individually addressed and are numbered in accordance with the numbering used in the stated Building Notice.

If you intend to comply how long before the works will be completed? .....

Signature ..... Date .....

Frankston City Council  
Davey Street Frankston Victoria Australia  
PO Box 490 Frankston Victoria 3199

**T:** 9784 1900 **F:** 9784 1087 **E:** [building@frankston.vic.gov.au](mailto:building@frankston.vic.gov.au) **W:** [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)  
**ABN:** 49 454 768 065

**RICHARD FOOKS**  
**ENGINEER & BUILDING PRACTITIONER EC 1687**  
**ABN 45 828 286 080**  
**111 HIGH STREET,**  
**KYNETON 3444**  
**TELEPHONE NUMBERS: (03) 5422 3987(Ph/Fax) & 0418 303 679**  
**EMAIL: fooks@impulse.net.au**

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Monday, 14 January 2013

Andrew Stevens and Chris Roddas  
Frankston City Council — Urban Design & Development  
Civic Centre,  
Corner Young & Davey Streets,  
Frankston, Vic, 3199

Dear Andrew and Chris,

**RE: PRELIMINARY REPORT**

**INITIAL STRUCTURAL APPRAISAL AND ASSESSMENT OF AUSTRALIA VOLUNTEERS COASTAL GUARD  
HEADQUARTERS AT FRANKSTON FORESHORE**

As requested (Wednesday 9th January, 2013), I have undertaken a structural appraisal and assessment of the A.V.C.G Headquarters at Frankston Foreshore. I inspected the building with you on Thursday 10th January, 2013 as part of my initial assessment of the condition of the building.

The initial structural assessment has consisted of undertaking a review of photographs taken during the inspection on 10th January 2013, of defects both outside and inside of the building, perusal of working drawings provided by your office (Drawings Nos B 143 issued 29-05-1981 Sheets 1 and 2 prepared by City of Frankston titled Proposed A.V.C.G.A. Headquarters, Frankston Foreshore), perusal of additional photographs provided by your office, measuring and checking the width of masonry walls, inspecting top plate connections of trusses to the external wall, inspecting the lintels at the kitchen, and excavating an inspection hole adjacent to South West corner of the building.

I am now forwarding my preliminary report. If you require further information or have questions concerning this report please do not hesitate to contact me.

For the description of the walls and locations of areas of defects, I have identified the front large doorway to the boat storage area as North Elevation and the walls for the sides of the boat storage area as East and West Elevations (similar designation as on the 1981 working drawings for the building prepared in 1981).

**EXISTING CONDITIONS**

- a) The building consists of two main areas. One area is single storey for boat storage. The other area is double storey with the lower area for entry and general amenities and the upper level used for radio and briefing. The building has concrete slab floor, concrete block walls, timber first floor and timber framing and truss roofing.
- b) The external and internal walls have been constructed of concrete block masonry based on 190 X 390 X 100 and 190 x 390 x 150 block modules. The external walls of the boat storage area are 100mm wide external leaf and 150mm wide internal leaf with 50mm cavity. The internal leaf of 150mm appears to have replaced the 100mm with 390mm piers which was specified on drawings. The concrete blocks appear to be performing satisfactory. The external walls for the double storey area are 250 mm wide cavity wall construction. The internal walls are 100mm wide except for the wall between the boat storage area and the remainder of the building is a 190mm wide block wall.

- c) The West and South external walls are defective due to corrosion of lintels, corrosion of cavity ties, corrosion of bed joint reinforcement and deterioration of mortar. The corrosion of cavity ties is clearly evident in the external surface of the wall. Where cracking and bulging of block work has occurred and where wall ties are expected and where mortar has deteriorated causing the ties to loosen, block work walls may collapse.
- d) For the West side of the boat storage area, the external leaf only of the cavity wall is supporting the roof trusses. This appears to be partly due to the expansion of the horizontal bed joints due to corrosion of bed joint reinforcement. The external leaf is approximately 10 to 12mm higher than internal leaf and this has caused the top plate of the wall to be lifted off the internal leaf. The formation of rust will cause the external leaf of the block wall to expand vertically.
- e) The external leaf of the West side of the boat storage area is bulging slightly outwards. This appears to be due to corrosion of joint reinforcement at the external surface and vibration of the wall due to wind gusts. For walls facing the prevailing wind and rain, outward bulging of the outer skin has been known to be affected far worse than the other walls.
- f) The east side of the building appears to have been recently re-mortared and the surface of the block work repaired. Only isolated spots of cavity tie rusting was observed in this wall.
- g) The floor is a concrete slab floor with 400 x 400 edge and internal stiffening beams with a slab of 125mm thick slab reinforced with F82 in top. The slab appears to be in general satisfactory and is relatively level apart from some cracking in the main boat storage area. Some minor settlement may have occurred in the South West corner of the building.
- h) Corrosion of the steel lintels creates expansive vertical forces to be applied and hence expansion of the horizontal layers occurs. This has caused diagonal and horizontal cracking of the South West corner of the building. The extent of cracking and movement has caused the blocks to loosen at the parapet. The resultant cracking has allowed water to penetrate to the internal course of block work.
- i) There is evidence that water is penetrating the building as areas of the internal surface of walls are damp. This is surprising considering the amount of rain that has been recently recorded and perhaps indicates how easy it is for water to penetrate the building. Damp surfaces were observed over the main doorway, at the base of the boat storage area, south corner of the kitchen wall and in the upper level in the South West corner walls of the radio and briefing room.
- j) Rising damp is occurring in the boat storage area for up to 2 courses from the concrete floor slab. This rising damp may be due to dampness from the adjacent ground, water penetrating the wall, in effective flashing and weepholes and lack of drainage around the building. Over the main doorway on the East Elevation, there appears to be dampness. This appears to be due to ineffective weepholes and flashing over the doorway.
- k) At the window over the sink in the kitchen area, the concrete lintel has cracked. This has occurred to such an extent that pieces of concrete may suddenly drop onto the working spaces below.

## **CONCLUSIONS**

### **IT IS MY OPINION THAT:**

1. The structural strength of the external west elevation wall of the boat storage area is not adequate and is now at a risk of collapsing during high wind conditions. My computations reveal that the external leaf from time to time will be subjected to considerable high vertical and lateral wind gust loads. Considering these loads and the degree of deterioration of horizontal joints, joint reinforcement and cavity ties, this area of the external wall is at a considerable risk of collapsing. The wall needs to be rebuilt and until rebuilding occurs precautions should be taken to provide temporary stabilization of the wall in order to minimize any damage to the building and occupants if the wall collapses.
2. The block work at the top of South West corner is at risk of further cracking and damage during high winds as the blocks are loose and not bonded to the wall. As there is some risk of blocks falling off the wall especially after high winds or heavy rain, the public should be kept away from the area adjacent to this corner.
3. Floor joists are fixed to the external walls by a wall plate and 10mm bolt at 900mm. This connection may be inadequate for the floor loading conditions. In addition, the bolts may have rusted due to the damp conditions of some internal block work. The connection should be exposed and checked for compliance.

4. Concrete and steel lintel over the kitchen window may collapse and precautions should be taken to prevent pieces of concrete falling into the workplace.

#### **REMEDIAL WORKS**

As a preliminary assessment of extent of remedial works to be done to ensure that the building is maintained within an acceptable level of structural strength and serviceability performance, the following remedial works are required to be done:

1. Replace all external concrete/ steel lintels. Rebuild block work over lintels and around openings where necessary.
2. Check internal lintels and replaced if defective.
3. Wall plate connection for floor joists at first floor as per details A on Drawing B143 to be checked and replaced if defective. (Note: Due to the moisture and dampness of external walls, the 10mm bolt at 900mm connection needs to be checked and replaced if rusted. Connections may need to be replaced with 12mm diameter at 900mm.)
4. Remove south west corner of the building and rebuild. Allow for minimum of 5m length of wall from the corner in East direction for the full height of building and for the full length of wall along the West elevation for the full height.
5. Remove external leaf of west side of the boat storage area and rebuild with new ties. Replace flashing and insert weep holes. (Note: To undertake this work the roof structure will need to be supported.)
6. For all external masonry, check existing masonry ties and replace non complying or defective ties with new ties; and
7. Provide effective surface drainage system around the building to ensure water drains away from the building. Remove sand away from weepholes and top 75mm of concrete slab to allow drying of slab edge by exposure of surfaces to environment.
8. Check all metal tie downs for trusses and replace any defective connections.

To undertake the above remedial works, all permits including building permits should be obtained prior to construction commencing.

On completion of the remedial works, I recommend that the following landscape and site management procedures be implemented:

1. Grade and drain ground surface around the perimeter of the building so that no water can pond or collect adjacent to the footings and the building. This is particularly important on the South West corner of the building as this area appears to be a damp area where water ponds.
2. Maintain roof gutters, downpipes, storm water, water supply and sewerage drainage to prevent a build-up of leaves, dirt etc in the drainage system. Water must be able to freely flow and drain away from the building and not to overflow and pond under or adjacent to the building. Ensure that any leaks are promptly repaired.

#### **WATER & STRUCTURAL DAMAGE**

Water is penetrating the building due to the cracks in the masonry walls and also ineffective flashing and weepholes. The effects of this water and the consequential dampness in the building may not be immediately apparent at time of inspection but may appear at some later time.

Corrosion of metals, decay of timber and deterioration may persist. Deterioration and decay once started may be continuous and difficult to locate and check. Saturated ground conditions can cause ground movement of soils that can affect footings of a building and the actual structure above. Ground movement can be in the form of subsidence, unequal settlements and heaving. The movement may occur in the short time but for some soil, movement may take some months or longer.

During this investigation I have identify structural damage based on information obtained from a visual inspection. In making my assessment of water and dampness damage, I have included some possible effects of the dampness on the structure that may appear at some later time. In doing this and because of the invasive and deleterious nature of water, I wish to advise that some deterioration and decay may hidden but has not been identified.

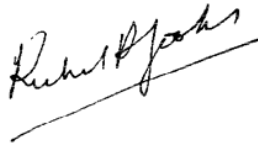
#### **THE STRUCTURAL APPRAISAL**

During the inspection and structural assessment of the building, I have not examined in detail, all sections of the buildings and/ or building components as some sections are not easily visible for example the junction between the floor joists and external block walls. Due to this, I cannot be sure absolutely that there are no hidden defects that have not been identified in this report and addressed in the list of remedial work to be undertaken. Often these types of defects can be identified during construction and therefore I recommend that during the undertaking of the remedial works, on-site visits and inspections are undertaken by an engineer. I have drafted the preliminary recommendations for the remedial works on the basis that these on-site inspections and visits are undertaken.

In addition, an engineer is required to look at remedial work in situations where critical engineering decisions are to be made concerning strength, stability and serviceability of any structural element or any part thereof of the work on the building.

If you have any questions or require further information please do not hesitate to contact me.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Richard Fooks', with a horizontal line drawn underneath it.

RICHARD FOOKS  
CHARTERED PROFESSIONAL ENGINEER NPER NO 133760  
REGISTRATION NO: EC 1687 CATEGORY CIVIL ENGINEER



**Chadwick Grimmond Consulting Engineers Pty Ltd**

ABN 19 904 926 575

## ✦ Structural Design

- Domestic
- Commercial
- Industrial
- Institutional

## ✦ Soil Reports

## ✦ Civilworks Design

## ✦ Project Management

## ✦ Site Investigations

## ✦ Building Disputes

31 July 2013

Australian Volunteer Coast Guard Association  
Frankston Flotilla One  
P.O. Box 297  
FRANKSTON

**SITE INSPECTION – DISTRESSED BUILDING**  
**FRANKSTON VOLUNTEER COAST GUARD**  
**9N PIER PROMENADE**  
**FRANKSTON 3199**

Our Ref: CGP5889

Frankston Volunteer Coast Guard commissioned Chadwick Grimmond Consulting Engineers, (CGCE), to inspect and report on building distress at 9N Pier Promenade, Frankston

CGCE inspected the site on 15 July 2013.

The coast guard building was a double storey construction with;

- lightweight roofing over timber roof framing,
- solid masonry walls,
- timber upper floor construction and,
- A ground floor concrete raft slab.

The north western and south western walls exhibited significant cracking to the external blockwork.

The cracks ranged from hairline to greater than 15mm.

Steel lintels over windows and doors were corroded and sections of the surrounding masonry walls appeared to be unstable.

The distress can be classified as **Damage Category 4** with respect to the **Building Control Commission publication "Guide to Standards and Tolerances - Table 3.02 Damage to Walls Caused by Movement of Slabs and Footings and Other Causes"**

**The Building Control Commission publication "Guide to Standards and Tolerances" states;**

*Category 3 damage to walls is a defect and requires investigation, stabilization, monitoring and rectification work, which may include breaking out and replacing sections of the wall.*

The distress to the building has been caused by the corrosion and subsequent failure of steel lintels and steel masonry wall ties.

The corroded lintels have swollen in volume and as a result have moved and dislodged masonry blocks.

The corrosion of the unprotected steel elements of the building has been the result of the proximity of the building to the adjacent beach and ocean.

Although the building appears to be in a structurally unstable condition, the overall structural integrity of the building is still relatively ok, and can be easily repaired.

Suite G

3/19 Bruce Street

(PO Box 609)

Mornington VIC 3931

Phone 03 5973 4257

Fax 03 5973 4258

Email [cgce@cgce.com.au](mailto:cgce@cgce.com.au)[www.cgce.com.au](http://www.cgce.com.au)*No Problems, Only Solutions*

1/3



**Chadwick Grimmond Consulting Engineers Pty Ltd**

ABN 19 904 926 575

## ✦ Structural Design

- Domestic
- Commercial
- Industrial
- Institutional

## ✦ Soil Reports

## ✦ Civilworks Design

## ✦ Project Management

## ✦ Site Investigations

## ✦ Building Disputes

Proposed repair works are as follows:

1. Provide internal temporary propping to support roof construction.
2. Partially demolish blockwork over existing windows and doors and associated blockwork where steel lintels have corroded. Partial demolition should include providing temporary support to blockwork where required. Temporary support may be achieved with a needle and pin support system or a suitable alternative method.
3. Remove corroded lintels.
4. Reinstall new galvanised steel angle lintels over windows and doors. Adopt angle lintels as follows 200 x 10 vertical leg horizontal leg to suit, with a minimum of 200mm end bearing at support locations. Adopt an angle lintel to each skin of blockwork.
5. Rebuild new blockwork over new lintels and repair cracks in the blockwork mortar
6. Adopt stainless steel threaded rods with oversize stainless steel washers through both skins of blockwork to act as wall ties at 3 metre maximum centres in both directions to the north western and south western walls.

After the completion of the above repair works the building will be structurally adequate, stable and suitable to perform as required.

If you have any queries or would simply like to discuss the report further, please do not hesitate to contact me on 03 5973 4257, or mobile 0417 542 871.

Yours faithfully,

*Joel Grimmond*

Mr. Joel Grimmond BE (civil)  
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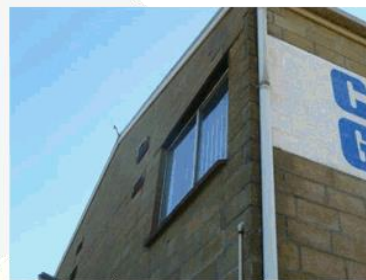


*No Problems, Only Solutions*

**Chadwick Grimmond Consulting Engineers Pty Ltd**

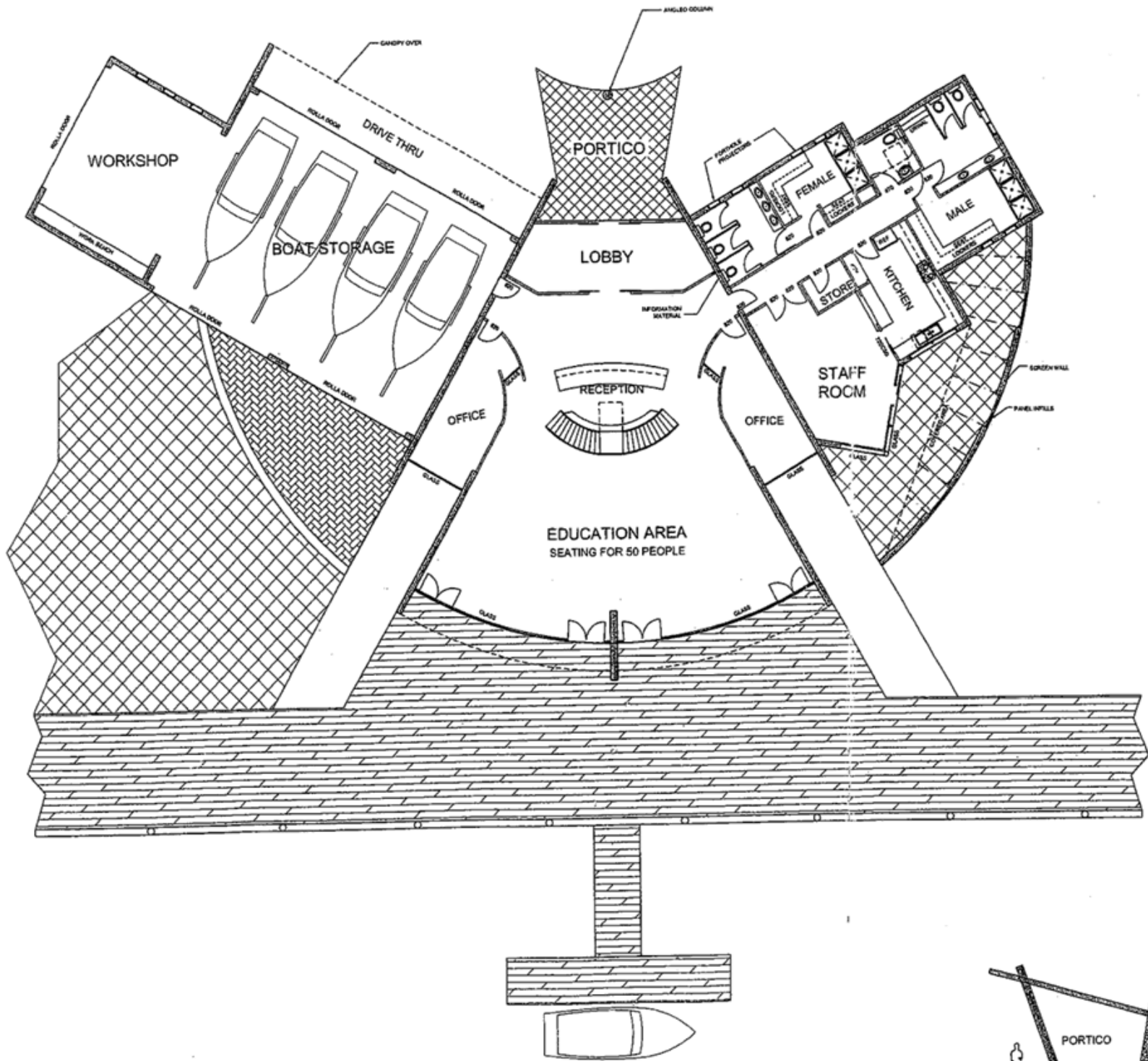
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- ✦ Structural Design
  - Domestic
  - Commercial
  - Industrial
  - Institutional
- ✦ Soil Reports
- ✦ Civilworks Design
- ✦ Project Management
- ✦ Site Investigations
- ✦ Building Disputes

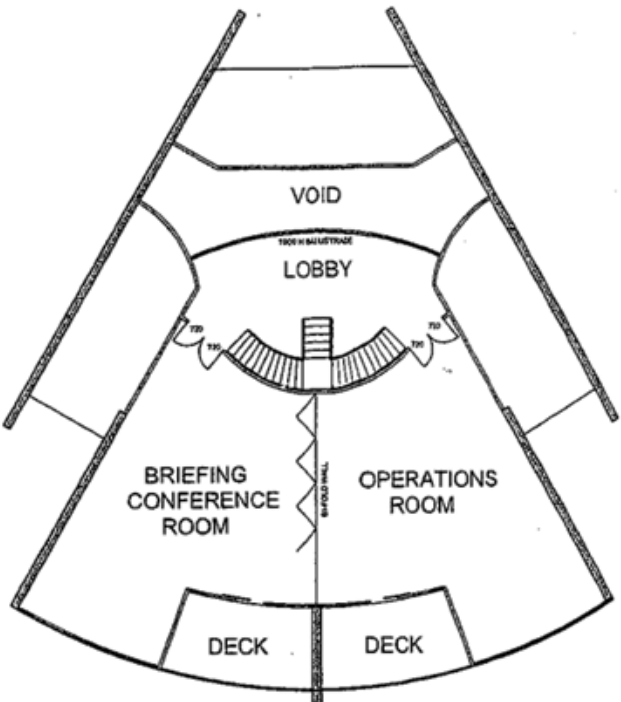


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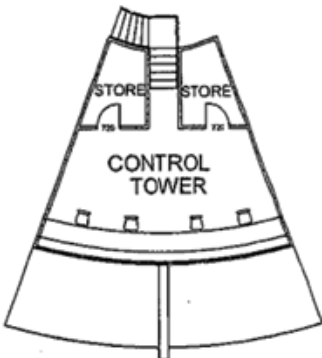
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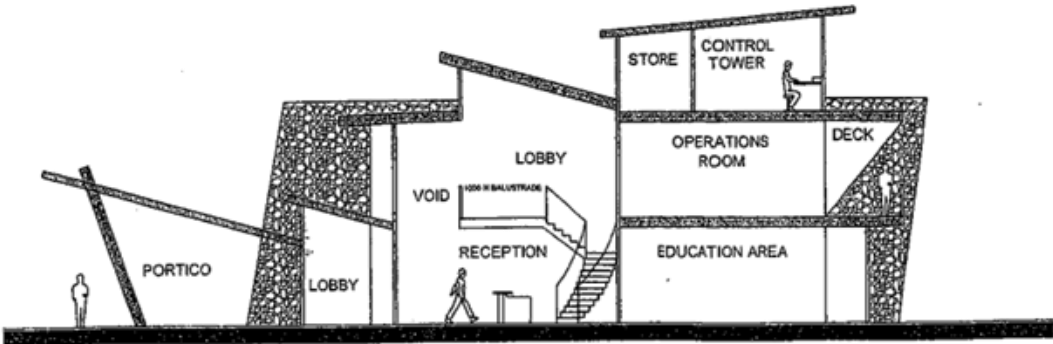
GROUND FLOOR PLAN 1:100



FIRST FLOOR PLAN 1:100



SECOND FLOOR PLAN 1:100



SECTIONAL ELEVATION 1:100

PROJECT: PROPOSED COAST GUARD DEVELOPMENT  
CLIENT: AUSTRALIAN VOLUNTEER COAST GUARD  
AT: VF01 - FRANKSTON

DATE:	ISSUE	AMENDMENTS



thomas  
anderson  
design

L 9788 8700  
L 9788 8799  
P.O. BOX 4160  
LANGWARRIN VIC 3910

TITLE: TOWN PLANNING  
THIS IS SHEET 1 OF THE DRAWINGS  
REFERRED TO IN THE CONTRACT DATED:  
SIGNED OWNER:  
BUILDER:

JOB No:

REF:

04-0000

DATE:

MARCH 04

CHECKED:

NATE

S.P.N.

DP-1159

ISSUE:

P1..

## Elemental Summary



Project: Frankston City Council Building: Frankston Coast Guard Building		Details: Preliminary Cost Plan			
Code	Description	Quantity	Unit	Rate	Total
A	Proposed Coast Guard Development at Frankston				
B	Preliminary Cost Plan				
C	8 August 2017				
D	Areas	802	m2		
E	Preliminaries	1	item	295,380.00	295,380
F	Substructure	595	m2	240.00	142,800
G	- piling allowance	595	m2	250.00	148,750
H	Columns	802	m2	60.00	48,120
I	Staircases	7	m-r	6,000.00	42,000
J	Upper Floors	207	m2	400.00	82,800
K	- external deck	25	m2	1,200.00	30,000
L	Roof	595	m2	420.00	249,900
M	External Walls / Windows / Doors				
N	- Facade / windows	945	m2	500.00	472,500
O	- Pair doors	4	no	3,000.00	12,000
P	- Sliding doors	3	no	3,000.00	9,000
Q	- Auto doors	1	no	10,000.00	10,000
R	- roller doors	5	no	5,000.00	25,000
S	Internal Walls / Screens / Doors	486	m2	350.00	170,100
T	- Auto door	1	no	10,000.00	10,000
U	- Operable wall	1	no	18,900.00	18,900
V	Wall Finishes	1	item	36,090.00	36,090
W	Floor Finishes	802	m2	120.00	96,240
X	Ceiling Finishes	802	m2	90.00	72,180
Y	Fitments / Special Equipment	1	item	120,300.00	120,300
Z	Hydraulics	802	m2	90.00	72,180
AA	Fire	802	m2	25.00	20,050
AB	Electrical / Comms / Security	802	m2	265.00	212,530
AC	AV	1	item	150,000.00	150,000
AD	Mechanical	802	m2	330.00	264,660
AE	BWIC	1	item	22,000.00	22,000
AF	Site Preparation	914	m2	30.00	27,420
AG	External Works	284	m2	300.00	85,200
AH	- Portico incl. paving under	35	m2	1,100.00	38,500
AI	External Services	1	item		160,400
AJ	- allowance for diversion of existing services	PC SUM			100,000
	<b>Subtotal</b>	<b>802</b>	<b>m2</b>	<b>4,046.13</b>	<b>3,245,000</b>
AK	Contingency	20%			974,000
AL	Professional Fees	10%			325,000
AM	Authority Fees & Charges	Allow			33,000
AN	PM Council Internal Costs	Allow			65,000
	<b>Total Project Cost</b>	<b>802</b>	<b>m2</b>	<b>5,788.03</b>	<b>4,642,000</b>

## Elemental Summary



<b>Project:</b> Frankston City Council		<b>Details:</b> Preliminary Cost Plan			
<b>Building:</b> Frankston Coast Guard Building					
Code	Description	Quantity	Unit	Rate	Total
	<b>Exclusions</b>				
A	- GST				
B	- Cost Escalation beyond August 2017				
C	- Adverse soil conditions - rock excavation, soft spots, contaminated soil				
D	- Demolition / clearance of existing site				
E	- Removal of asbestos or other hazardous materials				
F	- Carparking, roadworks, driveways etc				
G	- pier / jetty, boardwalk, sea wall etc				
H	- Relocation / Decanting / temporary accommodation				
I	- Upgrading of authority services infrastructure				
J	- Diversion of services in excess of cost plan				
K	- Loose Furniture, Fittings & Equipment (FF&E)				
L	- Piling to external pavements				



**Executive Summary****13.2 Response to NOM 1277 - Strategy for advocacy for next State Election  
(Draft Advocacy Strategy 2017-2021)**

*Enquiries: (Sam Jackson: Corporate Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.3 Engage the Community in shaping the services and future of the city and their local area
Priority Action	2.3.2 Expand Council and the community's involvement in planning priorities to support community based projects

**Purpose**

To seek Council endorsement of the Draft Advocacy Strategy 2017-2021, which has been developed in response to Notice of Motion (NOM) 1277 – Strategy Advocacy for next State Election.

**Recommendation (Director Corporate Development)**

That Council:

1. Notes this report and the two Advocacy Sub-Committee meetings, and three Councillor briefings held to date.
2. Formally endorses the Draft Advocacy Strategy 2017-2021.

**Key Points / Issues**

- At the 20 February 2017 Ordinary Council Meeting, Councillor Hampton moved NOM 1277 – Strategy for advocacy for the next State Election. Council resolved the following:

*That the Council form a sub-committee consisting of a Councillor from each ward, the CEO and appropriate officers to overview a strategy for this Council to advocate for funding in the next state election and report back to the full Council with its outcomes and a report for ratification at every Ordinary Meeting.*

*That the first meeting of this sub-committee be held before the next ordinary meeting.*

- The sub-committee comprises the Mayor Councillor Cunial, Councillor Hampton and Councillor Aitken. The first meeting was held on 1 March 2017 and was also attended by the CEO, Director Corporate Development, Manager Community Relations and Coordinator Communications.
- The Agenda Group has been appointed to guide Council in the formulation of the draft Advocacy Strategy 2017-2021. This Strategy will focus on both State and Federal Government opportunities.
- The Agenda Group presented the focus and scope of the strategy to Councillors at a briefing on 5 April 2017.
- The second meeting of the sub-committee was held on 11 July 2017, where the Draft Advocacy Strategy (Attachment A) was presented.
- Councillors on the sub-committee agreed to recommend priority projects be presented to Council for consideration.
- The Agenda Group presented the Draft Advocacy Strategy to Councillors at a briefing on 31 July 2017.



**13.2 Response to NOM 1277 - Strategy for advocacy for next State Election (Draft Advocacy Strategy 2017-2021)****Executive Summary**

- Councillors provided further feedback on the Draft Advocacy Strategy at a briefing on 28 August 2017 with the following priority projects identified, and Councillors nominated as 'champions' to assist with implementing each project:
  - Developing a regional tennis and gymnastics facility.
  - Improving marine safety and constructing a new Coast Guard building.
  - Electrification of the rail line to Baxter.
  - Relocation of a state government department to complement the redeveloped Frankston Station Precinct.
  - Delivering stage two of the Frankston Station Precinct redevelopment.
  - Further developing Frankston City as a premier arts and culture destination and sculpture city.
  - Ensuring the timely delivery of the National Broadband Network across Frankston City.
  - Additional bus services to connect Frankston City with Carrum Downs industrial area, and upgraded bus services throughout the entire municipality.
  - Accessible tertiary courses that are in line with job provision.
  - Work with other levels of government for more housing support and crisis/homelessness accommodation.
  - Health hub including expanded services for addiction and mental health.
- The revised Strategy will be provided to Councillors ahead of the 4 September Council Meeting.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

The costs of developing the draft Advocacy Strategy are \$35,400 (excluding Officer's time). This is in accordance with the approved 2016-2017 budget.

Ongoing funding for implementation in future years is allocated within the budget (recognising peaks and troughs required to align with upcoming State and Federal election campaigns).

Funding for the identified priority projects will need to be addressed separately on a case-by-case scenario.

**13.2 Response to NOM 1277 - Strategy for advocacy for next State Election (Draft Advocacy Strategy 2017-2021)****Executive Summary****Consultation****1. External Stakeholders**

No specific external consultation has occurred on this. However, previous consultation of the community (including the Think Big program), the development of the Council Budget and Long Term Financial Plan, previous advocacy priorities and Council Plans have been used to inform the identification of the priority projects.

Councillors have had two briefings on this topic specifically. The sub-committee has met twice to discuss the priorities and the draft Advocacy Strategy 2017-2021.

**2. Other Stakeholders**

Council officers from throughout the organisation who have been involved in previous advocacy programs and monitoring previous advocacy activities were consulted.

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

Election funding outcomes underpin community development and infrastructure planning for many years to come. It's a highly competitive environment, with every council seeking funding commitments.

Given the marginal status of both the Federal and State seats in Frankston City, Council has a unique opportunity to secure funding for projects.

While funding is expected to be allocated to Frankston City ahead of the State and Federal elections, the Draft Advocacy Strategy 2017-2021 aims to direct this funding towards Council's priority projects that will have the greatest benefit for the Frankston community.

The Frankston community is already benefitting from the investment of more than \$200 million of state and federal funding since 2010, which may not have been received without council's previous advocacy work. The attainment of state and federal government funding commitments for priority projects would further progress the transformation of Frankston City that is currently underway.

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

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

Legal

There are no statutory obligations related to this report.

Policy Impacts

Nil

Officer's Declaration of Interests

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

**Risk Mitigation**

It is critical that Council acts strategically to capitalise on opportunities such as elections, annual budget cycles, grants and infrastructure reviews, to secure state and federal government funding for priority projects.

**13.2 Response to NOM 1277 - Strategy for advocacy for next State Election (Draft Advocacy Strategy 2017-2021)****Executive Summary**

The risk of campaigning for advocacy projects without an overarching strategy is that priorities may be misaligned with those of the State and Federal Government, and funding commitments will not be forthcoming.

**Conclusion**

In accordance with 'NOM 1277- Strategy for Advocacy for next State Election' a Council sub-committee focusing on advocacy has been established and met twice. Stemming from this has been the development of the draft Advocacy Strategy 2017-2021 which is presented to Councillors for formal endorsement.

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**ATTACHMENTS**

Attachment A: Draft Advocacy Strategy 2017-2021

# Frankston City Council

2017-2021 ADVOCACY STRATEGY



# Frankston City Council

## 2017-2021 Advocacy Strategy

### Contents

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## Why does Frankston need an advocacy strategy?

The 2017-20 Frankston City Council Advocacy Strategy has been developed to provide direction to Councillors and Officers in their efforts to secure positive outcomes for the Frankston community.

As expected with most advocacy strategies, this document identifies priority projects and provides a rationale for why the initiatives are beneficial to residents, business operators and community organisations. However, Frankston's advocacy strategy goes further.

It provides an implementation framework that coordinates, for greatest effect, the combined efforts of the community and council in advocating for meaningful outcomes from state and federal governments.

It is hoped that this strategy will be regularly updated to reflect the changing external environment to ensure Frankston's approach to advocacy is timely, relevant and effective.

## Advocacy: getting things done

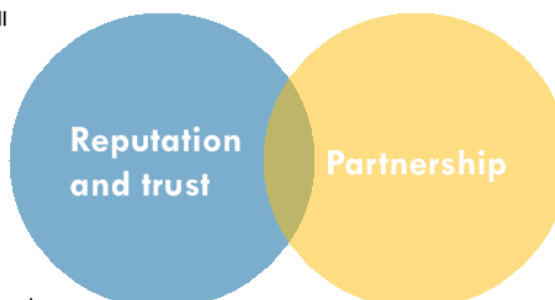
**Advocacy at its heart is about influencing change: change in policy, attitudes and practice.**

For Frankston, this often means advocating to other levels of government for funding and commitment to specific projects and initiatives.

However, advocacy does not occur in a vacuum. Rarely is an organisation's advocacy one dimensional. It is presented, *and listened to*, in the context of previous and other requests, the personality, reputation and credibility of the person and the organisation and most importantly, relationships.

Large organisations, like Frankston City Council, will always have multiple advocacy efforts running alongside one another. The current negotiation will not be the last one that Frankston engages in with policymakers and the community. Even though it may sometimes seem it, **advocacy is not transactional: advocacy is relationship-based.**

Effective advocacy is built on the reputation of the advocate and the trust that inspires in the decision-maker, reinforced by the alliances and the reputations of partners in that advocacy.



### Reputation and trust

Success in advocacy depends on an advocate's reputation: the beliefs or opinions that are generally held about a business, its staff and its activities. This holds true for government bodies as well, with earned reputation a powerful source of strength for local councils when they conduct their business in the community and lobby other levels of government.

The time when lobbying could be seen as a single transaction or exchange has passed. Lobbying is a relationship market, where policymakers and lobbyists are repeat players that respect 'the rules of the game'. This includes understanding that as advocates there is no abiding enemy, everyone is at one time or another a potential ally with whom you may want to form alliances in the future.

For council, establishing a reputation for credibility is the first step towards preserving already recognised relationships as well as assist in building new ones. Credibility increases your political power building trust



among decision-makers that council provides expertise, strong research and analysis, complemented by partnerships with government and other organisations.

Councils committed to building credibility use consistent and transparent communications. Council must therefore more and more represent itself as a trusted advisor and an educator rather than an adversary when lobbying on behalf of their communities.

As an advocate, it is crucial for council that other levels of governments, institutions and the communities trust the organisation and value what council has to say. Council officers and councillors must come together to share ownership of the city's reputation among the community they serve but also among decision-makers in state and federal governments.

To work with those in government (rather than against) and within their rules and customs sends a message of respect. Over time that will bring respect to council and invite council's inclusion in issues that matter to your community.

Elements to consider:

- Can Frankston City Council legitimately speak on behalf of those affected by the issues?
- Is Frankston City Council known and respected by decision makers?
- Is Frankston City Council perceived as trustworthy?

### Partnerships

The ability to build relationships - personal, public and institutional – is central to effective advocacy. By inviting corporate organisations and non-profits who have shared interests in policy positions that council is trying to pursue, council can create a coalition of supporters that build greater momentum for policy change.

Not only do these partnerships increase the likelihood of reaching target audiences, they can mobilise people and public opinion in greater scale than if council pursues the issue on its own.

Partnerships also provide council with opportunities to combine the strengths of each partner. Sometimes this is knowledge and expertise, but often bringing partners on board in a coalition or alliance can fill the gaps in reputation and trust that Council relies on to push a project across the line.

State and federal governments are used to saying no to councils. It is much more difficult for government to ignore a united group of likeminded stakeholders pursuing a common goal.

## CREDIBILITY AND EVIDENCE

As state and federal governments grapple with increasing expectations from communities and decreasing resources, evidence of value for money has become a pre-requisite for policy change and project funding.

Not only does evidence provide credibility and authority to council, but it also clearly highlights that the needs or problems council want to address are real and serious, and that the methods recommended to address these have been successful in the past.

When developing a strategic advocacy approach to a public policy initiative, data collection, research and analysis can all provide the basis for solid evidence. This evidence, however, must also be interpreted and then communicated at the correct time, to the relevant audiences and in the appropriate manner. Good evidence highlights the problem, the causes of the problem, and benefits to solving the issue, the solution and its merits.

If the evidence base is weak, the approach needs to be adjusted to be persuasive. You can reframe the issue, or personalise it by collecting testimonies or stories of individuals affected.

Evidence on its own does not persuade: it's what you do with the evidence that matters.

## Advocacy: the Frankston way

Every advocacy activity contributes to Frankston's long-term reputation, and each advocate, whether they be the Mayor, Councillors, the CEO or council officers contributes to the perception of Council in the policy-makers mind.

It is therefore crucial to carefully examine the possible impacts of advocacy activity on Council's reputation and the pursuit of its long-term goals. Too much scattered advocacy interaction without a clear uniting goal can damage Council's credibility.

Council must demonstrate that each of its requests to policymakers is in the service of a greater purpose, or solution of a bigger problem. Otherwise each request becomes easier and easier to ignore. Policymakers are led to think, "Frankston is asking to fund this project now, but next week they'll come to me with something different – so why act now?"

**Put simply: is it worth it?** Will this activity jeopardise a larger, long-term goal?

Aside from consulting an agreed list of Council's top priorities, the easiest way to assess the worthiness of project advocacy is to develop understanding of what broader problem the initiative solves. Issues-based advocacy cultivates trust that Council has a long-term plan to achieve its vision.

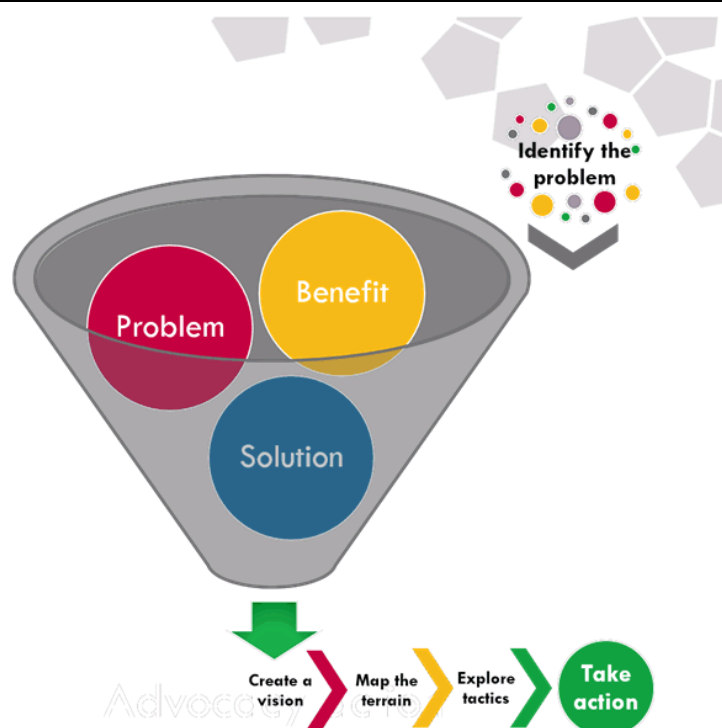
Policy-makers also have their own goals and KPIs. Couching advocacy in terms of the broader issue makes it clear to the Minister, MP or policymaker which of their own goals the project could deliver upon. Issues-based advocacy can answer the ever-present question: **"what's in it for me?"**




***This is Frankston's formal process for all advocacy, whether for new ideas or existing Frankston priorities:***



### Project filter

Before Council embarks on advocacy for a specific project or initiative, it is important to place the project within a broader context, narrative and assess whether it is viable to progress to the advocacy stage. Each interaction with decision-makers contributes to Council's overall reputation. It is essential to carefully consider whether there will be sufficient return to Council's effort and expense of political capital.



 <p>Problem</p>	<p>What <b>problem</b> does the initiative solve?</p> <p>Which of Council's <b>listed priorities</b> does the initiative deliver?</p> <p>Is there <b>evidence</b> of the problem?</p> <p>Does the problem need to be solved <b>now</b>? Is it <b>urgent</b>?</p> <p>Does this problem need to be solved <b>by Council</b>?</p>
 <p>Benefit</p>	<p>What is the <b>benefit</b> of solving the problem?</p> <p><b>Who</b> will benefit?</p> <p><b>How many people</b> are affected? How many <b>jobs</b>? Is there supporting <b>evidence</b>?</p> <p>Is it a local, regional, metropolitan or statewide problem? Who else <b>supports</b> the project? Who <b>opposes</b> it?</p> <p>What State or Federal Government priority does it deliver?</p>
 <p>Solution</p>	<p>Has the solution been proposed before by Council? If a new idea, is there Council agreement?</p> <p>How much does it <b>cost</b>? Is Council prepared to share the cost?</p> <p>Is the solution <b>feasible</b>? Can it be delivered in the <b>timeframe</b>? What are the <b>risks</b>?</p> <p>Is Council the best messenger for this advocacy? Are there other <b>alliances or networks</b> to leverage? Coalition <b>partners</b>?</p> <p>What decision-maker and <b>policy-maker priorities</b> does it deliver?</p>

## Frankston's challenge

"Shopping lists" of issues for advocacy are still present in modern advocacy and intergovernmental relations, but far more effective in the long term is **issues-based advocacy**.

*Framing advocacy for projects and initiatives within the context of the broader problems and issues it solves bolsters Frankston's reputation and adds credibility.*

Within the latest Frankston City Council Plan, the priorities for Frankston City to work diligently to advocate to all levels of government for, include:

- 1 Developing the Centenary Park regional tennis facility
- 2 Constructing a safe boat refuge at Olivers Hill and a new Coast Guard building
- 3 Electrification of the rail line to Baxter, including train stabling and maintenance facilities
- 4 Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct
- 5 Delivering stage two of the Frankston Station Precinct redevelopment
- 6 Further developing Frankston City as a premier arts and culture destination and sculpture city
- 7 Ensuring the timely delivery of the National Broadband Network across Frankston City.

Couching these priorities as well as the dozens of other projects listed in the Council Plan in terms of broader problem solving gives Council credibility in advocacy activities and helps policy makers and government stakeholders more easily understand how the advocacy initiative delivers on their own objectives, putting Frankston closer to a positive outcome.

## The narrative

The tagline of the Frankston Council 2017-22 Plan: "Opportunity, growth and lifestyle" remains a valuable positive

starting point for developing the overarching Frankston narrative. However, Frankston faces a number of issues and challenges that will shape advocacy efforts.



The top issues facing Frankston have been stepped out by:

- Problem (what is the nature of the issue and its causes)
- Benefit of solving the problem and opportunities stemming from the issue, the message.
- Solutions (proposed in prior Frankston plans as well as other possible priorities)

\*Solutions: Bold text indicates top 7 priority for Frankston, normal text indicates an action from the Council Plan, and italics signify a new idea



Problem	Message	Solutions*
<p><b>Frankston has serious long-term unemployment and underemployment.</b></p> <ul style="list-style-type: none"> <li>Frankston has consistently had unemployment rates higher than the state average for well over a decade, and employees being forced into retirement and single-income households are not even reflected in these high unemployment figures.</li> <li>According to the 2011 Census, population in Frankston is growing at 5 times the rate of jobs growth. [more recent and relevant evidence to come from the 2016 Census and the Labour Force Study conducted with the Skills Commissioner] In 2016 there were 0.29 jobs in the municipality for every resident. There has been no change in this indicator over the past year.</li> <li>Youth disengagement and unemployment is consistently high, near the highest in the city and state. Disengaged youth data identifies that up to 27% of 15-24yo young people within Frankston City are recipients of Newstart allowance (at a postcode level). Frankston has higher rates of disengagement of young men and women aged 15 -24 in employment or education (14.8%) compared to the rest of Victoria (10.7%). Whilst greater proportions of Frankston year 12 completers are attending university, a persistent gap of approximately 15% continues to be recorded between the Frankston and Victorian rates of university attendance.</li> <li>As of the 2011 Census, the rate of young people (aged 15-24) not engaged in either education or employment (10.4%) outstripped both state and federal percentages (8.1% and 9.6% respectively). The local area of Frankston North represented almost treble these State/Federal averages for disengaged youth, at 27%, and Karingal represented over double the State/Federal average of disengaged youth at 17.2%.</li> <li>Only 52% of jobs in Frankston are held by Frankston residents.</li> <li>Frankston also has an <i>underemployment</i> problem: Health, manufacturing, retail are the biggest employers in Frankston, and most of these employees are in non full-time work.</li> </ul>	<p>Better aligning job provision with local skills would mean Frankston residents could work where they live, putting less stress on metropolitan transport systems and infrastructure.</p> <p>The liveability impacts of higher employment and business investment could ameliorate other pressing issues facing Frankston.</p>	<ul style="list-style-type: none"> <li><b>Electrification of the rail line to Baxter</b></li> <li><b>Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct</b></li> <li><b>Delivering stage two of the Frankston Station Precinct Redevelopment</b></li> <li><b>Ensuring the timely delivery of the NBN</b></li> <li>Attract industry and employment in the health and education fields</li> <li>Advocate for five-star hotel accommodation development</li> <li>Strengthen Frankston's visitor economy</li> </ul>
<p><b>There is a critical mismatch in skills and educational attainment with job provision and jobs of the future in Frankston.</b></p> <ul style="list-style-type: none"> <li>There is very low access to tertiary education at a bachelor level in Frankston. Compared to other areas of Melbourne, Frankston is critically underserved. Just 11.9% of Frankston residents have a bachelor degree or higher.</li> <li>As of the 2011 Census 15.4% of Frankston residents were employed in the highly skilled 'managerial or professional' roles, compared to 24.0% of metropolitan Melbourne.</li> <li>Monash Peninsula campus offers just 7 courses, all with 80-plus required ATAR scores.</li> </ul>	<p>The only way to solve long-term unemployment is with long-term solutions. Matching skills with jobs and jobs of the future would help break intergenerational cycles of unemployment and reduce dependence on government resources.</p>	<ul style="list-style-type: none"> <li>Facilitate industry informed and led education courses in Frankston City</li> <li>Establish a knowledge, creativity and skills based economy that generates employment opportunities</li> <li>Attract niche industry in the medical and education fields</li> <li>Develop an education and library</li> </ul>



Problem	Message	Solutions*
<p>Even with the Special Entry Access Scheme which adjusts ATAR scores for disadvantaged students up to 10 ATAR points, these courses are still out-of-reach for many Frankston students. Frankston has similar levels of ATAR achievement as other outer suburbs of Melbourne, but proximity to a high ATAR university like Monash means just 20% of Monash Peninsula students are from Frankston.</p> <ul style="list-style-type: none"> <li>Courses offered do not match the jobs and industries of the future: there are no STEM courses offered in the region, and local secondary schools are not encouraging students to study the courses and industries of the future.</li> </ul>		<p>hub in Langwarrin</p> <ul style="list-style-type: none"> <li>Accessible tertiary courses that are in line with job provision</li> </ul>
<p><b>Changing development patterns and demographics are putting increased pressure on infrastructure.</b></p> <ul style="list-style-type: none"> <li>Frankston LGA is far more economically diverse than just the Frankston city centre. In fact, since EastLink was constructed, there are now more people employed in Carrum Downs than in the Frankston MAC, with double the income and growing advanced manufacturing and professional services industries.</li> <li>Transport and telecommunications infrastructure has not kept up with demographic and development shifts. Approximately 40 buses travel to Frankston, but none to the more job-dense area of Carrum Downs.</li> <li>Much of the growth in Carrum Downs has come at the cost of the Frankston activity centre. There has not been significant private investment and development in the city centre, there is a 14% vacancy rate in Frankston centre, and roughly 30 of 400 shops in the city are listed as destination retail.</li> <li>Frankston Station Precinct Redevelopment is not the silver bullet to save the city centre's issues, and more parking is desperately needed around transport centres for the majority of residents who must leave the region for jobs and study.</li> </ul>	<p>Liveability is at the core of Frankston's offering to residents, and therefore providing infrastructure to support jobs in growth areas ensures those jobs stay in Frankston over the long term.</p>	<ul style="list-style-type: none"> <li>Electrification of the rail line to Baxter</li> <li>Delivering stage two of the Frankston Station Precinct Redevelopment</li> <li>Ensuring the timely delivery of the NBN</li> <li>Attract high density residential apartments and commercial office accommodation</li> <li>Additional bus services to connect Frankston City with Carrum Downs industrial area</li> <li>Establish Frankston Regional Recycling and Recovery Centre FRRRC as a regional solution</li> <li>Improve public car parking options</li> </ul>
<p><b>Frankston faces competing priorities of liveability and sustainability versus economic growth.</b></p> <ul style="list-style-type: none"> <li>Sustainability and liveability are crucial to the lifestyle offered in Frankston, yet there is ongoing tension between preserving the amenity and biodiversity of Green Wedges and converting that land into valuable industrial precincts.</li> <li>There is evidence to show that there is only 12-18 months of land left in Carrum Downs available for development, because roughly 30% of the area is tied up in Green Wedges.</li> </ul>	<p>Council is working hard to get the right balance between improving liveability and sustainability, while also creating much needed new job opportunities.</p>	<ul style="list-style-type: none"> <li>Develop the Centenary Park regional tennis facility</li> <li>Construct a safe boat refuge at Olivers Hill and a new Guard building</li> <li>Further developing Frankston City as a premier arts and culture</li> </ul>



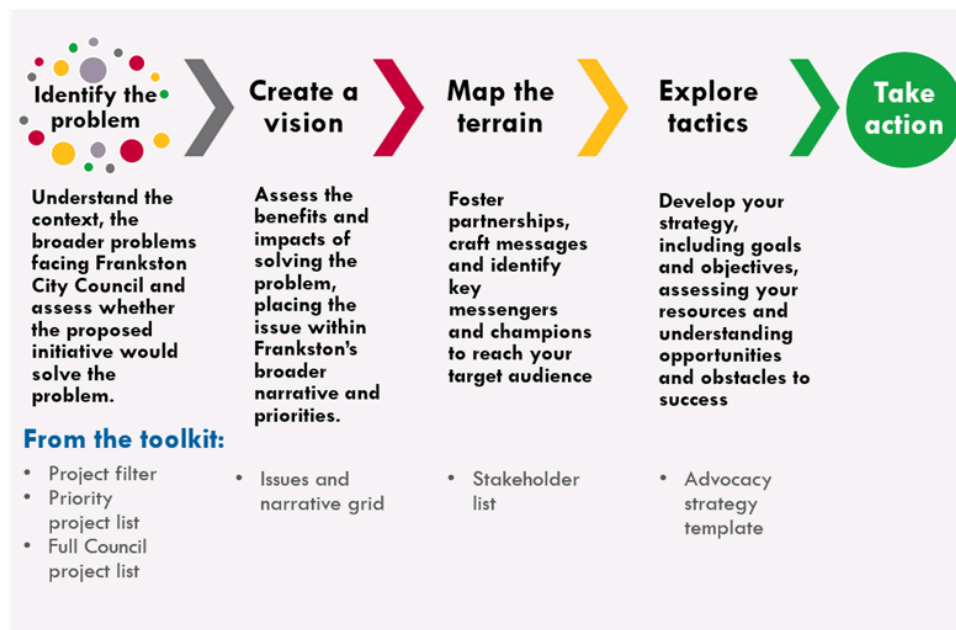
Problem	Message	Solutions*
<ul style="list-style-type: none"> <li>In 2011 50.5% of Frankston residents attended an Arts or Cultural Event. This is significantly lower than the Victorian rate of 63.6%.</li> </ul>		<b>destination and sculpture city</b> <ul style="list-style-type: none"> <li>Redevelop the existing Frankston Arts Centre and Civic Centre precinct</li> <li>Undertake a feasibility study to relocate Council's Operations Centre and allow for an exemplar urban renewal project</li> <li>Attract five star hotels</li> <li>Develop a Green Wedge management plan</li> </ul>
<b>There is localised and intergenerational disadvantage in areas of the Frankston LGA.</b> <ul style="list-style-type: none"> <li>Areas of Frankston such as Frankston North have some of the worst SEIFA scores in the state, and the rank in the top 10 most disadvantaged areas in Jesuit Social Services 2014 <i>Dropping Off The Edge</i> report. 19.9% of Frankston households are on incomes of less than \$600 per week.</li> <li>Frankston North has long been known to face issues of disadvantage, but neighbouring areas facing similar issues such as Karingal and Belvedere have not received the same attention or funding.</li> <li>Youth disengagement and lack of educational aspiration has persisted through generations. In 2011 the rate of young people (aged 15-24) not engaged in either education or employment (10.4%) outstripped both state and federal percentages (8.1% and 9.6% respectively)</li> <li>In 2011 the most extreme local areas had 27% and 17.2% youth disengagement (Frankston North and Karingal) representing over double and almost treble the State/Federal average of disengaged youth (8.1% and 9.6% respectively).</li> <li>These issues are multifaceted, encompassing family violence, multicultural and indigenous issues, housing stress and homelessness (the central Frankston area has one of the highest volumes of single-member households in the state). Police data illustrates that in 2015 family violence incidents continued to grow in the Frankston municipality. In 2015 Frankston continued to have the highest rate of police callouts to family violence incidents in Metropolitan Melbourne (1,873 callouts per 100,000 persons). Violence against women and children in Frankston cost \$85.5M in 2015.</li> <li>The Rental Affordability Index shows that there are currently <b>less than 200</b> properties</li> </ul>	<p>These pockets of severe disadvantage in Frankston have a great effect on the region's overall SEIFA rankings and its reputation. Small but visible changes, possibly reflected in media reports, to this long-term disadvantage could greatly improve Frankston's reputation – cementing the focus on liveability, as an area on the rise.</p>	<ul style="list-style-type: none"> <li>Ensure community infrastructure and services match community need</li> <li>Establish a knowledge, creativity and skills based economy that generates employment opportunities</li> <li>Identify service assets and service levels required to meet future community needs</li> <li>Optimise the community's ability to access services and information</li> <li><i>Develop initiatives that balance increasing property values with housing affordability for tenants and those in crisis accommodation</i></li> <li><i>Work with other levels of government for more housing support and crisis/homelessness accommodation</i></li> </ul>

Problem	Message	Solutions*
<p>with affordable rent in Frankston City. Frankston is one of the top six areas nationally for homelessness. This equates to approximately 1 in every 65 members of our community requiring emergency accommodation in any given year.</p> <p><b>Frankston city centre in particular faces a growing drugs problem.</b></p> <ul style="list-style-type: none"> <li>The area surrounding Frankston station continues to draw drug users. There are increasing rates of ice and other drug usage, and where police used to be able to track the trajectory of drug users, the problem is escalating in criminal scale.</li> <li>Males represented 57% of young people 15-24 reporting drug use as the primary reason for seeking crisis homelessness services. The data below from Crime Statistics shows an increase in the rates of drug use across 9 of the 13 suburbs within Frankston City from Dec 2015 – Dec 2016.</li> <li>Illegal drug use in possession hotspots has increased from Dec 2015 to Dec 2016 in Frankston North by 37.8%. The number of drug manufacturing hotspots has increased in Frankston Central by 128.6%, in Frankston North by 300% and in Frankston South by 100% from Dec 2015 to Dec 2016.</li> <li>In 2011/12 Frankston was in the top 10 LGAs in Victoria for ambulance call out rates for every drug category (licit and illicit) except heroin.</li> </ul>	<p>Relocating the epicentre of visible drug use would maximise the benefit from the Frankston Station Precinct Redevelopment as well as improving Frankston's reputation in the region.</p>	<ul style="list-style-type: none"> <li>Ensure community infrastructure and services match community need</li> </ul>

# Advocacy toolkit

## Governance and process

For each new idea and already agreed upon project for Frankston advocacy, the following broad process will be followed:



At the second, 'Create a vision,' stage a project team will need to be established in Council, or at the very least, a point-person. A project team should be set up immediately for all of the 7 top Council priorities listed on the following page.

If the project is a high-level project, the project team should include someone from Executive Management Team authorised to co-ordinate with Council.

At each stage of the process, there are elements from the toolkit to assist in developing and implementing the final advocacy strategy, for which there is a template at the end of this guide

## Roles

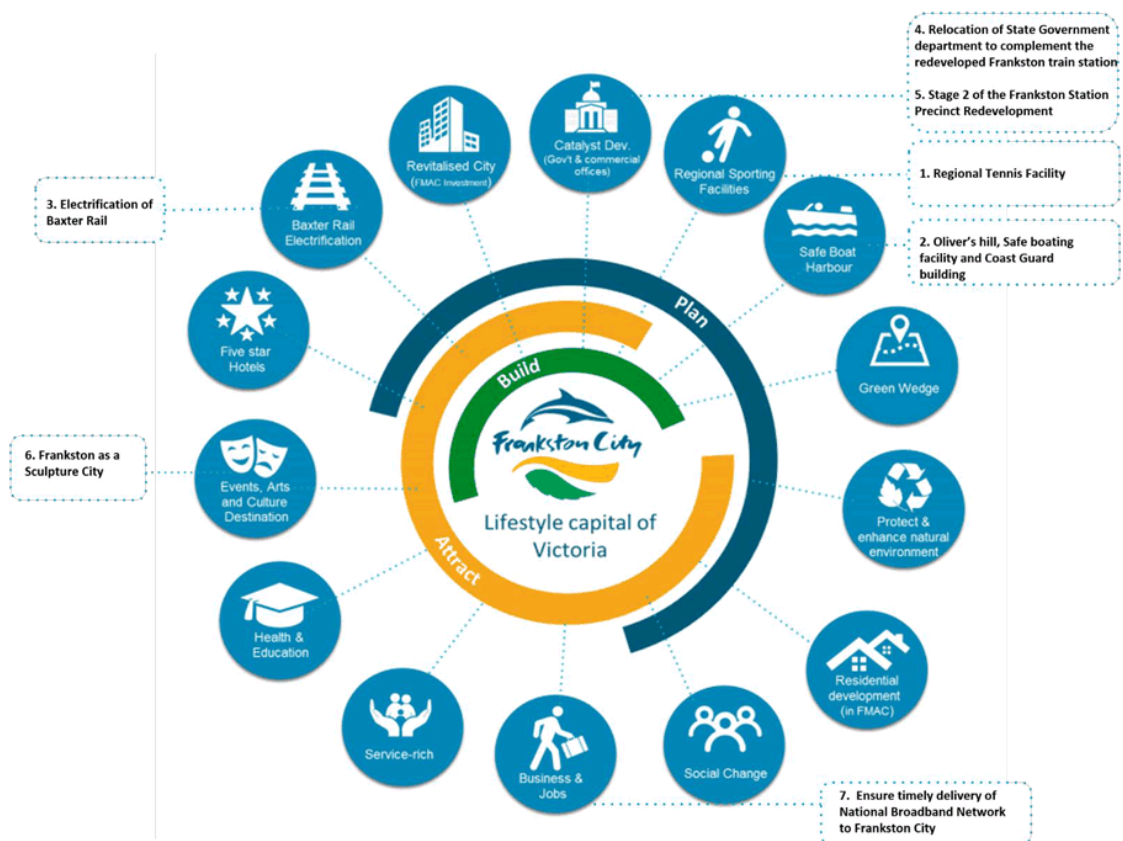
For each priority project a member of the Executive Management team will be appointed as Project Sponsor who will be supported by a Project Manager. Officers will be responsible for completing background research, engagement with relevant internal and external stakeholders and organising issue campaigns.

The Project Manager will update Councillors when required and outline advocacy opportunities for Councillors to implement. Councillors will rally the wider community around priority advocacy issues.

## 7 Priority projects

The seven priorities for Frankston City advocacy as laid out in the latest Council plan include:

- 1 Developing the Centenary Park regional tennis facility
- 2 Constructing a safe boat refuge at Olivers Hill and a new Coast Guard building
- 3 Electrification of the rail line to Baxter, including train stabling and maintenance facilities
- 4 Relocation of a State Government department to the city centre, to complement the redeveloped Frankston Station Precinct
- 5 Delivering stage two of the Frankston Station Precinct redevelopment
- 6 Further developing Frankston City as a premier arts and culture destination and sculpture city
- 7 Ensuring the timely delivery of the National Broadband Network across Frankston City.





### Priority projects

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<b>1. Developing a regional tennis and gymnastics facility</b>  <b>Project Sponsor:</b> Gillian Kay  <b>Project Manager:</b> Byron Douglas  <b>Champion Councillors:</b> Cr Hampton Cr Mayer Cr O'Connor  <div>                         LIKELIHOOD                          Medium                     </div>	Multi use facility at Centenary Park for tennis and gymnastics.	<b>Partial</b>  Amounts from government stakeholders have been identified.  Council has allocated \$3M in funding towards this project.  <b>Incomplete</b> It is unknown whether funding will come from existing sources or whether a budget bid will be needed.	<b>Identified</b>  In 2018 Frankston Public Hospital will start their expansion and will take over the land.	<b>Identified</b>  Tennis club has no alternative site to operate.  Gymnastics has a waiting list because they can't meet capacity.	<b>Identified</b>  Increased sporting participation and uptake in the Frankston area.	<b>Completed</b>  Combined tennis and gymnastics club's 1,500 members will have access to sporting facilities.	<b>Yes</b>	<b>Partial</b>  Gymnastics Victoria, Tennis Victoria have all been consulted.  The process to secure formal stakeholder support is continuing.	<b>Commenced</b>  (18-21 June 2017)  Spoke to Shadow Labor Minister for Sport, Senator Don Farrell who was supportive of the multi-use aspect.  Senator Fiona Nash's advisor agreed it's a good idea.
<b>2. Improving marine safety</b>  <b>Project sponsor:</b> Gillian Kay  <b>Project Manager:</b> Michael Rathbone	Constructing a safe boating refuge at Olivers Hill and a new Coast Guard building.	<b>Planning funding</b>  Fed Govt has committed \$500K for planning and design.	<b>Identified</b>  2017-18	<b>Identified</b>  No safe anchorage for Coast Guard, police and smaller craft in heavy weather.	<b>Limited</b>  Improved response times	<b>Limited</b>	<b>No</b>	<b>Partial</b>  Police and emergency services	<b>Commenced</b>  (18-21 June 2017)  Low interest from Fiona Nash and Anthony Albanese, considered it a

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<b>Champion Councillors:</b> Cr Cunial Cr Bolam Cr McCormack  <div>                         LIKELIHOOD                          Low                     </div>									local project with low appetite among constituents.
<b>3. Electrification of the rail line to Baxter</b>  <b>Project Sponsor:</b> Dennis Hovenden  <b>Project Manager:</b> Kate Jewell <b>Champion Councillors:</b> Cr Cunial Cr Bolam Cr O'Reilly  <div>                         LIKELIHOOD                          Low                     </div>	Electrification of the rail line to Baxter, including train stabling and maintenance facilities	<b>Unknown</b> Fed Govt has committed \$2M for a project business case and \$2M towards the railway line duplication	Any time	Incomplete	Limited	Incomplete	<b>No</b> The Victorian Govt does not support the project	Limited	<b>Ongoing</b>  (18-21 June 2017)  Spoke to Darren Chester, Fiona Nash and Anthony Albanese Even Fed Labor Ministers that Council spoke to agreed it shouldn't be at impasse. Agreed it won't cost \$25M for business case. They agreed to put pressure on State Govt, but importantly State Govt will ultimately make the decision.
<b>4. Relocation of a State Government</b>	Attracting a major	State Government	Any time	Incomplete	Limited	Unknown	No	No	Commenced





The **Agenda**  
group

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<b>Project Sponsor:</b> Dennis Hovenden  <b>Project Manager:</b> Kate Jewell  <b>Champion Councillors:</b> Cr O'Reilly Cr McCormack Cr Toms	Frankston station, consolidating the buses on Young Street and upgrading the subway - Improving Young Street by creating a high-quality pedestrian streetscape - Providing better pedestrian connections with key destinations - Creating new public plazas								
<b>6. Further developing Frankston City as a premier arts and culture destination and sculpture city</b>  <b>Project Sponsor:</b> Gillian Kay	Multiple projects, including: - Govt recognition of Frankston as an exhibition centre.	Unknown	Ongoing	Unknown	Unknown	Unknown	Yes	Unknown	Commenced  (18-21 June 2017)  Mitch Fifield's advisor positive about this one

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<b>Project Manager:</b> Andrew Moon  <b>Champion Councillors:</b> Cr O'Reilly Cr Mayer Cr Aitken  <div>                         LIKELIHOOD                          Medium                     </div>	- Attracting art exhibitions to McClelland Gallery and Sculpture Park								
<b>7. Ensuring the timely delivery of the National Broadband Network across Frankston City.</b>  <b>Project Sponsor:</b> Dennis Hovenden  <b>Project Manager:</b> Sam Jackson  <b>Champion Councillors:</b> Cr Mayer Cr Cunial Cr Hampton	Already a priority area for roll out.  Requested NBN rollout for the industrial area of Carrum Downs and Seaford and also the health and education precincts.	Funded	Unknown	Identified  Poor, slow and patchy internet connections across the region.  High prices for commercial internet.	Identified  Better connections for local businesses, job growth in higher-tech industries	Incomplete	Yes	Yes	Commenced  (18-21 June 2017)  Mitch Fifield's advisor. We probably won't get it brought forward but we should push for FTTR (fibre to the road). Back-end technology isn't even developed to connect fibre from the road to the premise...? Planning to commence roll-out in mid-2018. Also spoke to Shadow Minister for Communications, Michelle Rowland

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
LIKELIHOOD Medium									
8. Additional bus services to connect Frankston City with Carrum Downs industrial area.  <i>Project Sponsor:</i> Gill Kaye  <i>Project Manager:</i> Michael Rathbone  <i>Champion Councillors:</i>  Cr Hampton Cr McCormack  LIKELIHOOD Medium	This was a priority in the 2013-2017 Council Plan but is yet to be achieved.	Unknown	ASAP	Identified	Identified	Incomplete	Unknown	Unknown	Not yet commenced
9. Accessible tertiary courses that are in line with job provision.  <i>Project Sponsor:</i> Tim Frederico  <i>Project Manager:</i> Sam Jackson		Unknown	ASAP	Unknown	Identified	Incomplete	Unknown	Unknown	Not yet commenced

Project	Description	Funds sought/source	Timeframe	Problem being addressed	Benefits from solving the problem	Evidence base	Alignment to govt policy	Supporting Partners	Government Advocacy Status
<b>Champion Councillors:</b> Cr Toms Cr O'Connor  <div>                         LIKELIHOOD                          Medium                     </div>									
<b>10. Work with other levels of government for more housing support and crisis/homelessness accommodation.</b>  <b>Project Sponsor:</b> Gillian Kaye  <b>Project Manager:</b> Liz Daley  <b>Champion Councillors:</b> Cr Bolam Cr Aitken  <div>                         LIKELIHOOD                          Medium                     </div>	Council must leverage opportunity the funding opportunity to ensure social housing growth fund is spent in Frankston City.  Council should also advocate for Frankston to be chosen as the location of one of the Family Violence Support and Safety Hubs promised by the State Government, to address the fractured social services sector.	<b>Funding available</b>	<b>ASAP</b>	<b>Housing affordability and homelessness</b>	<b>Identified</b>	<b>Completed</b>	Victorian Minister for Housing offering \$1B Social Housing Growth Fund	<b>Yes</b>	<b>Commenced</b>



### Stakeholder list

			Priorities and projects	Partner, Supporter, Opponent	Key messages
State Government	Political	Ministers			
		Shadow Ministers			
		MPs			
	Govt	Department			
		Secretary			
		Deputy Secretary			
	Agency	Other stakeholders			
		CEO			
		Officers and stakeholders			
Federal Government	Political	Ministers			
		Shadow Ministers			
		MPs			
	Govt	Department			
		Secretary			
		Deputy Secretary			
	Agency	Other stakeholders			
		CEO			
		Officers and stakeholders			
Local govt networks	Group	CEO			
		Members			
Community groups	Group	CEO			
		Members			
Other organisations	University/hospital etc	CEO			
		Other stakeholders			
Individuals	Title	Name			





## Advocacy strategy template

### BACKGROUND

- Brief context and situational analysis – what's the problem?
- Why advocate on the issue? Commitments, accountability, outcomes...

### AIM

- Long-term goal that want to contribute towards? What broader Frankston problem does it solve?

### OBJECTIVES

- Specific Measurable Attainable Realistic Time-bound change objectives
- Do these contribute to the realisation of your aim?

### TARGETS

- Who has the power to make the necessary changes?
- Who influences those people?

### KEY MESSAGES

- For each audience

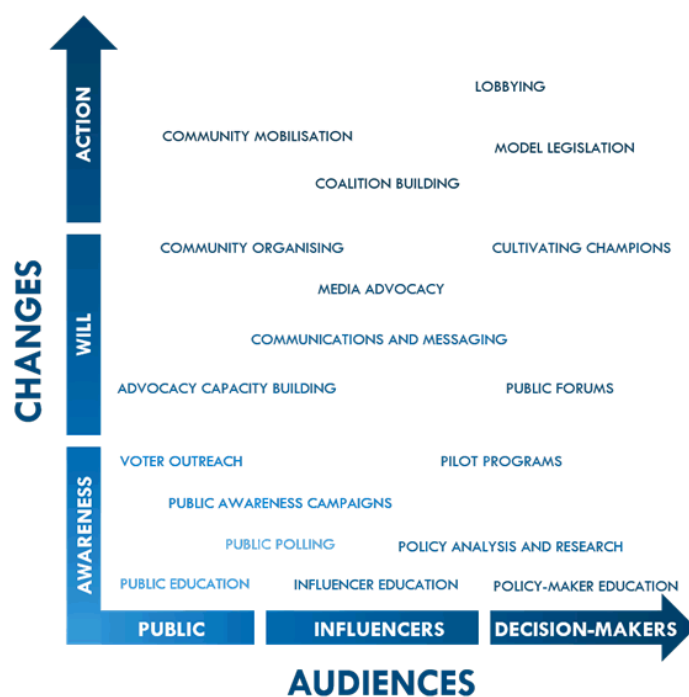
### ROLES, RESPONSIBILITIES AND BUDGET

- What gaps (incl. capacities)? How fill them?

### ALLIES/PARTNERS

- Who can you work with to build momentum and support?

### TACTICS AND ACTIVITIES



### TIMELINE

- Moments/opportunities for influence? How to be prepared for these with evidence and advocacy needed?

## Executive Summary

### 13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality

*Enquiries: (Luke Ure: Corporate Development)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.3 Resources
Priority Action	4.3.2 Undertake an ongoing review of Council's assets to ensure they meet community needs

#### Purpose

To brief Council on the response to NOM 1335 and provide options for the ongoing audits of municipal roads and footpaths.

#### Recommendation (Director Corporate Development)

That Council:

1. Notes this report and its commitment to the audit program through the provision of \$240k per annum for defect inspections and \$150K per annum for condition audits.
2. Acknowledges the appropriateness of its current defect inspection regimen as specified within the Road Management Plan 2015 and maintains the current service standards for defect inspections and periodic condition audits; and,
3. Proceeds with the recommendations of its Road Management Plan Review 2017 and undertakes the amendment process.

#### Key Points / Issues

- At Council's 3 July 2017 Ordinary Meeting (OM303), Councillor Bolam successfully submitted a notice of motion to undertake the following:
  - *That a report be provided to Council on either a staff position or the external workforce undertaking increased audits of all Council footpaths and roads throughout the entire Frankston City Council municipal district. This may include a combination of existing resources as well as new funding.*
  - *The report be provided in September 2017.*
- Council currently undertakes defect inspections on its road related infrastructure as documented within its Road Management Plan (2015) and at a frequency as determined by its hierarchy (refer to officers assessment), currently two officers undertake these inspections at a cost of \$240.4K per annum (including oncosts, vehicles and hardware).
- Council also has in place a rolling condition audit program where over a 4 - 5 year frequency a detailed condition audit is completed to ascertain the condition of the asset network, this program has an annual allocation of \$150K.
- The results of the most recent pathway audit (December 2016) indicate that the municipal pathway network is in good health, with minimal pathway assets found to be in a poor condition (less than 1%).

**13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality****Executive Summary**

- Council's software, Pavement Management System is used to model the condition and deterioration of Council roads and tracks that 95% of the municipal road network meets the target condition level.
- The legislated Review of Council's Road Management Plan did not recommend increasing the frequency of defect inspections, this Review was adopted by Council at its 22 May 2017 Ordinary Meeting (OM301).
- Council has not received a claim for personal or property damage since the Road Management Plan was amended in 2015, prior to that Council had managed nine claims from 2007 to 2014.
- Increased resourcing to road and pathway auditing and inspections could result in over-servicing these municipal assets which are observed to be in sound overall condition and well managed.
- Although not recommended, if Council elect to amend its Road Management Plan and increase its frequency of defect inspections, there would be a requirement to employ an additional two officers at a cost of \$237K per annum (including oncosts, vehicles and hardware).

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

If Council is satisfied that the current service levels under the Road Management Plan and the rolling programme of condition audits are sufficient, there is no financial impact to the status quo. Council would maintain the current service standards and continue to provide on an annual basis \$240.4K for defect inspections and \$150K for condition audits.

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

There has been no external consultation undertaken on this matter.

**2. Other Stakeholders**

Internal consultation has occurred with the Executive, Operations and Sustainable Assets Department staff members.

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

With evidence to support that the current service levels are appropriate for road and pathway inspections, should Council opt to maintain its current service standards then there would be no significant environmental, economic or social implications.

**13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

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

Legal

If Council opts to increase the frequency of the defect inspections it will need to undertake an amendment process to the current Road Management Plan (2015) in accordance with the Road Management (General) Regulations (2016). This process also includes community consultation, hearing of submissions from aggrieved parties and a formal Council resolution. Conversely should Council be satisfied with the current service standards no action is required.

Policy Impacts

The execution of defect inspections and ongoing condition audits is enshrined within the Asset Management Policy (2013) and the Road Management Plan (2015). The practice of undertaking defect inspections and condition audits is considered responsible and best practice and mitigates risk exposure to Council as custodians of the community's assets.

Officer's Declaration of Interests

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

**Risk Mitigation**

Council currently has in place a system of defect inspections and condition audits which collects defect information and the condition of municipal assets which informs decision making on maintenance and capital works investment. A recent legislated Review of Council's Road Management Plan did not identify any deficiencies in the current approach and is considered appropriate to manage Council's risk. Council has not received a claim for personal or property damage since the Road Management Plan was amended in 2015, prior to that Council had managed nine claims from 2007 to 2014.

It should also be noted that Council's defect inspection regimen is not too dissimilar to other adjoining Road Authorities, such as Kingston and Greater Dandenong (two year maximum frequency for some hierarchies), as gauged when assessing the reasonableness of the Plan in the Review received by Council at OM301.

**Conclusion**

This report has detailed Council's current practice in undertaking defect inspections as documented within its Road Management Plan (2015) and its current rolling condition audit program. It has been identified that the current regimen in place for the defect inspection program are appropriate and reflective of industry standards. Moreover, the adequateness of Council's maintenance practices is supported by the condition data for the municipal pathway and road network which indicate good overall health and minimal renewal backlog. There is budget available to engage professional contractors to complete condition audits on Council's asset inventory which sees a repeated audit every 4 – 5 years under a cyclic programme.

13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston  
Municipality

**Executive Summary**

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**ATTACHMENTS**

Nil

### 13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality

#### Officers' Assessment

#### Background

At Council's 3 July 2017 Ordinary Meeting (OM303), Councillor Bolam successfully submitted a notice of motion to undertake the following:

*That a report be provided to Council on either a staff position or the external workforce undertaking increased audits of all Council footpaths and roads throughout the entire Frankston City Council municipal district. This may include a combination of existing resources as well as new funding.*

*The report be provided in September 2017.*

This report has been prepared to respond to the notice of motion and provide Council with some options to undertake future audits and inspections on the municipality's road and footpath networks.

#### Issues and Discussion

Council currently within its practices undertakes regular ongoing inspections and audits on its asset network driven by a need to be a responsible custodians of the community's assets, manage risk and inform maintenance and renewal works. Legislative requirements stemming from the Road Management Act (2004) requires Council to actively inspect, repair and maintain its road and road related infrastructure to provide a policy defence from potential personal and property claims. Asset management principles also dictates that as an asset owner Council is required to know what it owns and the current condition of the asset. On the basis of these two drivers Council currently has in place a regimen of audits and inspections for not only roads and footpaths but also other asset categories as well.

It is important to note the difference between defect inspections and condition audits, refer to the table below for an explanation:

Condition Audit	RMP Defect Inspections
This is an inspection to make an assessment on the performance of the asset, provide a condition rating (e.g. 1 – excellent to 5 – failed) and estimate the remaining life of an asset.	This is an inspection to identify defects within an asset that exceeds the intervention level as prescribed in the Road Management Plan (e.g. cracks in footpaths greater than 10mm)
Condition audits for individual asset categories are undertaken on a <b>4 – 5 year rolling program</b> .	Defect inspections are undertaken in accordance with the <b>frequencies</b> as specified in the Road Management Plan, refer to section below

#### Road Management Act (RMA 2004) and Plan (RMP) – Defect Inspections

In 2004 the State Government introduced the Road Management Act which was a result of the Singleton Shire Council (NSW) versus Brodie case where it was successfully argued that the Singleton Shire Council should have known the condition of a bridge prior to it failing when Mr Brodie drove his truck onto the structure. The Victorian State Government then abolished non-feasance, an old tort law where not knowing the condition of an asset could no longer be a defence for a road authority. From 2004 all road authorities in Victoria has been required to know what they are responsible for and the condition of these assets. The documented management practice of a road authority's road and road related assets is known as a Road Management Plan (RMP).



### 13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality

#### Officers' Assessment

As part of the Road Management Plan (available on Council's external website) Council is compelled to undertake **hazard inspections** on its footpaths within the road reserve (only) on a frequency as defined by the footpath and road hierarchies (ranging from 1 month to 2 years). The purpose of the hazard inspection is to identify defects that exceed Council's RMP intervention levels and initiate either maintenance or renewal works. Non-compliance to the RMP weakens Council's policy defence against property or personal claims as afforded under the Road Management Act (2004). Council currently has two full time employees (one in Asset Planning and one in City Works) to complete these inspections. This is an estimated cost of \$240.4K per annum which also includes utilities (vehicles) and hardware.

Provided below is an extract from the RMP which detail inspection frequencies for roads and footpaths dependent on the hierarchy of the asset.

PATH HIERARCHY CLASSIFICATION	PATH & PATH RELATED ROUTINE DEFECT INSPECTION FREQUENCY
KEY CENTRAL ACTIVITY AREA FOOTPATHS	Monthly
PRIMARY SHARED PATHS	6 month cycle
KEY ACCESS FOOTPATHS	6 month cycle
SECONDARY SHARED PATHS	1 year cycle
INDUSTRIAL ACCESS FOOTPATHS	2 year cycle
LOCAL ACCESS FOOTPATHS	2 year cycle
EQUESTRIAN TRAILS	Nil – Reactive Only

Within Council's RMP there are seven hierarchy categories which have been established considering location, proximity to pedestrian generators (e.g. schools and shopping centres), demand and risk. Accordingly the inspection frequency has been determined based on managing the risk exposure to Council and the community. Hence footpaths sited within the Central Activity Centre receive a defect inspection monthly as opposed to the local access routes which are observed every two years. Council has not accessed any data to date to identify that the current inspection frequencies are inappropriate.

ROAD HIERARCHY CLASSIFICATION	ROAD & ROAD RELATED ROUTINE DEFECT INSPECTION FREQUENCY
KEY CENTRAL ACTIVITY AREA ROADS	6 month cycle
MAJOR ROADS	6 month cycle
COLLECTOR ROADS	1 year cycle
UNSEALED	1 year cycle
INDUSTRIAL ROADS	2 year cycle
LOCAL ACCESS ROADS	2 year cycle

**13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality****Officers' Assessment**

ROAD HIERARCHY CLASSIFICATION	ROAD & ROAD RELATED ROUTINE DEFECT INSPECTION FREQUENCY
LANEWAY/ R.O.W	2 year cycle
SERVICE ROADS	2 year cycle
FIRE TRACKS	Nil – Reactive Only

Similarly, roads has been treated the same as footpaths where nine hierarchy classifications has been created to provide guidance on the criticality of roads within the network. Again, Council has not received any evidence to date to propose that the frequency of defect inspections is unsuitable and is in alignment with adjoining road authorities.

As prescribed in the Road Management (General) Regulations (2016) Council undertook a review of its RMP and it was presented to Council for endorsement at its 23 May 2017 Ordinary Meeting (OM301). The Review of the RMP did not recommend the increasing the frequency of inspection for any of the asset classes, however, it did suggest that regularity of night inspections could be reduced for local access, service and unsealed roads due to the low risk in those environments.

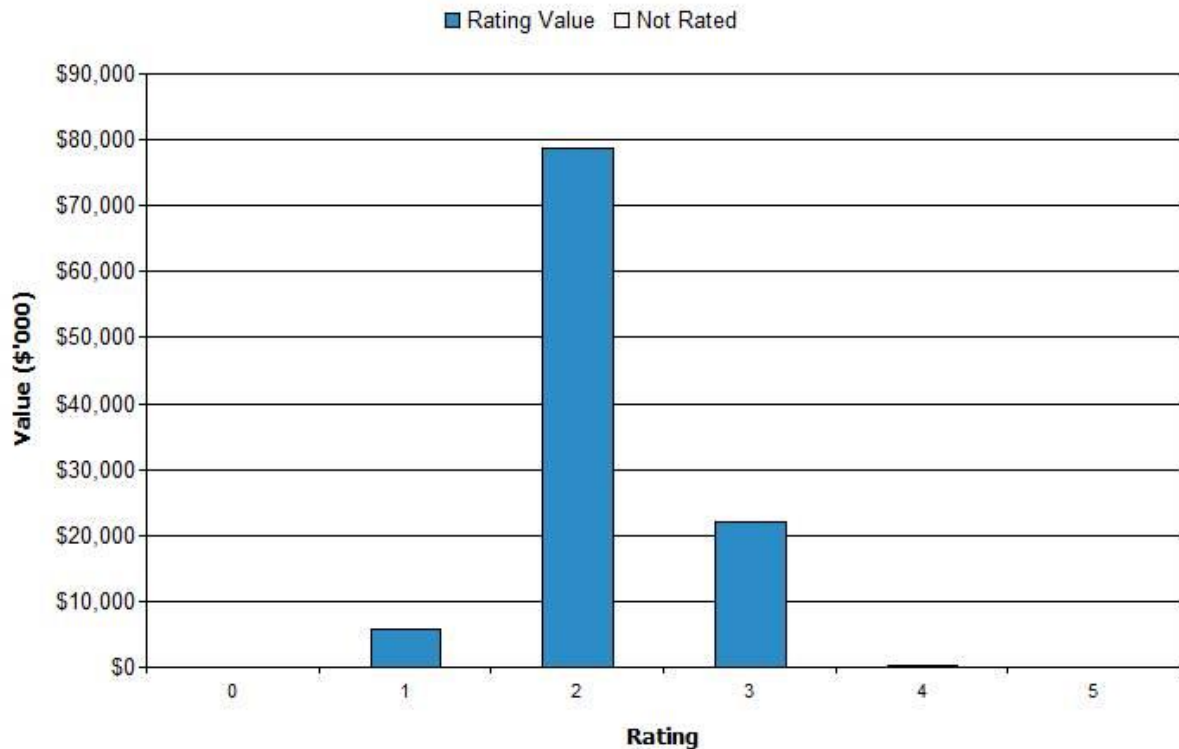
**Ongoing Rolling Condition Audit Program**

In terms of **condition audits**, Council is implementing a rolling program where it assesses the condition of its infrastructure assets on a 4 – 5 year frequency. Data collected from these audits are used to inform asset management plans, assess the performance of the asset, evaluate the appropriateness of the current renewal and maintenance funding levels and inform maintenance and renewal works programs. Council has recently completed a contract for a pathways (footpaths and shared paths) condition audit in December 2016, the results are presented in the figure below.

### 13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality

#### Officers' Assessment

### Frankston CC - Condition Profile (Pathways\_S1\_V1)



Three percent of the network is in a condition 1 (excellent), 73 percent is in a condition 2 (good), 24 percent is in a condition 3 (fair), 0.45 percent is in condition 4 (poor) and 0.07 percent is in a condition 5 (failed). The information derived from the 2016 condition audit confirms that Council's pathways (footpath and shared paths) network is predominantly good state which is a reflection of the ongoing hazard defect inspections and investment in the capital works program over recent years.

Council is currently undertaking a drainage audit on a selected sample and will shortly commence on a process to develop a specification to complete a condition audit on its road and kerb and channel network scheduled for late 2017.

Council currently provides \$150K per year to undertake infrastructure condition audits. This funding facilitates a rolling program by where audits are completed 4 - 5 years. The table below provides details of audits completed in previous years and those programmed for the future.

### 13.3 Response to NOM 1335 - Annual Audit of Roads and Footpaths in the Frankston Municipality

#### Officers' Assessment

#### Asset Management Plan & Condition Audit Rolling Program

Asset Management Plans				Condition Audits					
No.	Asset Category	% Complete	Year (adopted)	ROUND 1 COST (ACTUAL)	ROUND 1 COST (EST)	Condition Audit (Year) Round 1	Condition Audit (Year) Round 2	Condition Audit (Year) Round 3	Condition Audit (Year) Round 4
1	Buildings	100%	2016	\$168,854		2014	2019	2024	2029
2	Open Space	100%	2017	\$142,082		2015	2020	2025	2030
3	Pathways	50%	2017	\$79,710		2016	2021	2026	2031
4	Stormwater	0%	2018		\$150,000	2017	2022	2027	2032
5	Streetscapes	0%	2019		\$120,000	2017	2021	2026	2031
6	Plant, Furniture & Equipment	0%	2022		\$50,000	2018	2023	2028	2033
7	Car Parks	0%	2021		\$75,000	2018	2023	2028	2033
8	Bridges & Pedestrian Structures	0%	2020	\$39,771		2015	2019	2024	2029
<b>Total</b>		<b>31%</b>		<b>\$430,417</b>	<b>\$395,000</b>				

The scheduling of the condition audits is to occur prior to the commencement or review of an asset management plan. This is done to confirm the inventory of the subject asset category and monitor its condition rating. The data mined from this exercise is then used in the financial modelling of the asset management plan and to inform the Long-Term Financial Plan, including forthcoming maintenance and capital works programs. It is considered that the length of the rolling program is on the outer limit for frequency as any longer would make the currency of the data dated and ineffective to inform sound decision making.

#### Options Available including Financial Implications

If Council is satisfied that the current service levels under the Road Management Plan and the rolling programme of condition audits are sufficient, there is no financial impact to the status quo. Council would maintain the current service standards and continue to provide on an annual basis \$240.4K for defect inspections and \$150K for condition audits.

## Executive Summary

### 13.4 Response to NOM 1344 - Access Friendly Frankston

Enquiries: (Liz Daley: Community Development)

#### Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Vibrant and Engaged
Priority Action	2.2.3 Engage and support Frankston City's local areas and diverse communities to optimise facility usage and enhance equitable access to services

#### Purpose

To brief Council on access and egress at prominent public landmarks and foreshore access sites in response to NOM 1344 OM (3 July 2017). This includes officer assessment of the accessibility at these sites for further appraisal by an appropriately qualified access auditor, subject to budget. Potential state and federal funding opportunities to improve accessibility have been explored.

#### Recommendation (Director Community Development)

That Council:

1. Notes the report responding to NOM 1344.
2. Notes private properties are excluded from audit and potential works.
3. Advises preferred options noting costs for access audits and rectification works are unbudgeted.
4. Write to the State Government seeking information on available grants to support disability access improvements and should there be no assistance urge the State Government to establish a fund for Local Government to access
5. Should Council resolve to conduct the access audits on the foreshore refers \$12K to the 2017/18 mid-year budget review to fund audit costs enabling the audit recommendations to be included in the 2018/19 budget

#### Key Points / Issues

- NOM 1344 (3 July 2017) resolved:

*A review be conducted that would allow access and egress to the area around Seaford pier for both the disabled and elderly. This access to enable both the disabled and elderly the ability to enter the water by means of a disability chair as is currently used at the Frankston pier;*

*A review be conducted of all prominent foreshore access-egress points including Seaford Road and Keast Park to determine sufficient accessibility for both the disabled and the elderly;*

*A further review be conducted of all prominent (public) landmarks to determine sufficient accessibility for both the disabled and the elderly;*

*Officers investigate available State/Federal funding and grants that could be accessed to address any detected deficiencies; and*

*A report be provided to Council in September with findings, as well as recommendations to address any detected deficiencies.*

**13.4 Response to NOM 1344 - Access Friendly Frankston****Executive Summary**

- Officers conducted a preliminary access review of the primary and secondary foreshore access points as identified from the *Visitor Nodes and Access* map within the 2016 Coastal Management Plan, as well as prominent (public) landmarks; to determine accessibility for people with disability and their carers. The findings are included in the Officer's Assessment.
- Whilst officers have conducted a preliminary access review, an appropriately qualified access auditor is required for a more comprehensive assessment of these sites relating to relevant legislation including *Disability Discrimination Act 1992 (DDA)*, *Building Code of Australia 2016 - Volume One, Class 2 to Class 9 Buildings (BCA)* and *Australian Standard AS 1428.1 (2009) - Design for access and mobility* (AS 1428.1, AS 1428.2, and AS/NZS 1428.4.1). An access audit will guide any rectifications works required to meet user needs of people with disability and their carers.
- In the review of Seaford Pier, officers identified that there is a pedestrian ramp located at the pier suitable for beach wheelchair access and egress to the sand. The ramp is accessible from the main car park via a solid surface footpath. There is the opportunity for the beach wheelchair located at the Frankston Visitor Centre to be borrowed for use at this site. Alternatively options for purchasing a secondary beach wheelchair to be housed at Seaford Pier are included in the Officer's Assessment. There is an accessible toilet at this site.
- In the review of Keast Park, officers identified that there is a pedestrian ramp that would functionally allow wheelchair access from disabled car park bays through to the start of the soft sand. The ramp is not embedded deep enough into the sand and a small step has formed to transition from the ramp to the sand which may be due to sand erosion. There are accessible public toilets at Keast Park.
- In the review of Seaford Road, officers identified there are disabled car park bays across the road at the Woolworths car park (however this is for their patrons). There is a pedestrian boardwalk and ramp extending from the road through to the sand edge. Upgrades are required to allow beach access from the ramp to the sand which sits above the line of the sand. There are no accessible public toilets at the Seaford Road foreshore access point.
- The following sites were identified as 'prominent (public) landmarks' to determine sufficient accessibility for both the disabled and the elderly: Frankston War Memorial, Frankston Train Station, Landmark Bridge, Oliver's Hill Lookout, Civic Centre, Frankston Arts Centre, Peninsula Aquatic Recreation Centre (PARC), Frankston Reservoir (Parks Vic), Wells Street, Langwarrin Flora and Fauna Reserve (Parks Vic), George Pentland Botanic Gardens, Frankston Park, Ballam Park Homestead, Cruden Farm, McClelland Sculpture Park & Gallery, Frankston Visitor Information Centre, Beauty Park, Kananook Walking Trail, Brialyn Boathouse Gallery.
- A preliminary assessment of these landmarks has been undertaken and further information is contained in the Officers Assessment. Whilst officers have conducted a preliminary access review, an appropriately qualified access auditor is required for a more comprehensive assessment of these sites relating to relevant legislation including *Disability Discrimination Act 1992 (DDA)*, *Building Code of Australia 2016 - Volume One, Class 2 to Class 9 Buildings (BCA)* and *Australian Standard AS 1428.1 (2009) - Design for access and mobility* (AS 1428.1, AS 1428.2, and AS/NZS 1428.4.1). An access audit will guide any rectifications works required to meet user needs of people with disability and their carers.



**13.4 Response to NOM 1344 - Access Friendly Frankston****Executive Summary**

- An investigation into State and Federal funding opportunities was undertaken. It was found that opportunities are mostly via a funding bid with a particular opening and closing times. Once a scope of works is determined for any site, these opportunities can be monitored. There is a current opportunity for up to \$100,000 ex GST for Changing Places toilet facilities. More information about Changing Places toilet facilities is contained in the Officer's Assessment.
- The Frankston Visitor Information Centre house and administer the use of the Council owned Hippocamp brand beach wheelchair which was purchased in the 2013/2014 financial year. In early 2017, wider 'balloon' wheels were purchased in response to the feedback that the beach wheelchair was difficult to push through soft sand. This wheel chair was used 19 times during the peak season (December 2016 – April 2017). The Frankston Visitor Information Centre is open from 9am-5pm every day with trained paid staff to manage hire usage. It is free to hire and can be taken off-site and overnight. Customer feedback has identified the lack of a hoist to transfer people from a wheelchair into the beach wheelchair limits the range of people who can use the chair.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2%. The cap is based on the Consumer Price Index expected for the financial year.

This cap has a significant effect on Council's current Long Term Financial Planning, with rate revenue being \$9 million less than anticipated over the first four years, growing to \$17 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

Total costs in this report may be up to \$61,000 (excluding rectification works) and are unbudgeted. A breakdown of these are:

- \$9,844 for a second beach wheelchair (\$6,750) and lifting hoist (\$3,094)
- \$11,542 (8 sites) or \$1,440 (individually) to audit beach access points (as outlined in the Officers Assessment)
- \$30,000 - \$40,000 (18 sites) or \$900-\$5,000 (individually, depending on the size and complexity of each location) to audit prominent landmarks. However it is noted these include 3 sites (Cruden Farm; McClelland Sculpture and Gallery; Frankston Rail Station) on private property that are not recommended to progress.
- Costs for arising rectification works are unknown and unbudgeted.

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

Consultation with and input was provided from local access auditor Equal Access.

**2. Other Stakeholders**

Relevant Frankston City Council staff were consulted on this report, including the Public Space & Leisure Officer, Strategic Town Planning, Metro Access Officer and the Team Leader Visitor Information Centre.

**13.4 Response to NOM 1344 - Access Friendly Frankston****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

Access and inclusion for people with disabilities and mobility restrictions is a fundamental human right and vital to their economic and social participation. However accessible natural landscapes and private buildings can be difficult to achieve. Some public infrastructure will be difficult to modify whilst others will require significant budget.

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

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

Legal

Relevant legislation includes *Disability Discrimination Act 1992 (DDA)*, *Building Code of Australia 2016 - Volume One, Class 2 to Class 9 Buildings (BCA)* and *Australian Standard AS 1428.1 (2009) - Design for access and mobility* (AS 1428.1, AS 1428.2, and AS/NZS 1428.4.1).

Policy Impacts

Frankston City Draft Health and Wellbeing Plan 2017-2021 (currently available for public feedback).

Officer's Declaration of Interests

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

**Risk Mitigation**

Topographical limitations may make achieving disability standards requirements overly expensive. However the legislation contains an 'unjustifiable hardship provision' that may apply and mitigate this risk.

**Conclusion**

Preliminary assessment of beach and prominent landmarks has been undertaken by Officers. A more thorough access audit will determine actual works and potential costs.

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**ATTACHMENTS**

Nil

**13.4 Response to NOM 1344 - Access Friendly Frankston  
Officers' Assessment****Background**

NOM 1344 (3 July 2017) resolved:

- *A review be conducted that would allow access and egress to the area around Seaford pier for both the disabled and elderly. This access to enable both the disabled and elderly the ability to enter the water by means of a disability chair as is currently used at the Frankston pier;*
- *A review be conducted of all prominent foreshore access-egress points including Seaford Road and Keast Park to determine sufficient accessibility for both the disabled and the elderly;*
- *A further review be conducted of all prominent (public) landmarks to determine sufficient accessibility for both the disabled and the elderly;*
- *Officers investigate available State/Federal funding and grants that could be accessed to address any detected deficiencies; and*
- *A report be provided to Council in September with findings, as well as recommendations to address any detected deficiencies.*

The Frankston City Council 2016 Coastal Management Plan adopted OM288 (6 June 2016) articulates a vision and the desired outcomes that will be delivered through implementation for the foreshore reserve (Frankston, Seaford and Frankston South foreshores).

The Plan lists 19 activity, recreational and access 'nodes', or access points, located along the coast. An Access assessment of these nodes identified:

- The Frankston Waterfront supports universal access with disability access parking spaces, disability access toilets, picnic facilities, paved ramp to the beach, cafes and special beach wheelchairs that travel over sand. Universal access does not currently extend across the sand to the water's edge.
- Seaford Pier and Keast Park provide a slightly lower level of amenity with boardwalks, community and café facilities, picnic facilities and toilets.
- Oliver's Hill boat launching area provides toilets and car parking and access to the southern end of the foreshore reserve boardwalk.
- More secondary access points in Seaford such as the Riviera Link, Armstrong's Road, Seaford Road, and McCulloch Avenue align with safe pedestrian crossing from car parking and residential areas. These access points connect some facilities, such as boardwalks, to the sand and toilet.
- Other access nodes provide more basic amenities limited to a sandy path through the dunes and no direct pedestrian access across Nepean Highway. For optimum pedestrian connectivity, some of these access points require upgrading, (and addition of adjacent pedestrian road crossing of Nepean Highway), whilst others could be removed to reduce maintenance costs and degradation of dune vegetation.
- The report identified that access to the foreshore reserve in Frankston South is limited to one location at Gulls Way and further options could be explored to better support pedestrian access in this area.

**13.4 Response to NOM 1344 - Access Friendly Frankston  
Officers' Assessment**

- The Frankston Visitor Information Centre house and administer use of the Council owned Hippocamp brand beach wheel chair which was purchased in the 2013/2014 financial year. The Centre is open from 9am-5pm every day with trained paid staff to manage hire usage. It is free to use and can be taken off-site and overnight.
- This wheel chair was used 19 times during the peak season (December 2016 – April 2017).
- In early 2017, wider 'balloon' wheels were purchased in response to customer feedback that the beach wheelchair was difficult to push through soft sand.
- Customer feedback identified the lack of a hoist to transfer people from a wheelchair into the beach wheelchair limits the range of people who can use the chair.

The Victorian State Disability Plan known as *Absolutely Everyone: State Disability Plan 2017-2020* is committing to a range of action for achieving greater inclusion, in partnership with the community. The plan tackles the negative attitudes and barriers and sets out State Government priorities and actions for achieving inclusion under four key pillars:

- inclusive communities
- health, housing and wellbeing
- fairness and safety
- contributing lives.

The plan focuses on key areas to drive change such as adopting a universal design approach, changing attitudes, increasing access to affordable housing, public transport, schools and jobs.

**Issues and Discussion**

- SEAFORD PIER: In the review of Seaford Pier, officers identified that there is a pedestrian ramp located at the Pier suitable for beach wheelchair access for access and egress to the sand. The ramp is accessible from the main car park via a solid surface footpath. The beach wheelchair located at the Frankston Visitor Centre can be borrowed for use at this site. Customer feedback identified the lack of a hoist to transfer people from a wheelchair into the beach wheelchair limits the range of people who can use the chair.
- Considerations for purchasing a second beach wheelchair to house at Seaford Pier can be explored. Purchasing of a secondary wheelchair with balloon wheels costs: \$6,750. Purchasing of a 'lifting hoist' costs: \$3,094. A Memorandum of Understanding or Third Party Agreement would need to be explored to administer a beach wheel chair from this site.
- KEAST PARK: In the review of Keast Park, officers identified that there is a pedestrian ramp that functionally enables wheelchair access from disabled car park bays through to the start of the soft sand. The ramp is not embedded deep enough into the sand and a small step has formed at the transition from the ramp to the sand which may be due to sand erosion. There are accessible public toilets at Keast Park.
- SEAFORD ROAD: In the review of Seaford Road, officers identified there are disabled car park bays across the road at the Woolworths car park (though these are provided for patrons). There is a pedestrian ramp extending from the road through to the sand edge. Upgrades are required to allow beach access from the ramp to the sand which sits above the line of the sand. There are no accessible public toilets at the Seaford Road foreshore access point.

## 13.4 Response to NOM 1344 - Access Friendly Frankston

**Officers' Assessment**

- **FORESHORE ACCESS-EGRESS POINTS:** Officers conducted a preliminary review of the primary and secondary foreshore access points as identified from the *Visitor Nodes and Access* map within the *2016 Coastal Management Plan* to determine accessibility for people with disability and their carers. The findings are shown in the table below.

	Accessible Pathways	Accessible Toilets	Disabled Car Park Bays	Public Transport within 200m
Frankston Waterfront	✓	✓	✓	✓
Oliver's Hill Boat Ramp	X	X	X	✓
Seaford Pier	✓	✓	✓	X
Keast Park	✓	✓	✓	X
Riviera Link	X	X	X	X
Armstrongs Road	X	X	X	X
Seaford Road	✓	X	X (At Woolworths – private property)	X
McCulloch Avenue	✓  Work to be completed by December 2017	X	✓  On other side of Nepean Hwy but no accessible path on beach side of Nepean Hwy	X

- Whilst officers have conducted a preliminary access review, an appropriately qualified access auditor is required for a more comprehensive assessment of these sites relating to relevant legislation including Disability Discrimination Act 1992 (DDA), Building Code of Australia 2016 - Volume One, Class 2 to Class 9 Buildings (BCA) and Australian Standard AS 1428.1 (2009) - Design for access and mobility (AS 1428.1, AS 1428.2, and AS/NZS 1428.4.1). An access audit will guide any rectifications works required to meet user needs of people with disability and their carers.
- An Access Audit of these foreshore sites has been quoted at \$11,542 (all sites) or \$1,440 (individually) however Council will need to undertake a procurement process.
- **PROMINENT (PUBLIC) LANDMARKS:** Officers conducted a preliminary review of prominent (public) landmarks; to determine accessibility for people with disability and their carers. Findings are displayed in the table below.

## 13.4 Response to NOM 1344 - Access Friendly Frankston

**Officers' Assessment**

	Accessible Pathways	Accessible Toilets	Disabled Car Park Bays	Public Transport within 200m
Frankston War Memorial	✓	X	✓ - x 2  At Beauty Park, away from War Memorial	✓
* Frankston Train Station	✓	Y	✓	✓
Landmark Bridge	✓	✓	✓	✓
Civic Centre	✓  Public entrance and Chamber do not meet current standards	✓	✓	✓
Frankston Arts Centre	✓	✓	✓	✓
Peninsula Aquatic Recreation Centre (PARC)	✓	✓  Including x 4 <i>Changing Places</i> and is above standard	✓	✓
* Frankston Reservoir (Parks Vic)	X	X	X	X
Wells Street	✓	N – but nearby on Keys Street, Bayside and some private businesses e.g. Cinema	✓ x 3  + on Thompson St	✓
Langwarrin Flora and Fauna Reserve (Parks Vic)	X	X	X	X
George Pentland Botanic Gardens	✓	✓  Including a <i>Changing Places</i> facility	✓	✓  But poor access from bus stops to site
Frankston Park	✓	✓	✓	✓



## 13.4 Response to NOM 1344 - Access Friendly Frankston

**Officers' Assessment**

	Accessible Pathways	Accessible Toilets	Disabled Car Park Bays	Public Transport within 200m
		However it relies on building being open		
Ballam Park Homestead	X	X	X	✓
* Cruden Farm	X	X	X	✓
* McClelland Sculpture Park & Gallery	Some (not many)	✓	✓	✓
Frankston Visitor Information Centre	✓	✓	✓	✓
Olivers Hill Lookout	X	X	X	✓
Beauty Park	✓	X	✓	✓
Kananook Walking Trail	X	X	X	✓

\* *Private property or responsibility of another level of Government.*

- Whilst officers have conducted a preliminary access review, an appropriately qualified access auditor is required for a more comprehensive assessment of these sites relating to relevant legislation including Disability Discrimination Act 1992 (DDA), Building Code of Australia 2016 - Volume One, Class 2 to Class 9 Buildings (BCA) and Australian Standard AS 1428.1 (2009) - Design for access and mobility (AS 1428.1, AS 1428.2, and AS/NZS 1428.4.1). An access audit will guide any rectifications works required to meet user needs of people with disability and their carers.
- An Access Audit of these prominent (public) landmarks has been estimated \$30,000 - \$40,000 in total by an access auditor. With the individual audit costs ranging from \$900 - \$5000 depending on the size and complexity of each location however a procurement process will need to be undertaken.
- An Access Audit of the Frankston City Council Civic Centre and the Frankston Arts Centre was conducted in 2016.
- **FUNDING OPPORTUNITIES:** An investigation into State and Federal funding opportunities was undertaken. It was found that opportunities are mostly via a funding bid with a particular opening and closing times. Once a scope of works is determined for any site, these opportunities can be monitored.
- There is a current opportunity for up to \$100,000 ex GST for Changing Places toilet facilities. Changing Places toilets are an improvement on standard accessible toilets. Each Changing Places toilet provides: a height adjustable adult-sized changing bench, a hoist system, enough space and a safe and clean environment. The hoist located within a Changing Places facility would enable the transfer of people from a wheelchair into a beach wheelchair.

**13.4 Response to NOM 1344 - Access Friendly Frankston  
Officers' Assessment**

- There are three listed Changing Places facilities within the City which are all located within Frankston at; Peninsula Aquatic Recreational Centre (PARC), George Pentland Botanical Gardens, and 5 Keys Street. There are accessible toilets at Seaford Pier, Frankston Waterfront and Keast Park. Funding applications for Changing Places facilities close Friday 13 October 2017. It should be noted that \$100,000 is unlikely to cover full costs of such a facility.

**Options Available including Financial Implications****Option 1:**

Purchase a 'lifting hoist' to allow increased use of the beach wheelchair housed at Frankston Visitor Information Centre. The cost of this option is \$3,094; this is unbudgeted.

**Option 2:**

Explore feasibility of an administration arrangement with Seaford Surf Life Saving Club for a beach wheelchair prior to considering a shared arrangement with the Visitor Information Centre or purchasing a new chair. The cost of this option is officer time.

**Option 3:**

Procure an access audit of Seaford Pier to determine any rectification works required to increase accessibility including housing a beach wheelchair (if administrative arrangements are agreed with Seaford Surf Life Saving Club).

The cost of this option is estimated \$1,440 for an access audit (subject to procurement) and is unbudgeted. There is likely to be additional costs for rectification works (including storage for a beach wheelchair) that are unbudgeted.

**Option 4:**

Procure Access Auditor to conduct formal appraisal of some or all foreshore nodes and prominent public landmarks as listed in the report; excluding privately or State Government owned properties. The cost of this option is estimated to be up to \$50,000 (subject to procurement) and is unbudgeted.

**Option 5:**

Monitor funding opportunities to increase foreshore and prominent landmark accessibility. The cost of this option is officer time.

**14.1 NOM 1360 - Frankston CSR and Corporate Stewardship**

On 28 August 2017 Councillor Bolam gave notice of his intention to move the following motion:

1. That the Chief Executive Officer (CEO) prepares, for Council consideration at the November Ordinary Meeting, the creation of a formal *Frankston City Council Corporate Social Responsibility (CSR) Policy and/or Strategy*. The intent of either the policy or strategy to encourage Frankston City Council staff to tangibly increase volunteerism in the Frankston community and to articulate Frankston City Council's dedication to 'corporate stewardship'. This proposed approach is consistent with other organisations and municipalities.

The CEO, in preparing the CSR, is to determine whether unsourced funds are required from Council to give the policy/strategy ample effectiveness; and

2. A separate report, also presented at the November Ordinary Meeting, is to be prepared in relation to increasing awareness of and commitment to 'corporate stewardship' practices by local businesses and industries. The intention of the report is to explore how to encourage more local businesses and industries to participate in worthy citywide cause (i.e. the Frankston Homelessness Fund and the Frankston Charitable).

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	YES
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	YES
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	YES The development of a policy will require broad consultation with Councillors and adoption by Council.
6. Is the NoM within the powers of a municipal Council?	YES
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	YES

## 14.1 NOM 1360 - Frankston CSR and Corporate Stewardship

Question for Consideration	
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b>
10. Is the NoM consistent with Council's adopted strategic plan?	<b>N/A</b>
11. Can the NoM be implemented without diversion of existing resources?	<b>NO</b> The development of a policy and engagement with local business and industry will require the diversion of staff resources from other tasks.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>NO</b> Resources, including funding, may needed to backfill employees who are undertaking volunteer activities.
13. Are funds available in the adopted budget to implement the NoM?	<b>No</b> No funding is provided in the budget for this work and programme.
14. What is the estimated cost of implementing the NoM?	<b>YES / NO</b> Year 1: \$unknown Recurring: \$unknown Comments: The extent of funding required will be investigated as part of the report back to Council.

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ATTACHMENTS

Nil

**14.2 NOM 1361 - Seaford Substation**

On 28 August 2017 Councillor Kris Bolam gave notice of his intention to move the following motion:

That a report be provided to Council at the December Ordinary Meeting on the iconic Seaford Substation.

The report should consider:

1. The internal and external status of the Seaford Substation site;
2. Whether there is the presence of asbestos, signs of concrete cancer, concerns with the building's structural integrity; and
3. Future plans for the site, and the possible public use of the substation for community purposes (i.e. local museum, community hub etc).

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>NO</b>
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b>
3. Is the NoM clear and well worded?	<b>YES</b>
4. Is the NoM capable of being implemented?	<b>NOTE</b> The Substation is located on State Government railway reservation. Access to the site and sensitive information may be difficult to obtain. Council officers may be limited in terms of being able to access the site and also by way of being provided with any existing structural condition assessment reports relating to the condition of the building
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b> A meeting was held 21 August with local and state politicians and officers, including Victrack, PTV and Metro Trains to understand roles and responsibilities within the rail reserve. Further discussions would be needed to progress the implementation of this NOM.
6. Is the NoM within the powers of a municipal Council?	<b>YES</b> However limited access to information may compromise the basis for decision making.

## 14.2 NOM 1361 - Seaford Substation

Question for Consideration	
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>NO</b> The Substation is located on State Government railway reserve.
8. Is the NoM consistent with all relevant legislation?	<b>N/A</b>
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b> The maintenance of the rail corridor (including station buildings) has been excluded from State Government contract and funding.
10. Is the NoM consistent with Council's adopted strategic plan?	<b>NO</b> Council has a number of key priorities which do not currently include the Substation.
11. Can the NoM be implemented without diversion of existing resources?	<b>NO</b> Further investigation and discussion will be required with various State Government departments. The history of the Substation in discussion with Council demonstrates that this site is not a State Government priority.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES / NO</b>
13. Are funds available in the adopted budget to implement the NoM?	<b>YES / NO</b>
14. What is the estimated cost of implementing the NoM?	<b>YES / NO</b> Year 1: \$ Recurring: \$ Senior Officer time and Project Manager.

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ATTACHMENTS

Nil



**14.3 NOM 1362 - Refugee Welcome Banner**

On 22 August 2017 Councillor Toms gave notice of his intention to move the following motion:

1. That Council purchase a pop up “Welcome to Refugees” banner at the cost of \$320.10 (quote attached).
2. That Council display the “Welcome to Refugees” banner in the Civic Centre Foyer. This indicates that Frankston City Council has made a commitment in spirit, to welcome refugees into the community. It demonstrates our compassion for refugees by enhancing cultural and religious diversity in the community.

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>YES</b>
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b>
3. Is the NoM clear and well worded?	<b>YES</b>
4. Is the NoM capable of being implemented?	<b>YES</b> Comments: Deciding on an exact location of the banner will need to be determined and whether it complies with Frankston City Council's Branding Guidelines 2015.
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b> Comments: Meeting with the Manager Community Relations and Coordinator Customer Relations, to ensure location of the banner is appropriate.
6. Is the NoM within the powers of a municipal Council?	<b>YES</b> Comments: if applicable
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>NO</b> Comments: This is a highly political issue and the overlap between different levels of government is not clearly ascertained.
8. Is the NoM consistent with all relevant legislation?	<b>YES</b> Comments: if applicable

## 14.3 NOM 1362 - Refugee Welcome Banner

Question for Consideration	
<p><b>9. Is the NoM consistent with existing Council or State policy or position?</b></p>	<p><b>NO</b></p> <p>Comments: This NOM is highly political and its consistency with policy, depends on the position of the Government at the time. The Council Policy, in accordance to the Branding Guidelines 2015, states that "Pull up banners promote Frankston City Council, its services or services or facilities, and are generally used at launches, expos and indoor events". This will be a static, permanent banner and will therefore not comply with our Guidelines.</p> <p>We recommend prior to purchasing of the banner, Council formally adopt a position on this topic to ascertain if the banner complies with this position.</p>
<p><b>10. Is the NoM consistent with Council's adopted strategic plan?</b></p>	<p><b>YES</b></p>
<p><b>11. Can the NoM be implemented without diversion of existing resources?</b></p>	<p><b>NO</b></p> <p>Comments: With the impending upgrade the Civic Centre Foyer, there will be a delay in installing the banner to its final location.</p>
<p><b>12. Can the NoM be implemented without diversion of allocated Council funds?</b></p>	<p><b>NO</b></p>
<p><b>13. Are funds available in the adopted budget to implement the NoM?</b></p>	<p><b>YES</b></p>
<p><b>14. What is the estimated cost of implementing the NoM?</b></p>	<p><b>YES / NO</b></p> <p>Year 1: \$ \$320.10</p> <p>Recurring: N/A- Once off cost.</p> <p>Comments:</p>

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**ATTACHMENTS**

Attachment A: Pop Up Banner - Example

Attachment B: Pop up Banner - Quote

# You are welcome here



The Borough of Queenscliffe is a  
**Refugee Welcome Zone**



Refugee Council  
of Australia



**Borough of Queenscliffe**  
Queenscliff & Point Lonsdale, Victoria, Australia



energising brands + events >

www.selbys.net  
1800 241 066  
Quote is valid for 60 days

Leah Horne  
Frankston City Council  
Accounts Payable Office  
P.O. Box 490  
FRANKSTON  
VIC 3199

**Quote No:** Q23837  
**Date:** 16/08/17  
**Pages:** Page 1 of 1  
**Account Manager:** Chris Caruana  
**Payment Terms:** 30th of the following month

Thank you for your enquiry and we are pleased to submit the following quotation:

The following price is based on artwork being supplied as a print ready pdf set up to Selby's art specifications.

**Product 1: Deluxe Roll Up Stand Single Sided**

Description      Product Type: Deluxe Roll Up Stand Single Sided  
Size: 2120 x 850 mm  
Substrate: Banner Vinyl 510 gsm  
Print: 4CPS UV x 1 side  
Inclusions: Roll Up Stand & Bag Deluxe Single 850mm

Quantity	Unit Price	Total Price	Freight	GST	Total (inc. GST)
1	\$246.00	\$246.00	\$45.00	\$29.10	\$320.10

**14.4 NOM 1363 - Orwil Street Community House Funding**

On 28 August 2017 Councillor O'Connor gave notice of her intention to move the following motion:

1. That the Chief Executive Officer is directed to allocate \$5,000 within the existing 2017/2018 Frankston City Council Budget in the mid year budget review. The sourced amount is to be a contribution to the Orwil Street Community House for the purpose of upgrade works.
2. The \$5,000 contribution by Frankston City Council is to be allocated to the Orwil Street Community House on the proviso that the Federal Government provides extant funding - \$10,000 - for the aforementioned upgrade works.

Councillor Rationale: The Orwil Street Community House was recently successful in obtaining federal funding of \$10,000 (total amount requested was \$15,000) for the upgrade of a room within its facility. The upgraded room will serve as a 'multi-purpose' room (i.e. children 'play groups', personal development courses, exercise and meditation classes etc.) and should alleviate some of the storage/space demands that the facility presently encounters. However, the federal funding is contingent upon the entire project being wholly funded prior to the award of funding. Given the \$5,000 shortfall, the request is for the local Council to cover the deficit to allow the proposed upgrade to transpire.

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>NO</b> Officers were aware Orwil Street Community House were applying to the Federal Government for funding. The application for funding states a grant condition is <i>"a matching contribution, either in cash or in-kind, from the organisation responsible for the project and/or third party supporters"</i> . At the time of application there was no request for funds from Council.
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b>
3. Is the NoM clear and well worded?	<b>YES</b>
4. Is the NoM capable of being implemented?	<b>YES</b> Subject to budget

## 14.4 NOM 1363 - Orwil Street Community House Funding

Question for Consideration	
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b> It is necessary to understand the full scope of works and the grant conditions to ensure compliance.
6. Is the NoM within the powers of a municipal Council?	<b>YES</b>
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>YES</b> Although it is noted the funding is linked with a grant commitment by Federal Government.
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>
9. Is the NoM consistent with existing Council or State policy or position?	<b>NOTE</b> Capital works (discretionary and non-discretionary) budget allocations are considered as part of the annual budget process; this application is outside of this process.
10. Is the NoM consistent with Council's adopted strategic plan?	<b>YES</b>
11. Can the NoM be implemented without diversion of existing resources?	<b>NOTE</b> Capex funds will be reviewed and Councillors advised of any impact on existing projects.  Works will require officer time to review and oversight; however, involvement is expected to be minimal.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>NO</b> The NoM requires additional budget (\$5,000) that is not currently allocated.
13. Are funds available in the adopted budget to implement the NoM?	<b>NO</b> This request is not currently reflected in the capital works program. Orwil Street Community House has also expressed an interest in an extension to their facility and this will be the subject of a 2018/19 capital works request. If a component of upgrade works cannot be met within the federal grant these can be included as part of the scope of works for a potential extension to be considered in the 2018/2019 budget.



**14.4 NOM 1363 - Orwil Street Community House Funding**

Question for Consideration	
14.What is the estimated cost of implementing the NoM?	<b>YES</b> Year 1: \$5,000 Recurring: \$0

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**ATTACHMENTS**

Nil

**14.5 NOM 1364 - Duplication of Lathams Road**

On 28 August 2017 Councillor Hampton gave notice of his intention to move the following motion:

1. That Frankston City Council supports the duplication of Lathams Road between Frankston Dandenong Road and the M3 Freeway.
2. Councillors request the CEO to make available the most suitable qualified Council Officer to join in a working group comprising the Committee for Greater Frankston and VicRoads to scope the remodelling of Lathams Road and to develop costings for its duplication.
3. Once the costing have been established, Council vigorously lobby State Government to complete this project.
4. That the duplication of Lathams Road project is added to the Council Advocacy priorities for the upcoming State and Federal elections.

**COMMENTS BY ACTING DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	YES
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	YES
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	YES
6. Is the NoM within the powers of a municipal Council?	YES It is suggested that advocacy could be best achieved via representation from a regional group of municipalities, such as the South East Metropolitan Transport Group (SEMTG).
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	NO Lathams Road is a declared arterial road under the responsibility of State Government (VicRoads).

## 14.5 NOM 1364 - Duplication of Lathams Road

Question for Consideration	
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b>
10. Is the NoM consistent with Council's adopted strategic plan?	<b>NO</b> Council has a number of key priorities which do not currently include the duplication of Lathams Road
11. Can the NoM be implemented without diversion of existing resources?	<b>NO</b> Senior officer time
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b> It is assumed that advocacy would be for the utilisation of State Government funds to investigate, scope and provide costing for Lathams Road duplication.
13. Are funds available in the adopted budget to implement the NoM?	<b>NO</b> Comments: if applicable
14. What is the estimated cost of implementing the NoM?	<b>YES / NO</b> Year 1: \$ Recurring: \$ Comments: if applicable

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ATTACHMENTS

Nil

**14.6 NOM 1365 - Victorian Wide EBA**

On 29 August 2017 Councillor Hampton gave notice of his intention to move the following motion:

That an information sheet be produced and distributed to all MAV delegates prior to the May 2018 Conference. This information sheet is to outline the need for a single Victoria wide EBA agreement negotiated through the Fair Work Commission.

The EBA is to have three separate sections – Inner Metropolitan, Outer Metropolitan and Country.

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>YES</b> Cr Hampton had flagged with Councillors and EMT that he would be bringing this motion forward.
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>YES</b>
3. Is the NoM clear and well worded?	<b>Partially</b> It could be argued that the <b>need</b> for a Victoria wide EBA is a subjective view. It is recommended that the wording be changed to read: “...outline the benefits for a single Victoria wide EBA agreement”.
4. Is the NoM capable of being implemented?	<b>YES</b>
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b> The information sheet will require discussion and approval of Councillors and Council.

## 14.6 NOM 1365 - Victorian Wide EBA

Question for Consideration	
<p><b>6. Is the NoM within the powers of a municipal Council?</b></p>	<p><b>YES</b></p> <p>Section 94A (3) of the <i>Local Government Act</i> 1989 states: "The Chief Executive Officer is responsible for appointing, directing, managing and dismissing Council staff and for all other matters that relate to Council staff".</p> <p>As such, Enterprise Bargaining Agreements are the responsibility of the CEO. However, as the NoM is advocating for a broader policy framework, it is considered to be within Council's powers.</p>
<p><b>7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?</b></p>	<p><b>No</b></p> <p>Enterprise Bargaining Agreements fall under the <i>Fair Work Act</i> 2009, which is Federal Government legislation.</p>
<p><b>8. Is the NoM consistent with all relevant legislation?</b></p>	<p><b>NEEDS CLARIFICATION</b></p> <p>The proposal may constitute "pattern bargaining" for the purposes of the <i>Fair Work Act 2009</i> which has specific implications. Legal advice should be obtained to clarify the situation.</p>
<p><b>9. Is the NoM consistent with existing Council or State policy or position?</b></p>	<p><b>N/A</b></p>
<p><b>10. Is the NoM consistent with Council's adopted strategic plan?</b></p>	<p><b>N/A</b></p>
<p><b>11. Can the NoM be implemented without diversion of existing resources?</b></p>	<p><b>NO</b></p> <p>The preparation of the "information sheet" will require staff resources to prepare.</p>
<p><b>12. Can the NoM be implemented without diversion of allocated Council funds?</b></p>	<p><b>NO</b></p> <p>Along with the allocation of staff resources, there will be some minor costs involved in preparing and distributing the fact sheet. Along with obtaining legal advice..</p>
<p><b>13. Are funds available in the adopted budget to implement the NoM?</b></p>	<p><b>NO</b></p>

**14.6 NOM 1365 - Victorian Wide EBA**

Question for Consideration	
14.What is the estimated cost of implementing the NoM?	<b>YES</b>  Year 1: \$4,000 –legal and document preparation and publication.  Recurring: \$Nil

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**ATTACHMENTS**

Nil



**14.7 NOM 1366 - Official Invitations to the Head of State, Victorian Vice Regal and Government Leaders**

On 29 August 2017 Councillor Bolam gave notice of his intention to move the following motion:

Given the electoral volatility of the state seat of Frankston, and the federal seat of Dunkley, the Council formally extends invitations to leaders from both levels of government to visit the Frankston municipality to discuss local issues of importance. This approach is consistent with council's state and federal advocacy efforts.

The following is to occur:

1. Individual invitations are to be extended to the Premier and Opposition Leader to formally visit Frankston and meet with the Frankston City Council;
2. Individual invitations are to be extended to the Prime Minister and Opposition Leader to formally visit Frankston and meet with the Frankston City Council; and
3. Individual invitations are to be extended to the Governor-General of Australia and the Governor of Victoria future openings of new public facilities (i.e. the soon-to-be former St Kilda FC facility, Frankston Basketball Stadium redevelopment etc).

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	NO
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	Not applicable
3. Is the NoM clear and well worded?	YES
4. Is the NoM capable of being implemented?	YES
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	NO
6. Is the NoM within the powers of a municipal Council?	YES
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	YES

**14.7 NOM 1366 - Official Invitations to the Head of State, Victorian Vice Regal and Government Leaders**

Question for Consideration	
8. Is the NoM consistent with all relevant legislation?	Not applicable
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b> Advocacy
10. Is the NoM consistent with Council's adopted strategic plan?	<b>YES</b> Advocacy
11. Can the NoM be implemented without diversion of existing resources?	<b>YES</b>
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b>
13. Are funds available in the adopted budget to implement the NoM?	<b>YES</b>
14. What is the estimated cost of implementing the NoM?	Minimal

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**ATTACHMENTS**

Nil

**14.8 NOM 1367 - Homelessness in Australia**

On Wednesday 30 August 2017 Councillor Glenn Aitken gave notice of his intention to move the following motion:

That a letter be drafted for approval of Council with the intent to send a communication to the Federal Government and all Councils in Australia calling on the Federal Parliament to dedicate adequate resources and finance to satisfactorily deal with the issues of homelessness in our country.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>NO</b>
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	Not applicable
3. Is the NoM clear and well worded?	<b>YES</b>
4. Is the NoM capable of being implemented?	<b>YES</b>
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>NO</b> Based on the wording, a Council report will have to be prepared to have the Council sign off the draft letter.
6. Is the NoM within the powers of a municipal Council?	<b>YES</b>
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	All levels of government are currently addressing this issue.
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b> Advocacy, Community Support
10. Is the NoM consistent with Council's adopted strategic plan?	<b>YES</b> Advocacy, Community Support
11. Can the NoM be implemented without diversion of existing resources?	<b>YES</b>
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b>

**14.8 NOM 1367 - Homelessness in Australia**

Question for Consideration	
13.Are funds available in the adopted budget to implement the NoM?	YES
14.What is the estimated cost of implementing the NoM?	\$750.00

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**ATTACHMENTS**

Nil

**14.9 NOM 1368 - "Thumbs Up" Policy**

On Wednesday 30 August 2017 Councillor Glenn Aitken gave notice of his intention to move the following motion:

That all Councillors be provided with immediate information of any major building project, development or approach by major organisations or other major bodies or alternatively, a register be kept for Councillors perusal at their convenience.

**RATIONALE:**

That Councillors receive immediate notice of any approach made by organisations or developments that are mooted in order that they are up to date with what is happening, rather than being considerable lapses of time and sometimes negotiations taking place before Councillors even hear about it further down the track (i.e. Cricket Victoria).

**COMMENTS BY DIRECTOR**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>NO</b>
2. Is the NoM substantially different from any notice of motion or rescission motion that has been considered by Council and lost in the preceding six months?	<b>Yes</b>
3. Is the NoM clear and well worded?	<b>NO</b>  Comments: Further discussion will be required to clarify the application of any decision made by the Council on issues of confidentiality and timing.
4. Is the NoM capable of being implemented?	<b>YES</b>
5. If the NoM is adopted, will a meeting be required with the relevant Director and Manager and Council officers in order to progress its implementation?	<b>YES</b>  Comments: See point 3 above
6. Is the NoM within the powers of a municipal Council?	<b>YES</b>
7. Is the NoM free from overlap with matters for which the State and/or Federal Government are responsible?	<b>YES</b>
8. Is the NoM consistent with all relevant legislation?	<b>YES</b>  Subject to confidentiality being retained.

**14.9 NOM 1368 - "Thumbs Up" Policy**

Question for Consideration	
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b>
10. Is the NoM consistent with Council's adopted strategic plan?	<b>Not applicable</b>
11. Can the NoM be implemented without diversion of existing resources?	<b>NO</b> Comments: Some limited diversion of resourcing will be required dependent on what is ultimately put in place.
12. Can the NoM be implemented without diversion of allocated Council funds?	<b>YES</b>
13. Are funds available in the adopted budget to implement the NoM?	<b>NO</b> Comments: Additional funds not required
14. What is the estimated cost of implementing the NoM?	Year 1: \$1,000 Recurring: \$1,000 Comments: Diversion within existing resources.

It is normal practice for the CEO and officers to meet with parties to discuss proposals, developments and other matters. It is the normal function of a Local Government organisation.

In most cases the matters referred to in the NoM are brought back to Councillors for discussion, and then Council for decision. Council officers know and understand that they cannot make decisions that are the remit of Council, and these meetings assist officers in being able to put all relevant information before Council and Councillors.

They are reported back to Council and Councillors in a timely and opportune way.

Some individuals and organisations approach Council and/or Council officers to have preliminary discussions about a wide range of matters and anticipate and or expect a high degree of confidentiality.

Should this NoM be adopted by Council, it may result in these parties being reticent in instigating these discussions and result in less than optimal, or possibly even detrimental, outcomes for Council and the community.

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**ATTACHMENTS**

Nil



**17. CONFIDENTIAL ITEMS**

Section 89(2) of the Local Government Act 1989 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

**Recommendation**

That the Ordinary Council Meeting be closed to the public to discuss the following Agenda items and all documents associated with the consideration and discussion of it, that are designated confidential information by me, pursuant to Section 77(2)(c) of the Local Government Act 1989 (the Act) on the following grounds

**C.1 Sale of Council Land - Part of 1R Yuille Street Frankston (Relocation of the Frankston Tennis Club and Other Matters)**

Agenda Item C.1 Sale of Council Land - Part of 1R Yuille Street Frankston (Relocation of the Frankston Tennis Club and Other Matters) is designated confidential as it relates to contractual matters (s89 2d):



.....  
Signed by the CEO