



## COUNCIL MEETING AGENDA 2021/CM1 Wednesday 27 January 2021

In accordance with the Minister's Good Practice Guidelines, from 1 May 2020 until April 2021, Councils can conduct virtual meetings which must be streamed live through its website. Frankston City will continue to stream its Council Meetings.

During 1 May 2020 to April 2021, all meetings will be closed to the public. If circumstances change, updates will be provided.

## **Verbal Submissions**

If you have registered or intend to register to speak to an item on the Council Meeting Agenda, speakers now only have the option of making a verbal submission via telephone. Officers will make contact and the speaker will be greeted by the Chair who will invite the speaker to make their verbal submission.

There are no changes to the limit on speakers i.e. the limit is still a maximum of 10 speakers and it will be at the discretion of the Chair, if further speakers are permitted. Speakers still have 3 minutes to address Council, with the exception of S223 submitters who will receive 5 minutes.

## **Questions with/without notice**

If you wish to submit questions with or without notice, the same timeframes apply. It is strongly encouraged to submit questions via email or on-line by the specified timeframes. If you still prefer to submit these in person, a box will be placed at the front entrance in the Civic Centre only. It should be noted that the questions, including responses will not be read by the CEO at the Council Meeting. All questions will be taken on notice and a written response will be provided within 5-7 business days.

Live streaming is available from the below link:

<https://www.facebook.com/FrankstonCityCouncil>



# THE COUNCIL MEETING

## Welcome to this Meeting of the Frankston City Council

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

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

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

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

## When are they held?

Generally speaking, the Council meets formally every three (3) weeks on a Monday and meetings start at 7.00 pm, unless advertised otherwise. **This Ordinary Meeting has been moved to the Frankston Arts Centre, Corner Young & Davey Streets, Frankston due to the COVID-19 crisis and to support the State/Federal Government directive to adhere to social distancing.**

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).

## **Frankston City Council Governance Rules (adopted 31 August 2020)**

### **25. Chair's Duty**

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

- 25.1 *defamatory of or embarrassing to any Councillor, member of Council staff or other person;*
- 25.2 *abusive or objectionable in language or nature;*
- 25.3 *a direct negative of the question before the Chair;*
- 25.4 *vague or unclear in intention;*
- 25.5 *outside the powers of Council; or*
- 25.6 *irrelevant to the item of business on the agenda and has not been admitted as*

**79. Chair May Remove**

- 79.1 *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 given under sub-Rule 78.2, or cause the removal of any object or material that is deemed by the Chair as being objectionable or disrespectful.*
- 79.2 *Any person removed from the meeting under sub-Rule 79.1 must not return to the meeting without the approval of the Chair or Council.*

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

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

**Live Streaming of Council Meetings**

Frankston City Council is now Live Streaming its Council Meetings.

**During the COVID-19 crisis, Council is strongly encouraging residents to view the meetings via the live streaming.**

Live Streaming allows you to watch and listen to the meeting in real time, giving you greater access to Council decision making and debate and improving openness and transparency.

There are three (3) fixed cameras in the Council Chambers and it is intended that the cameras will only provide vision of the Councillors who are present at the meeting.

Every care will be taken to maintain privacy and as far as practically possible, it is not intended that there be either live or recorded footage of the public or Media personnel, however, there might be incidental capture; for example footage of a person exiting the building depending on which camera is being used at the time, or audio recording of a person who interjects the meeting. Council officers who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

Archives of meetings will be published on Council's website generally within three (3) business days after the meeting date for the public's future reference. Council will make every reasonable effort to ensure that a live stream and recording is available. However technical difficulties may arise in relation to live streaming or access to Council's website.

Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded.

It is not intended that public speakers will be visible in a live stream of a meeting. Cameras are to be positioned so that these members of the public are not visible. If you do not wish to be recorded you will need to contact the Councillors Office on telephone (03) 9768 1632 or via email [councillors.office@frankston.vic.gov.au](mailto:councillors.office@frankston.vic.gov.au) to discuss alternative options prior to the meeting.

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

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

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

- **Items Brought Forward**

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

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

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

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

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

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

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

- **Presentation of Petitions and Joint Letters**

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

- **Presentation of Reports**

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

- **Presentation of Delegate Reports**

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

- **Urgent Business**

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

## ***The Council Meeting cont.....***

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- **Closed Meetings**

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

### **Opportunity to address Council**

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

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

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

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

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

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

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

## **MAYOR**



## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that a Council Meeting of the Council will be held at the Frankston Arts Centre, Davey Street, Frankston, on 27 January 2021 at 7.00pm.

### MAYOR STATEMENT

*This meeting is being live streamed for public viewing in accordance with section 66(3) of the Local Government Act 2020. In the event Council encounters technical issues with the streaming, the meeting will be adjourned for up to 30 minutes until the matter is resolved. If the matter cannot be resolved, the meeting will be postponed to another evening.*

### 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

1.1 Presentation to the Men's Shed, Frankston North

### 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM16 held on 14 December 2020.

### 3. APOLOGIES

Nil

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

### 5. PUBLIC QUESTIONS

Nil

### 6. HEARING OF SUBMISSIONS

### 7. ITEMS BROUGHT FORWARD

### 8. PRESENTATIONS / AWARDS

### 9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

### 10. DELEGATES' REPORTS

Nil

### 11. CONSIDERATION OF TOWN PLANNING REPORTS

- |      |   |     |
|------|---|-----|
| 11.1 | Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)..... | 3   |
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Nil

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**15. REPORTS NOT YET SUBMITTED**

Nil

**16. URGENT BUSINESS****17. CONFIDENTIAL ITEMS**

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Phil Cantillon

**CHIEF EXECUTIVE OFFICER**

22/01/2021

**Executive Summary****11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

*Enquiries: (Sam Clements: Communities)*

**Council Plan**

Community Outcome:	1. Planned City
Strategy:	1.1 Community Infrastructure
Priority Action	1.1.6 Ensure community infrastructure and services match community need

**Purpose**

This report considers the merits of the planning application to use and develop the land at 91 Overport Road, Frankston South for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1).

**Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit Application Number 177/2020/P, subject to the conditions contained in the officer's assessment.

**Key Points / Issues**

- It is proposed to use and develop the subject land for a child care centre for up to 110 children. Vegetation removal is also proposed to facilitate the development.
- The proposal is consistent with the Planning Policy Frameworks, Neighbourhood Character Policy and the planning requirements of the Frankston Planning Scheme.
- Car parking is provided in accordance with the requirements of Clause 52.06.
- A total of ninety-seven (97) objections were received, the main concerns being traffic and amenity impacts.
- The application is being reported to Council due to significant community interest.

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

**Financial Impact**

The fee paid for this application is \$2,206.75. The average cost to process a planning application is \$2,265. This represents a difference in this case of \$58.25, however, these costs can be accommodated within existing budgets.

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

**Executive Summary**

**Consultation**

1. External Referrals

The application was referred externally to the Department of Transport.

2. Internal Referrals

The application was referred internally to Council's Environment, Traffic and Drainage Departments.

Notification of Proposal

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

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- Two (2) signs erected on the site frontage to Overport Road and Derinya Drive.

As a result of the public notification, ninety-seven (97) objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

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

Whilst vegetation is proposed to be removed to facilitate the development some of the more significant trees are proposed to be retained particularly within the frontage to Derinya Drive. The design also allows for significant replanting opportunities which would be a condition of any permit issued. The submitted Landscape Plan demonstrates that the proposal would contribute to a positive environmental impact.

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

The proposed development and use will have a positive social impact through the provision of an education facility and service within close proximity to residential areas and is suitably located near other non-residential uses located along the road corridor of Overport Road.

**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

Council has complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987 in processing the planning permit application.

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

**Executive Summary**

Policy Impacts

Council has assessed the planning permit application in accordance with the relevant State and Local Planning Policy Framework, Zones, Overlays, and particular and general provisions of the Frankston Planning Scheme.

Officer's Declaration of Interests

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

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

**Risk Mitigation**

There are no relevant risk implications.

**Conclusion**

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

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**ATTACHMENTS**

Attachment A: [↓](#) Locality Map

Attachment B: [↓](#) Locality Map (Aerial)

Attachment C: [↓](#) Plans

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

### Officers' Assessment

#### Summary

<b>Existing Use</b>	Single storey dwelling
<b>Site Area</b>	2673.27 square metres
<b>Proposal</b>	To use and develop the land at 91 Overport Road, Frankston South for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)
<b>Site Cover</b>	49.7%
<b>Permeability</b>	50%
<b>Zoning</b>	General Residential Zone
<b>Overlays</b>	Design and Development Overlay Schedule 1 Significant Landscape Overlay Schedule 3
<b>Neighbourhood Character Precinct</b>	Frankston South 8
<b>Reason for Reporting to Council</b>	Significant community interest

#### Background

##### **Subject Site**

The site is a large, regular shaped allotment located on the north-east corner of Overport Road and Derinya Drive in Frankston South.

The site has a front (west) boundary with a width of 25.91 metres, a corner cut-off to Derinya Drive of 6.4 metres, a side (southern) boundary with a length of 83.97 metres, a rear (eastern) boundary with a width of 30.48 metres and a side (northern) boundary with a length of 88.54 metres. The site has a total area of 2,688 square metres and has a fall of approximately 3 metres to the northern side boundary to southern side boundary of the site.

There is a single storey detached brick dwelling directly to the north of the site at 89 Overport Road and a single storey detached brick dwelling directly to the east of the site at 3 Derinya Drive.

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

**Officers' Assessment**

Access to the site is currently provided via a single crossover to Overport Road. A street tree is located to the front of the site and there are a total of sixty-three (63) trees within and immediately adjacent to the site.

***Locality***

The site is within an established residential area predominantly characterised by large houses with extensive grounds. There is extensive remnant bush vegetation in public and roadside reserves and private gardens and while house and garden designs are individualistic, the area is characterised by its rural bush landscape. Open or farm fence style front boundary treatments assist in allowing the vegetation to 'flow' across individual properties. Overport Road also contains a number of non-residential uses that are commonly seen along main roads including Derinya Primary School and Piccolos Childcare Centre.

***Site History***

There are no previous planning permit applications for the site.

***Proposal***

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

The centre is to accommodate up to one-hundred and ten (110) children. The use is proposed to operate Monday – Friday, 6.30 am – 6.30 pm.

The proposed building is to be single storey constructed of brickwork, render, cladding with pitched Colorbond® roofing. The building will have a maximum height of 6.858 metres.

The building is a total area of 624 square metres and includes 6 activity rooms, a staff room, office, reception and other facilities.

A total of 24 car parking spaces are nominated, including one (1) disabled space and access is provided via a 6.4 metre crossover to Overport Road.

Several outdoor play spaces are nominated, with a total area of 554 square metres.

A total of twenty (20) trees of varying significance (15 of which are substantial) are proposed to be removed from the site whilst twenty-four (24) trees are proposed to be retained.

A mixture of different fencing treatments are proposed including a 2.5 metre acoustic fence along the northern side boundary and rear eastern boundary, a 1.8 metre timber picket fence along the southern secondary road frontage boundary, whilst the front (western) boundary is not proposed to be fenced.

**State and Local Planning Policy Frameworks**

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

- Clause 11.01-1S Settlement
- Clause 12.05-2S Landscapes
- Clause 13.02-1S Bushfire planning

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

**Officers' Assessment**

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

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

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

**Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 32.08-2 – Use of the land for a Section 2 Use in a General Residential Zone.
- Clause 32.08-9 – To construct a building and construct and carry out works for a use in Section 2 of Clause 32.08-2.
- Clause 42.03-3 – To construct a building and construct and carry out works within the Tree Protection Zone of substantial trees and to remove fifteen (15) substantial trees.
- Clause 43.02-2 – To construct a building where there is an existing dwelling on the site.

***Notification of Proposal***

The grounds of objection are summarised as follows:

- Traffic/safety
- Neighbourhood character
- Vegetation loss
- Amenity concerns
- Precedent

**11.1 Planning Permit Application 177/2020/P - 91 Overport Road, Frankston South - To use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1)**

**Officers' Assessment**

- Oversupply of childcare centres
- Property devaluation

These concerns will be discussed throughout the report.

**Referrals**

***External Referrals***

The proposal was sent to the Department of Transport who did not object to the proposal subject to the inclusion of conditions.

***Internal Referrals (summarised)***

***Traffic***

The traffic generation rate of 0.8 vehicle movement per child adopted by the traffic engineering consultant is acceptable. Overport Drive is a local collector road that provides access to properties and connectivity between local access roads to the main road, traffic generated from this proposed childcare is expected to have minimum impact to Overport Drive and the surrounding road network. Hence this is acceptable.

Internal path connecting to the existing footpath on Overport Road shall be provided so that parents with a pram can access the centre without walking through the vehicle crossover which could be a safety risk during busy hours.

Dimensions of all car parking spaces including those that are adjacent to the proposed retaining wall and disabled parking spaces are all satisfactory.

Proposed staff car parking spaces in tandem arrangement is acceptable.

Dimensions of the accessway and the car parking layout is acceptable and all vehicles are able to reverse and exit in a forward direction. This is satisfactory.

***Environment***

There are significant space for tree planting. Trees 52, 53 and 57 should be retained given location along the front Derinya Drive and current health and retention value (these trees are proposed to be retained). Existing trees proposed to be retained can be protected however additional tree protection requirements are required for Tree 9 within the submitted arborist report, which is a street tree, due to the impact of a proposed retaining wall. A Tree Management Plan will be required as a condition of any permit issued to address this concern.

***Drainage***

No objection subject to the inclusion of conditions.

**Discussion**

***State and Local Planning Policy***

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

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**Officers' Assessment**

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

The car parking area has been designed to a high standard, incorporating natural elements, while maintaining safety and efficiency.

The location of the facility allows for integration into the community, being within a site that benefits from a high level of connectivity to the existing road network.

The use and development additionally facilitates investment in an outer area, increasing local access to employment and promoting the 20 minute neighbourhood concept sought by State policy.

***Local Planning Policy***

- ***Clause 22.04 Non-Residential Uses in Residential Zones Policy***

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

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

The site is readily accessible by road and non-vehicular routes.

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

Landscaping and screening has been incorporated and can be increased through conditions if a permit is to be issued, to reduce loss of privacy to neighbours and to enhance the appearance of the development. Existing large canopy trees provide substantial visual amenity particularly to the secondary road of Derinya Drive. Additional landscaping can be required through the implementation of a landscape plan which will ensure natural elements are incorporated to soften the impact of the proposed development from the streetscape.

Acoustic fencing treatment is proposed along the northern side boundary and eastern rear boundary to minimise noise impacts to the adjacent residential dwellings.

- ***Clause 22.08 Neighbourhood Character Policy***

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

The building has been sited to create the appearance of space with large setbacks from all site boundaries and appropriately reflects the existing spacing of buildings in the street.

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**Officers' Assessment**

Building site coverage is appropriate and substantial pervious surfaces are retained for the retention and planting of vegetation.

The building will not dominate the streetscape or the wider landscape setting being single storey in height and incorporating architectural features that are modest and contribute to the residential character of the building. The building also steps down the site to follows the contours of the site to minimise site disturbance.

The street frontage of Overport Road is not proposed to be fenced to retain the openness of the streetscape.

**Clause 32.08 General Residential Zone**

The proposal provides for a service use in an appropriate location that will serve community needs as sought within this zone. It is generally compatible with the area given its proximity to a collector road and other non-residential uses including Piccolos Childcare Centre and Derrinya Primary School.

The hours of operation are considered to be consistent with standard operating hours for childcare centres being a 6.30 am commencement and 6.30 pm close. Peak traffic periods for a child centre is from 7.00 am and the road network is capable of absorbing the additional traffic within Overport Road that generally experiences a peak at school drop off and pick up times. At times, minor additional delays are expected onto Overport Road, however this is acceptable for the area.

With only a single storey building and a total of one-hundred and ten (110) children to be on site it is relatively low in scale and intensity which is consistent with the nature of the surrounding area.

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

The existing street network has been assessed as being adequate to accommodate the traffic generated by the proposal and conditions of permit can restrict parking to promote safety and reduce traffic related amenity impacts as a result of the proposal. Council's Traffic Engineers have reviewed the proposal and have raised no concerns about the potential increase in traffic and parking.

**Clause 42.03 and Schedule 3 to the Significant Landscape Overlay**

The objective of this overlay is to maintain the well vegetated landscape character of Frankston South. While the proposed development results in the loss of a number of trees many of these are exempt from requiring a planning permit due to being weed species, or exempt due to size or location under bushfire removal exemptions. The trees that require a planning permit to be removed are summarised in the table below.

Tree number	Species	Health
17	Camellia japonica (Japanese Camellia)	Good
29	Malus domestica (Common	Good

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**Officers' Assessment**

	Apple)	
31	Fraxinus oxycarpa 'Raywoodii' (Claret Ash)	Very Poor
33	Acacia holosericea (Candelabra Wattle)	Good
41	Corymbia ficifolia (Red Flowering Gum)	Poor
43	Syzygium australe (Brush Cherry)	Very Poor
49	Syzygium austral (Brush Cherry)	Poor
51	Grevillea robusta (Silky Oak)	Poor
61	Agonis flexuosa (Willow Myrtle)	Poor

In addition to these trees that require a planning permit to be removed an additional eleven (11) trees/shrubs are proposed to be removed that do not require planning permission either due to size, being a weed species or being bushfire exempt.

The proposal has responded to avoid, minimise, and mitigate principles by retaining a number of significant trees on the site, and removing trees that are primarily in poor health. Replanting is recommended to be required as a condition of any planning permit to cater for the amenity loss of the trees that are required to be removed. The proposal has a relatively low site coverage with generous setbacks to boundaries which allows for significant replanting opportunities which will ensure the site continues to contribute to a positive landscape outcome that is characteristic of the area as well as supporting wildlife that is also common within the area due to the sites close proximity to Sweetwater Creek. A Concept Landscape Plan was submitted which demonstrates the landscaping opportunities for the site. A formal detailed landscape plan is recommended to be required to be prepared as a condition of any permit issued. This will include the planting of a total of eleven (11) canopy trees as well as lower level planting in all open space areas.

A Planning Permit is also required under the Significant Landscape Overlay Schedule 3 to undertake works within the Tree Protection Zones of the following trees that are to be retained.

<b>Tree number</b>	<b>Species</b>	<b>Encroachment</b>
6	<i>Camellia sasanqua</i> (Sasanqua Camellia)	10%
7	<i>Photinia serratifolia</i> (Chinese Photinia)	2%
9	<i>Eucalyptus pryorium</i> (Gippsland Manna Gum)	9%
46	<i>Eucalyptus Sideroxylon</i>	4%

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	(Red Ironbark)	
52	<i>Photinia serratifolia</i> (Chinese Photinia)	7%
53	<i>Photinia serratifolia</i> (Chinese Photinia)	2%
57	<i>Agonis flexuosa</i> (Willow Myrtle)	10%
59	<i>Syzygium australe</i> (Brush Cherry)	2%

The works that are proposed within the tree protection zone of substantial trees results in minor encroachments that when appropriately managed will ensure that the trees remain viable. This includes the preparation of a tree management plan as a condition of the permit for Tree 9 and standard tree protection conditions during construction.

**Clause 43.02 and Schedule 1 to the Design and Development Overlay**

A Planning Permit to construct the building is required under the Design and Development Overlay Schedule 1. All setback, height and site coverage requirements of the Design and Development Overlay Schedule 1 have been satisfied.

The relevant design objectives of this overlay are to enhance the low density treed character of Frankston South in recognition of its contribution to the housing diversity and its landscape quality.

Substantial space is retained to the neighbouring properties and streets which provide opportunities to appropriately screen the development. The setback to the east is sufficient so as to not impact on neighbouring trees within the road reserves and neighbouring properties.

By satisfying the setback, height and site coverage requirements of the Design and Development Overlay Schedule 1 and through the incorporation of domestic architecture features it is considered that the proposed childcare centre will be consistent with the character of the surrounding area that are predominately made up of large single storey dwellings on large lots.

**Clause 52.06 Car parking**

The proposed development meets the car parking requirements at Clause 52.06, which requires 24 spaces in total. A total of 24 car parking spaces have been provided, including 1 disabled space.

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

The car parking area will not visually dominate the public space as landscaping and vegetation has been incorporated into the car park design which will soften the impact of the car park.

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**Officers' Assessment**

**Response to Objections**

The concerns raised within the objections received have been discussed above as part of the officers' assessment in relation to a number of the main concerns raised in the submitted objections including traffic/safety, neighbourhood character, vegetation loss and amenity concerns.

Additional concerns were raised relating to the over-supply of childcare centres in the area. The commercial viability of a proposal is not an applicable planning consideration. As mentioned, the development and use is considered to be suitable to the local residential area noting the presence of other educational facilities, the siting on a collector road, the scale and nature of the use and the measures put in place to minimise amenity impacts.

Precedent for additional non-residential uses is not a valid planning consideration. Each new application is required to be considered on its individual merits through weighing up sometimes competing requirements of the planning scheme to arrive at an orderly outcome. This application has been assessed on its merits, as will any future applications in the area.

Reduction in property value is also not a valid planning consideration. No evidence of the prospective loss and how this is attributable to the proposal has been submitted, however it is noted that the proposal would provide for a useable service for local residents.

**Recent VCAT Hearing**

ASL Alliance No. 2 Pty Ltd v Frankston CC [2020] VCAT 1276 (19 November 2020) is a recent VCAT hearing for a childcare centre at 137 Overport Road, Frankston South which is located approximately 800 metres from the subject site on a similar sized corner block. VCAT determined to refuse this application, supporting Council's decision. It is important to note that each application should be considered on its own planning merits. Despite this, there are some key points detailed in the decision which are applicable to this application.

The decision detailed that "the proposed use [of a childcare centre] is acceptable in this location in principle" and not clustering non-residential uses together "is not necessarily fatal to the application." Sites along Overport Road are located in "residential area, located on a relatively major road, sited on a corner and relatively proximate to the school are positive factors that all weigh in favour of the site being an acceptable location for a child care centre."

Reasons for this application being refused related to built form and direct amenity impacts rather than the concept of a childcare centre being inappropriate along Overport Road. For reasons discussed throughout this report it is considered that these concerns are not applicable to the current application at 91 Overport Road, Frankston South.

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**Conclusion**

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

**Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 177/2020/P to use and develop the land for a child care centre in a General Residential Zone (GRZ), removal of substantial trees and to undertake building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3) and to construct a building in a Design and Development Overlay Schedule 1 (DDO1) at 91 Overport Road, Frankston South, subject to the following conditions:

**Amended Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
  - (a) All trees growing on the site and on the adjoining properties within 3m of the boundaries must be clearly illustrated on all relevant plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Development Impact Assessment Report prepared by Arbor Survey dated 8 April 2020 and clearly state whether the tree is to be retained or removed.
  - (b) The Tree Protection Zone and Structural Root Zone for all trees to be retained and the tree protection fence/ground protection locations must be illustrated on all relevant plans.
  - (c) A Landscape Plan in accordance with Condition 3
  - (d) A Tree Management Plan in accordance with Condition 6.
  - (e) Tree Protection Conditions noted in accordance with Condition 7 and 8.
  - (f) A Waste Management Plan in accordance with Condition 16.
  - (g) A Construction and Environment Management Plan in accordance with Condition 17.
  - (h) Location of any mechanical equipment in accordance with Condition 18.
  - (i) Location of outdoor lighting in accordance with Condition 19.

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- (j) An Internal pedestrian path connecting to the existing footpath on Overport Road to the centre to be provided on the southern side of the proposed crossover.
- (k) Proposed visual corner splays on either side of the accessway to be demonstrated in accordance with Clause 52.06-9 of the Frankston Planning Scheme.
- (l) Location of wheel stoppers for each proposed car space.
- (m) Location and height of all proposed retaining walls.

**No Alterations**

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

**Landscape Plan**

- 3. Before the commencement of buildings and works, a landscape plan prepared by a suitably qualified person must be submitted to and be approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
  - b. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
  - c. details of surface finishes of pathways and driveways, retaining walls and areas of cut and fill;
  - d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant;
  - e. A planting theme of a minimum 20% indigenous and 40% native within each plant group;
  - f. landscaping to a minimum height of 1.5m to be incorporated along the south boundary of the common driveway
  - g. canopy trees (minimum two metres tall when planted) in the following areas;
    - (i) One (1) feature tree within the front setback with a mature height of twelve (12) metres.
    - (ii) Three (3) in the front setback with a minimum mature height of seven (7) metres.
    - (iii) Seven (7) surrounding the building within the play areas with a minimum mature height of seven (7) metres.

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Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

**Prior to Occupation**

4. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged trees are to be replaced.

**Tree Protection Management Plan**

6. A Tree Protection Management Plan prepared in accordance with Frankston City Council's 'Arboricultural Report Writing Guide' must be submitted by a suitably qualified and experienced Arborist in relation to the management and maintenance of Tree 9 of the submitted arborist report (identified as Development Impact Assessment Report prepared by Arbor Survey dated 8 April 2020) and must be approved by the Responsible Authority prior to the commencement of any works (including any demolition, levelling of the site, excavations, tree removal, delivery of building/construction materials and/or temporary buildings). The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following where relevant but not limited to ensuring that the trees remain healthy and viable during and following construction:
  - a) A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations and any relocations required and any areas where ground protection systems will be used;
  - b) A clear photograph of each tree;
  - c) Any specific damage/faults evident within each tree prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary dilapidation report.
  - d) Restricted activities in the TPZ;
  - e) Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages;
  - f) Details of any TPZ encroachments including;
  - g) Details of exploratory root investigation
  - h) Alternative construction techniques
  - i) Supervision
  - j) Details of any root pruning
  - k) Methods for installation of services e.g.; sewerage, storm water,

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telecommunications, electricity etc;

- l) Remedial works as required including a detailed photographic diagram specifying what pruning will occur;
- m) Final Certification of Tree protection template. The Final Certification Report Template as required in the Tree Protection Management Plan must be completed and submitted to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

**Tree Protection**

- 7. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.
- 8. Prior to the commencement of the development (including vegetation removal), a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at the edge of the defined tree protection zones of trees to be retained as per the Arborist report prepared by Arbor Survey dated 8 April 2020, to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

The requirements below must be observed within this area –

- a) Coarse mulch laid to a depth of 50-100 mm (excluding street trees).
- b) No vehicular or pedestrian access.
- c) The existing soil level must not be altered either by fill or excavation.
- d) The soil must not be compacted or the soil's drainage changed.
- e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- f) No storage of equipment, machinery or material is to occur.
- g) Open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used unless approved by the Responsible authority to tunnel beneath.
- h) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.
- i) Tree roots must not be severed or injured.
- j) Machinery must not be used to remove any existing concrete, bricks or other materials.

The tree protection fence must remain in place for the duration of building and works to the satisfaction of the Responsible Authority.

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**Drainage**

9. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.
10. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.
11. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
  - On-site stormwater detention and rainwater tanks.
  - Soil percolation
  - Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc
  - On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
12. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
13. All disused vehicle crossings shall be removed and the area reinstated to kerb and channel and landscaped to the satisfaction of the Responsible Authority.
14. Concrete kerbs and barriers shall be provided to the satisfaction of the responsible authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
15. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

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

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

**Waste Management Plan**

16. Prior to the use commencing, an amended waste management plan must be submitted to the Responsible Authority for approval that is reflective of the current proposal. Such plan must provide details of a regular garbage collection service to be provided by the owner of the site, including information regarding the type of refuse bins, type/size of trucks, means of accessing bins and

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frequency and timing of refuse collection, to the satisfaction of the Responsible Authority. Once approved, such plan must be implemented to the satisfaction of the Responsible Authority.

**Construction and Environment Management Plan**

17. Prior to the commencement of any stage of the development a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. Any plans submitted must be consistent with all other documents approved as part of this permit. The information must be drawn to scale with dimensions and three copies must be provided. The Plan is to include details of the following:
- a) Contact Numbers of responsible owner/contractor including emergency/24 hour mobile contact details.
  - b) Identification of possible environmental risks associated with development works.
  - c) Response measures and monitoring systems to minimise identified environmental risks, including but not limited to creek protection, vegetation protection, runoff, erosion, dust, litter, noise and light.
  - d) Location and specifications of sediment control devices on/off site.
  - e) Location and specification of surface water drainage controls.
  - f) Proposed drainage lines and flow control measures.
  - g) Location and specifications of fencing for the protection of trees and/or vegetation as required by the permit.
  - h) Location of all stockpiles and storage of building materials.
  - i) Location of parking for site workers and any temporary buildings or facilities.
  - j) Details to demonstrate compliance with relevant EPA guidelines.
  - k) Target of recycling and re-using a minimum of 80% of construction and demolition waste by weight.
  - l) Hours during which construction activity will take place.

**Urban Design**

18. Air-conditioning plant, compressors and exhaust fans must be located so as to minimise adverse amenity impacts on abutting and nearby residential properties, to the satisfaction of the Responsible Authority.
19. Outdoor lighting, external sign lighting and building illumination must at all times be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
20. All fences must be maintained in sound condition, to the satisfaction of the Responsible Authority.

**Acoustic Fencing**

21. Before commencement of the use, an acoustic fence must be erected along the

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northern and eastern boundaries where it adjoins residential properties. The minimum height must be 1.8 metres above natural ground level. The details of the design and acoustic qualities of the fence must be to the satisfaction of the Responsible Authority and must demonstrate achievement of noise attenuation measures and limits required in the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

**Number of Children**

22. No more than 110 children may be present on the premises at any one time.

**Hours of Operation**

23. The use may only operate between the hours of 6:30am to 6:30pm (Monday to Friday).

**Amenity**

24. The development or use must not detrimentally affect the amenity of the area including through the:

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

to the satisfaction of the Responsible Authority.

25. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2 and the State Environment Protection Policy (Control of Industry, Commerce and Trade), No. N-1.

**Department of Transport**

26. The demolition and construction of the development must not disrupt bus operations on Overport Road without the prior written consent of the Head, Transport for Victoria.

27. Any request for written consent to disrupt bus operations on Overport Road during the demolition and construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.

**Satisfactorily Completed**

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

**Permit Expiry**

29. This permit will expire if one of the following circumstances applies:

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- The development is not started within two years of the date of this permit.
- The development is not completed within four years of the issued date of this permit.
- The use is not commenced within two (2) years of the date of this permit.
- The use is discontinued for a period of two (2) years.

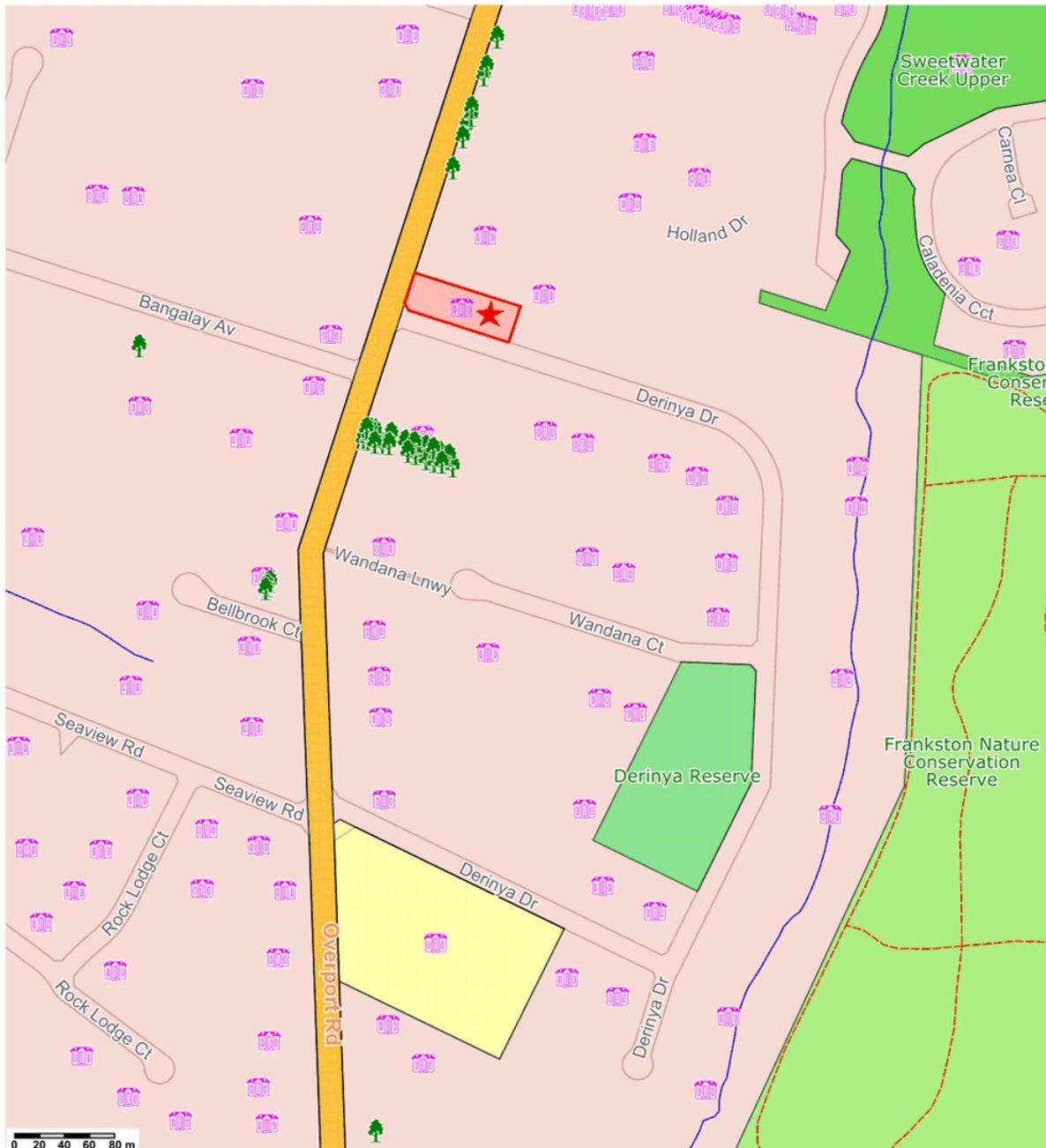
In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

**Notes**

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

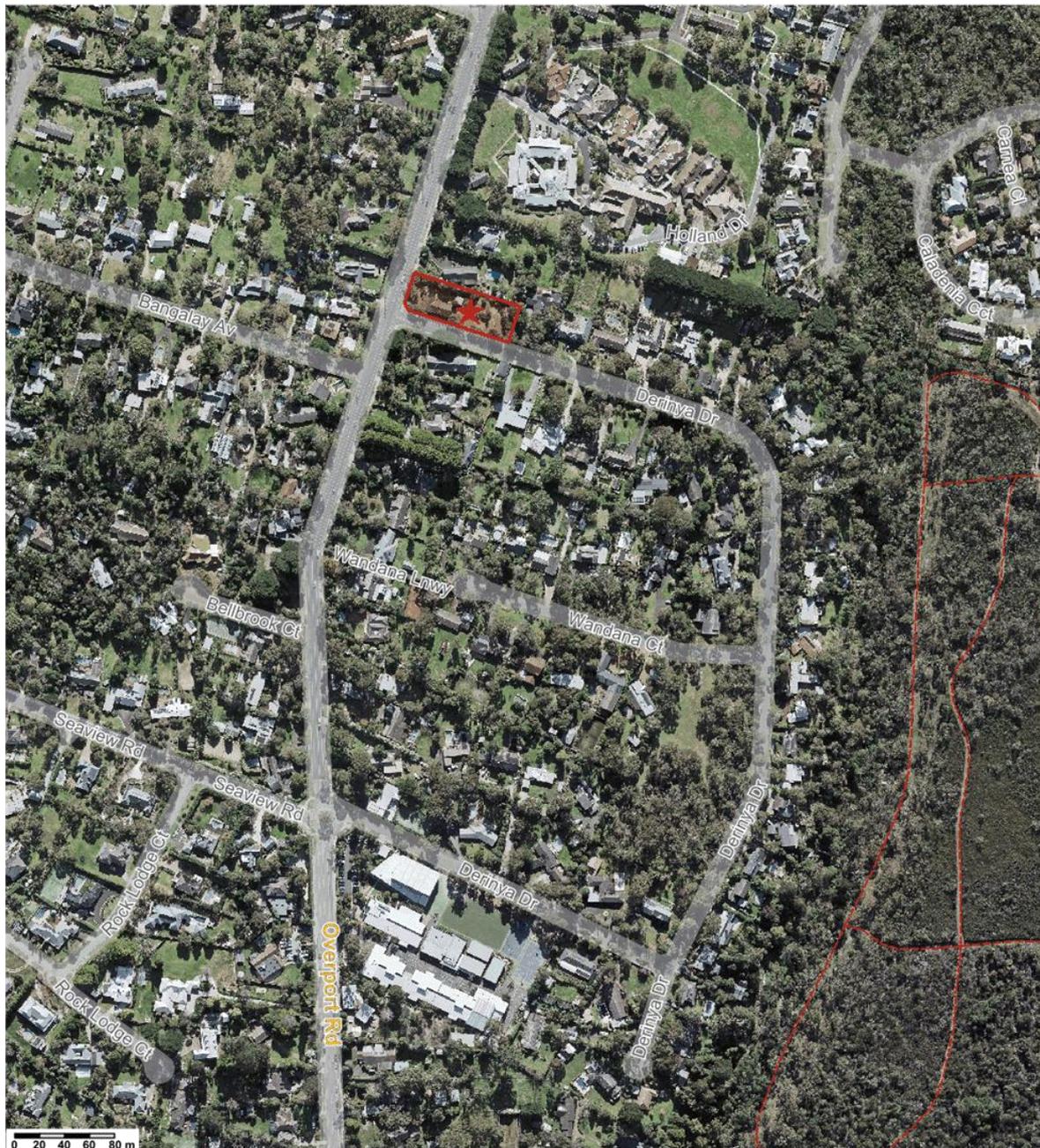
If a request is made out of time, the Responsible Authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Locality Map - 177/2020/P - 91 Overport Road, Frankston South  
 Subject Site - ★



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Locality Map - 177/2020/P - 91 Overport Road, Frankston South  
 Subject Site - ★



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LEGEND

- PREVAILING WINDS
- PEDESTRIAN ACCESS
- NOISE AND TRAFFIC SOURCE
- DISPERSE VIEWS FROM THE SITE
- VEHICLE ENTRY TO SITE
- LOCATION OF LOWEST & HIGHEST POINTS ON THE SITE
- SITE FALL

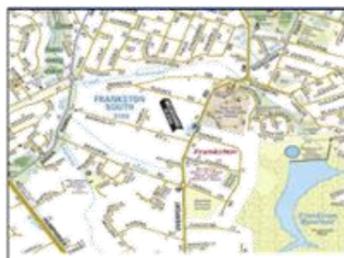
LOCATION TO C.B.D.	62.4 KM TO MELBOURNE
PROXIMITY TO PARKS	RESERVE 460 M
PRIMARY SCHOOLS	SCHOOL 470 M
SECONDARY SCHOOLS	SCHOOL 1.14 KM
SHOPS	SHOPPING CENTRE 1.61 KM
PUBLIC TRANSPORT	
BUS STOP	772.773 50 M
TRAIN STATION	STATION 2.8 KM

SITE ANALYSIS PLAN CERTIFICATION

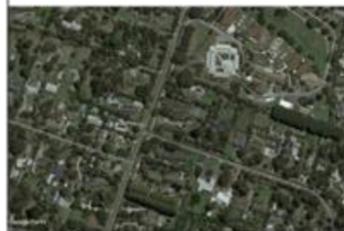
THIS SITE CONTEXT PLAN HAS BEEN PREPARED FROM SITE VISITS, LICENSED SURVEYOR'S SURVEY & STATUTORY AUTHORITY RECORDS & IS A FAIR REPRESENTATION OF EXISTING CONDITIONS & FEATURES OF THE PROPOSED SUBJECT SITE & SURROUNDING ENVIRONMENT. FOR THE PURPOSE OF MEDIUM DENSITY DEVELOPMENT AS REQUIRED BY 'RES1000', NEIGHBOUR DIMENSIONS AND PLANT SPECIES ARE AS ACCURATE AS POSSIBLE.

SIGNED: REF No: \_\_\_\_\_  
 ON BEHALF OF THOMAS ANDERSON DESIGN DATE: \_\_\_\_\_

MELWAY REF. 102 C9

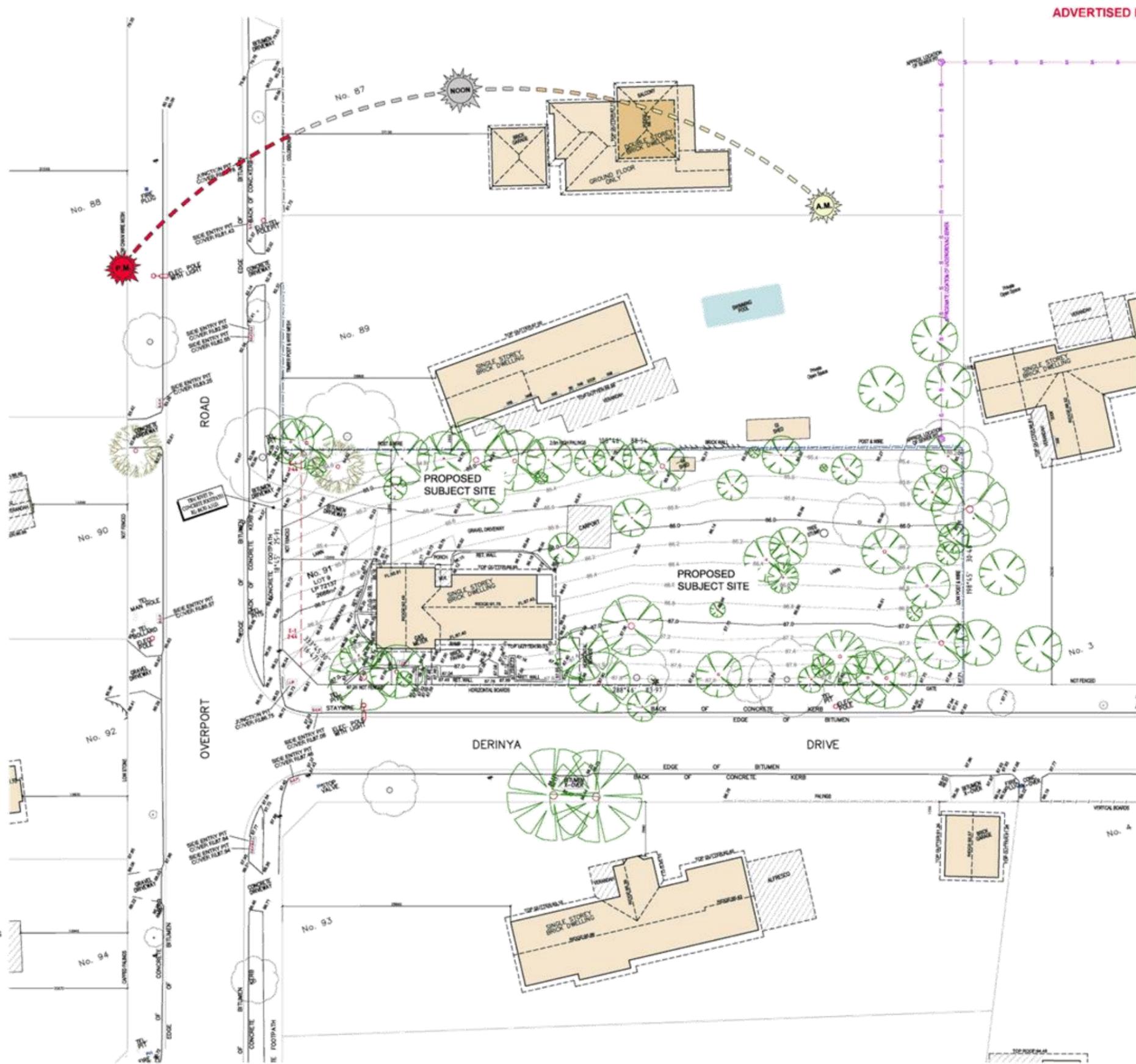


GOOGLE MAP



SITE CONTEXT PLAN  
 SCALE 1:250

- HOT SUMMER WINDS
- PREVAILING WINTER WINDS
- & PREVAILING SUMMER WINDS COLD WINTER WINDS



PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

91 OVERPORT ROAD  
 FRANKSTON



1  
 19-0584  
 ISSUE TPD

ADVERTISED PLAN



**LEGEND**

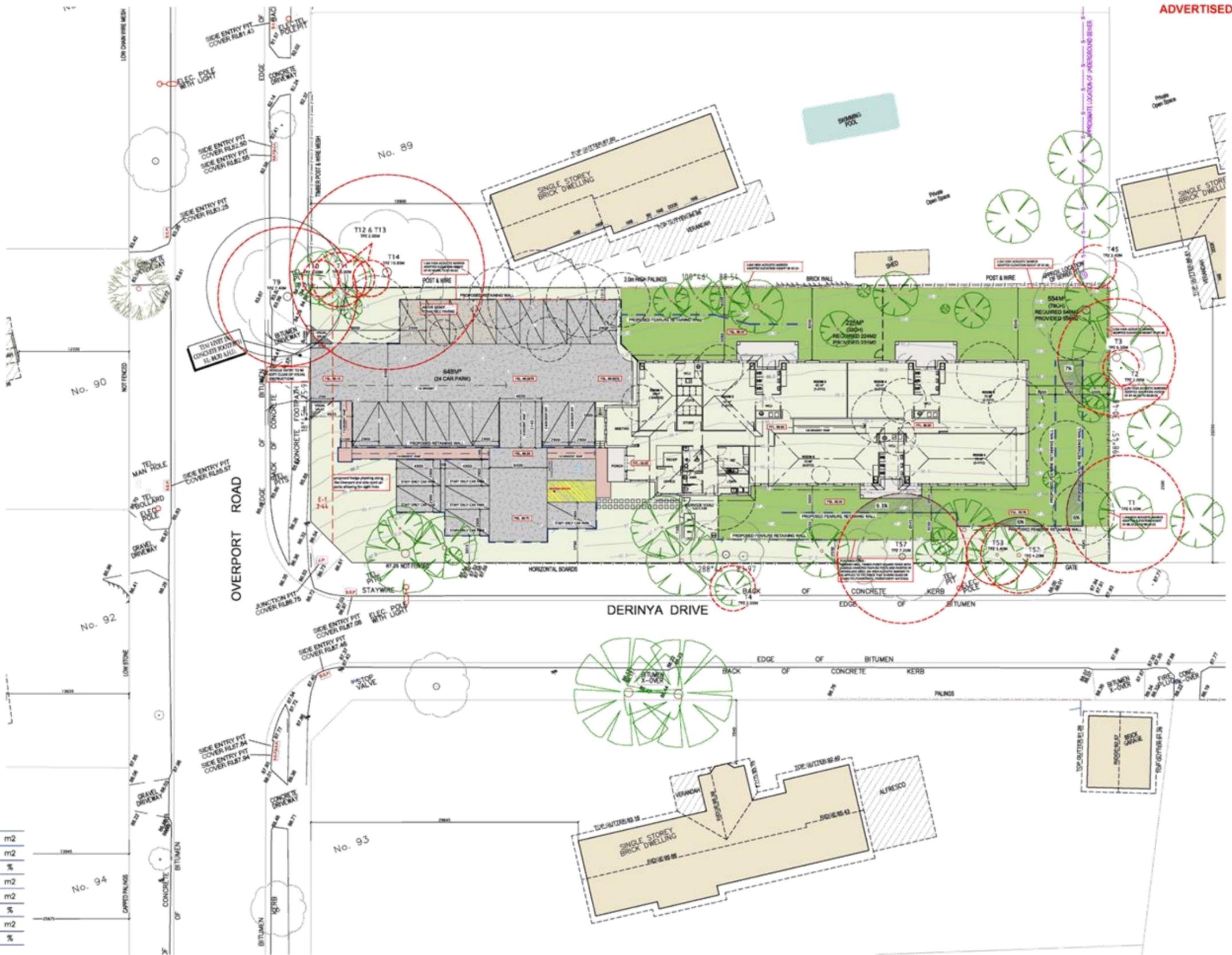
- SPOS - DIMENSION OVER 3.0M
- POS - DIMENSION UNDER 3.0M/ POS
- COMMON PROPERTY
- SEAL TO REINFORCED CONCRETE DRIVEWAY
- PERMEABLE PAVING ON SAND BASE
- PERMEABLE TIMBER DECKING
- NEW CONCRETE CROSSOVER
- EXISTING TREES TO BE RETAINED
- TREE PROTECTION ZONE
- EXISTING TREES TO BE REMOVED
- 1.8M HIGH TIMBER PALING FENCE
- EXTENT OF 400MM HIGH LATTICE EXTENSION
- FINISHED FLOOR LEVEL
- FINISHED SURFACE LEVEL (CUT - FILL LEVEL)
- CLOTHES LINE
- SECURITY LIGHT/ SENSOR LIGHT
- BOLLARD LIGHT
- TAP
- LOCK
- LETTER BOX
- OPTIONAL WATER TANK LOCATION
- REMOTE METER
- RUBBISH AND RECYCLE BIN LOCATION
- RETAINING WALLS
- COLLAPSIBLE COLORBOND SHED IN MILD TONES ON 100MM CONC. SLAB
- SECURED PRIVATE OPEN SPACE
- PROPOSED TREE
- BIN COLLECTION FOOTPRINT

**PROPOSED CHILDCARE (110 CH)**

Floor Area	624.0 m <sup>2</sup>
Porch	6.0 m <sup>2</sup>
Verandah 1	16.0 m <sup>2</sup>
Verandah 2	16.0 m <sup>2</sup>
Verandah 3	10.0 m <sup>2</sup>
<b>TOTAL</b>	<b>672.0 m<sup>2</sup></b>

**SITE STATISTICS**

Total Site Area	2688.0 m <sup>2</sup>
Total Site Cover	672.0 m <sup>2</sup>
Total Site Cover Ratio	25.0 %
Driveway Area	664.5 m <sup>2</sup>
Total Hard Cover Area	1337 m <sup>2</sup>
Total Hard Cover Ratio	49.7 %
Permeable Area	1351.5 m <sup>2</sup>
Permeable Area Ratio	50.3 %



**PROPOSED CHILDCARE**  
 CLIENT: HOPE EARLY LEARNING CENTRE  
 91 OVERPORT ROAD  
 FRANKTON



**PROPOSED SITE PLAN**  
 SCALE 1:200 @ A1

ADVERTISED PLAN



**LEGEND**

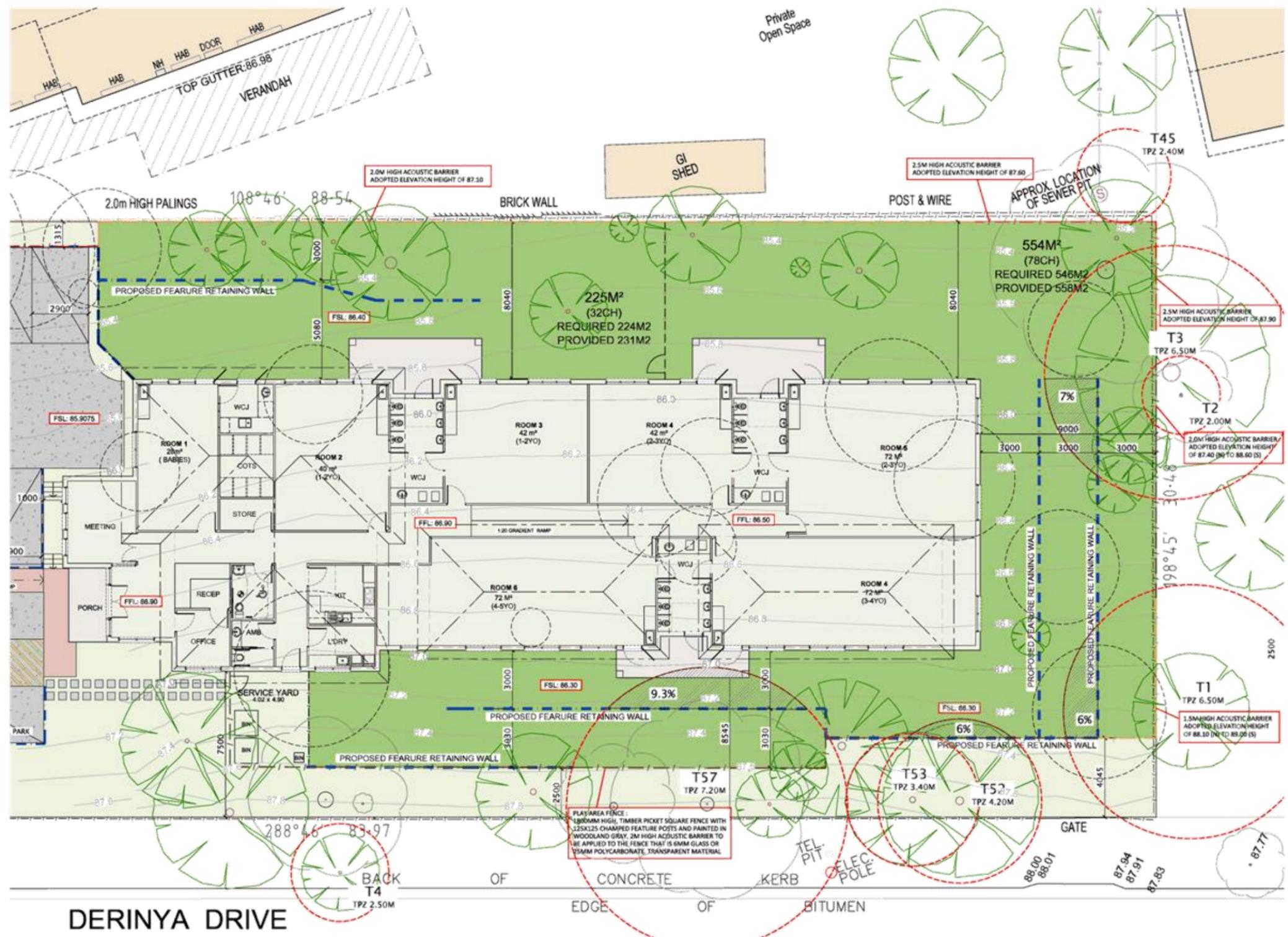
- SPDS - DIMENSION OVER 3.0M
- POS - DIMENSION UNDER 3.0M/ POS
- COMMON PROPERTY
- SEALED/ REINFORCED CONCRETE DRIVEWAY
- PERMEABLE PAVING ON SAND BASE
- PERMEABLE TIMBER DECKING
- NEW CONCRETE CROSSOVER
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- TREE PROTECTION ZONE
- EXISTING TREES TO BE REMOVED
- 1.8M HIGH TIMBER PALING FENCE
- EXTENT OF 40MM HIGH LATTICE EXTENSION
- FINISHED FLOOR LEVEL
- FINISHED SURFACE LEVEL (CUT - FILL LEVEL)
- CLOTHES LINE
- SECURITY LIGHT/ SENSOR LIGHT
- ROLLER LIGHT
- TAP
- LOCK
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Permeable Area Ratio	50.3 %



DERINYA DRIVE

91 OVERPORT ROAD  
 FRANKSTON  
 PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE  
 thomasandersondesign

**PROPOSED GROUND FLOOR PLAN**  
SCALE 1:100 @ A1

ADVERTISED PLAN

PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

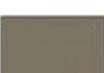
91 OVERPORT ROAD  
 FRANKTON

TAD  
 thomasandersondesign

4

19-0584  
 ISSUE TPD

LEGEND

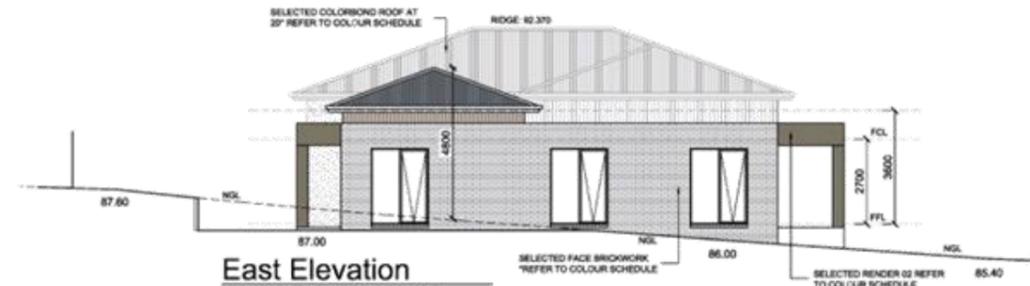
-  SELECTED COLORBOND
-  FACE BRICKWORK
-  SELECTED WEATHERBOARD
-  SELECTED RENDER 01
-  SELECTED RENDER 02



South Elevation  
 PROPOSED CHILDCARE Sc: 1/100



West Elevation  
 PROPOSED CHILDCARE Sc: 1/100



East Elevation  
 PROPOSED CHILDCARE Sc: 1/100



North Elevation  
 PROPOSED CHILDCARE Sc: 1/100

ELEVATIONS  
 SCALE 1:100

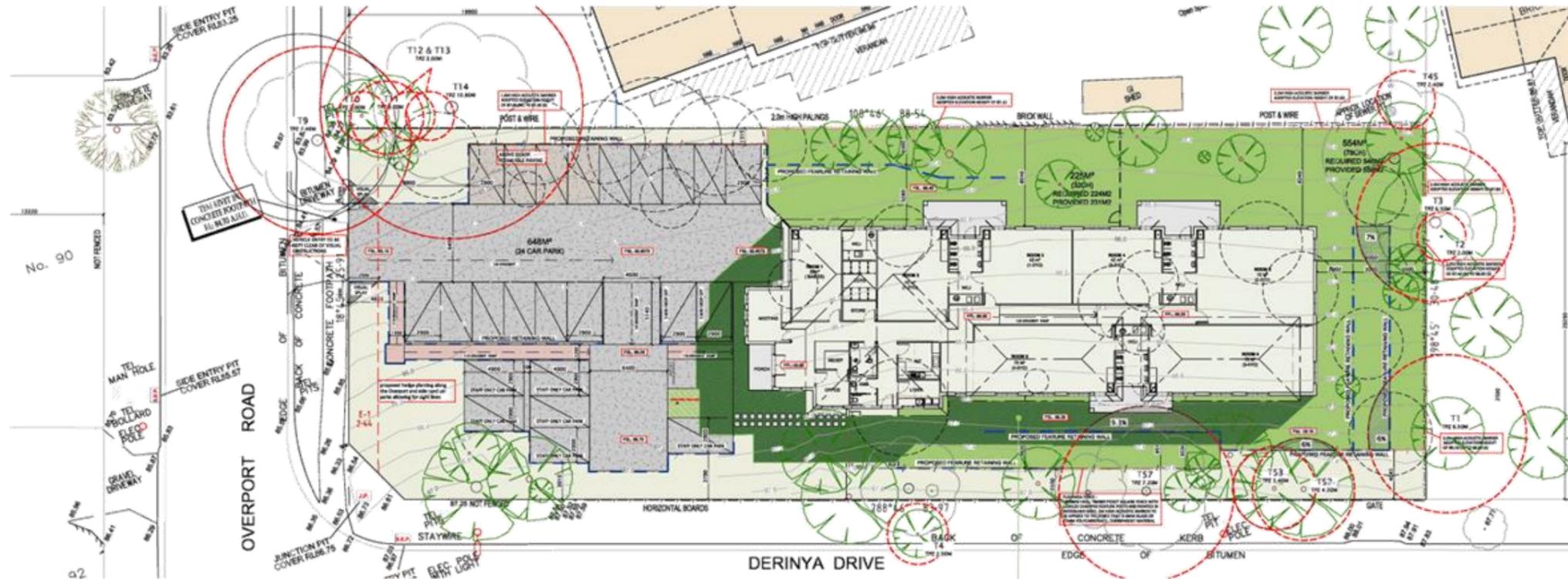
ADVERTISED PLAN

PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

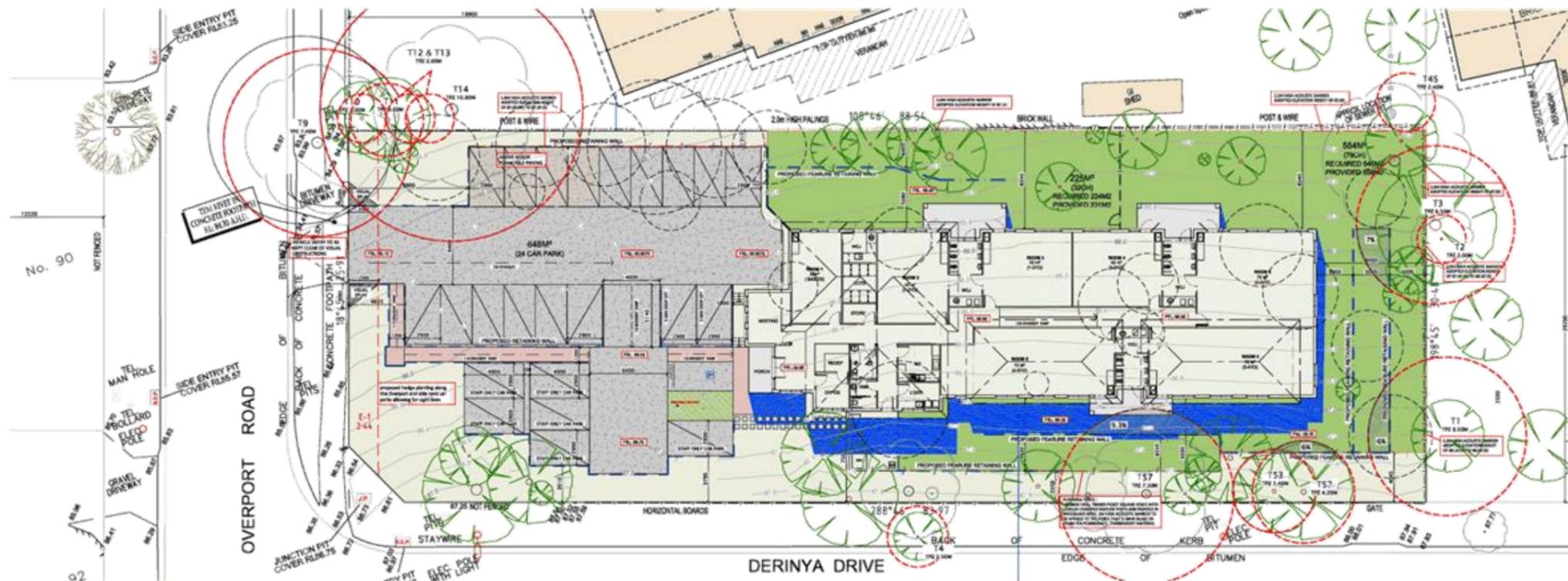
91 OVERPORT ROAD  
 FRANKSTON

TAD  
 thomasandersondesign

5  
 19-0584  
 ISSUE TPD



SHADOW DIAGRAM FOR 9 A.M.  
 22 SEPTEMBER (EQUINOX)



SHADOW DIAGRAM FOR 12 P.M.  
 22 SEPTEMBER (EQUINOX)



SHADOW DIAGRAMS  
 SCALE 1:250

ADVERTISED PLAN

PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

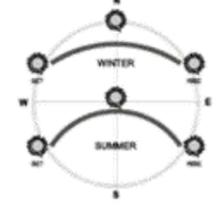
91 OVERPORT ROAD  
 FRANKSTON

TAD  
 thomasandersondesign

6  
 19-0584  
 ISSUE TPD



SUN PATH DIAGRAM

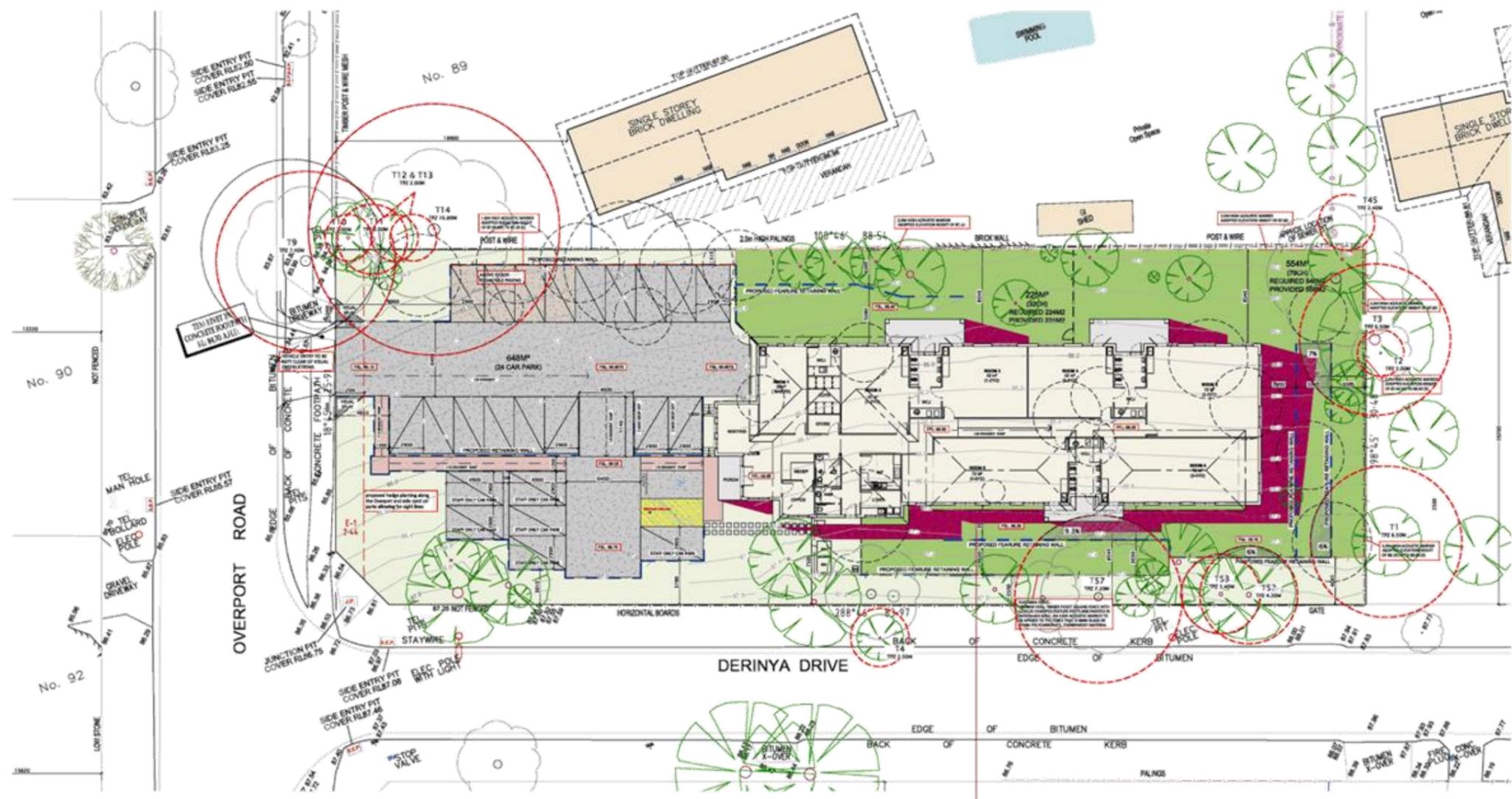


EQUINOX DATUM: 22 SEPTEMBER  
 MELBOURNE, VICTORIA



SUNLIGHT TO PRIVATE OPEN SPACE

SHADOW	TIME
	9 A.M. SEPTEMBER 22
	12 NOON SEPTEMBER 22
	3 P.M. SEPTEMBER 22



SHADOW DIAGRAM FOR 3 P.M.  
 22 SEPTEMBER (EQUINOX)

SHADOW DIAGRAMS  
 SCALE 1:250

ADVERTISED PLAN

PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

91 OVERPORT ROAD  
 FRANKTON

TAD  
 thomasandersondesign

7  
 19-0584  
 ISSUE TPD



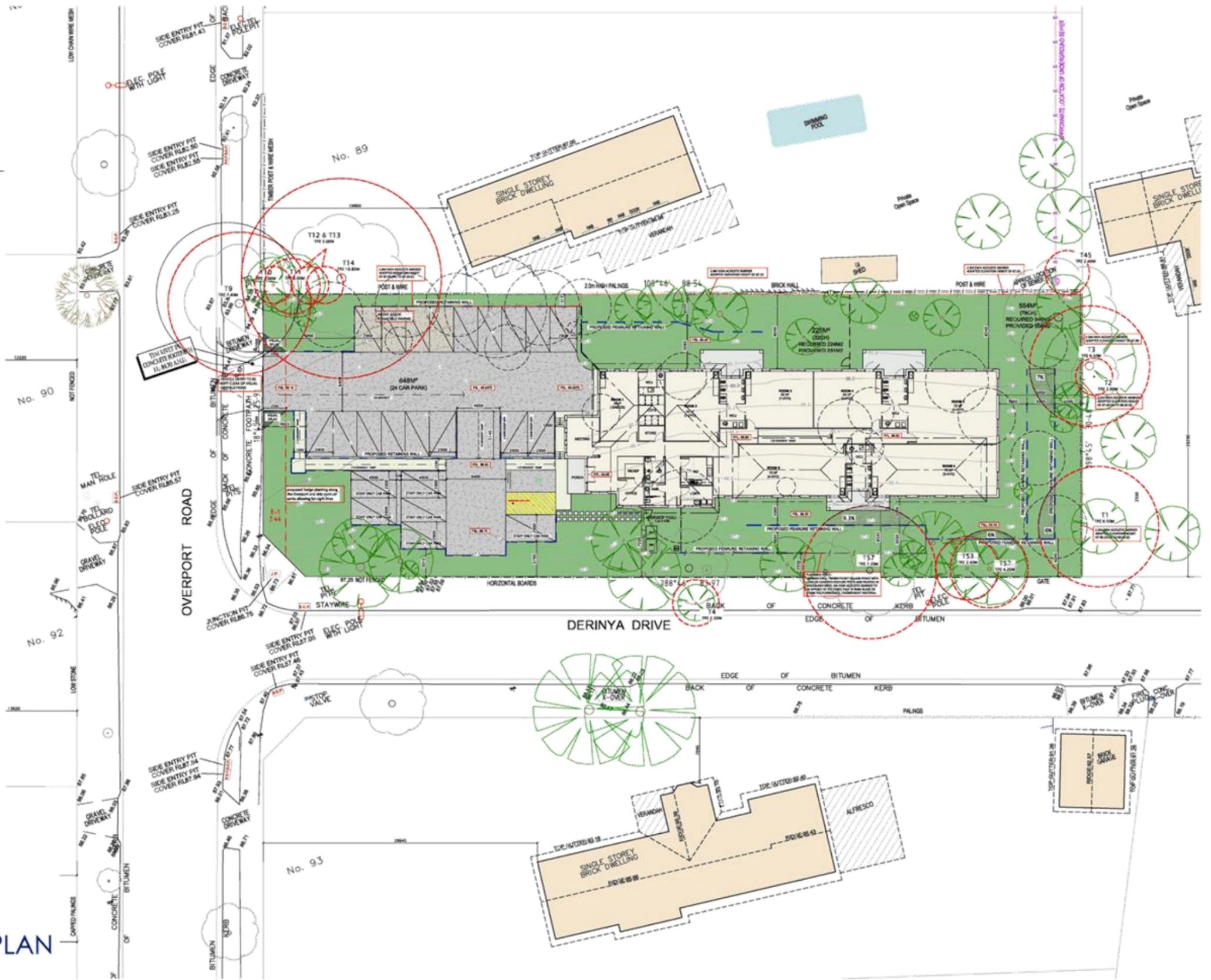
LEGEND

- GARDEN AREAS
- POS - DIMENSION UNDER 3.0M/ POS
- COMMON PROPERTY
- SEALED REINFORCED CONCRETE DRIVEWAY

**SITE STATISTICS**

Total Site Area	2668.0 m <sup>2</sup>
Garden Area	1295.5
Garden Area Ratio	48.2

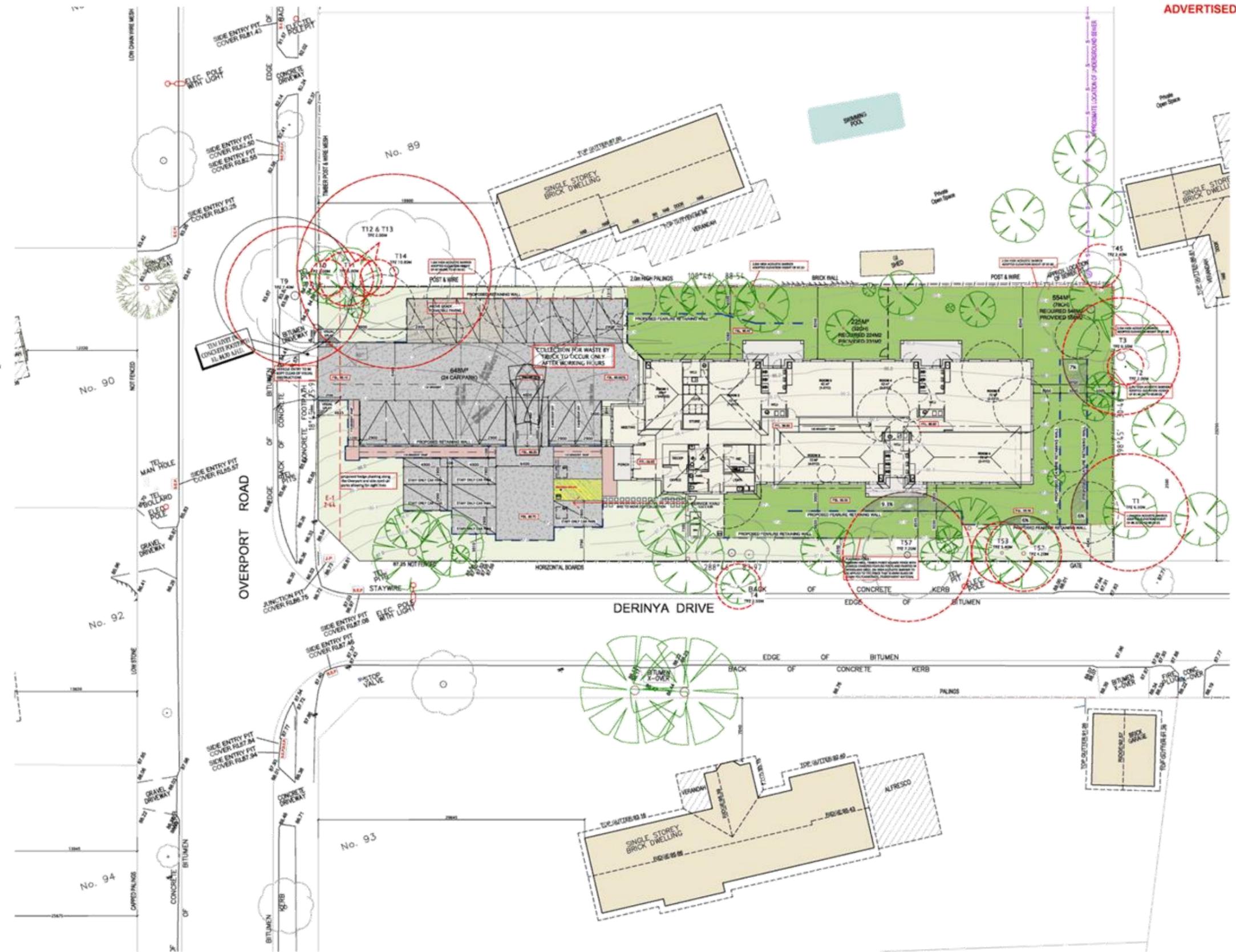
**GARDEN AREA PLAN**  
 SCALE 1:100 @ A1



ADVERTISED PLAN

**LEGEND**

- SPOS - DIMENSION OVER 3.0M
- POS - DIMENSION UNDER 3.0M POS
- COMMON PROPERTY
- SEALED REINFORCED CONCRETE DRIVEWAY
- PERMEABLE PAVING ON SAND BASE
- PERMEABLE TIMBER DECKING
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- PROPOSED TREE
- BIN COLLECTION FOOTPRINT



PROPOSED CHILDCARE  
 CLIENT: HOPE EARLY LEARNING CENTRE

91 OVERPORT ROAD  
 FRANKTON

TAD  
 thomasandersondesign

8  
 19-0584  
 ISSUE TPD

**WASTE MANAGEMENT PLAN**  
 SCALE 1:200 @ A1

LANDSCAPE CONCEPT PLAN  
PROPOSED CHILDCARE, FRANKSTON

ADVERTISED PLAN

PROPOSED IMAGE BANK



PROPOSED FEATURE BALANCE LOGS  
> NATURE PLAY DESIGN



PROPOSED FEATURE ROCK STEPPERS  
> NATURE PLAY DESIGN



OPPORTUNITY FOR CONCRETE, SOFT FALL RUBBER OR COMPACTED CRUSHED ROCK PATHWAYS & OR RACE TRACK FOR CHILDREN TO PLAY



PROPOSED INTERACTIVE NATURE PLAY SPACES  
> PLAYGROUNDS, LAWN AREAS & SAND PITS

PROPOSED PLANTING SCHEDULE



*Eucalyptus mannifera*  
LITTLE SPOTTY



*Lagerstroemia indica* 'Slou'  
GRAPE MYRTLE



*Acacia cognata* 'Mini Cog'  
Mini Cog Wattle



*Correa alba* (CLIPPED)  
White Correa



*Anigozanthos*  
KANGAROO PAW



*Chrysocephalum apiculatum*  
COMMON EVERLASTING



*Eucalyptus caesia*  
SILVER PRINCESS



*Senecio mandraliscae*  
BLUE CHALK STICKS



*CARPOBROTUS GLAUDESCENS*  
PIG FACE



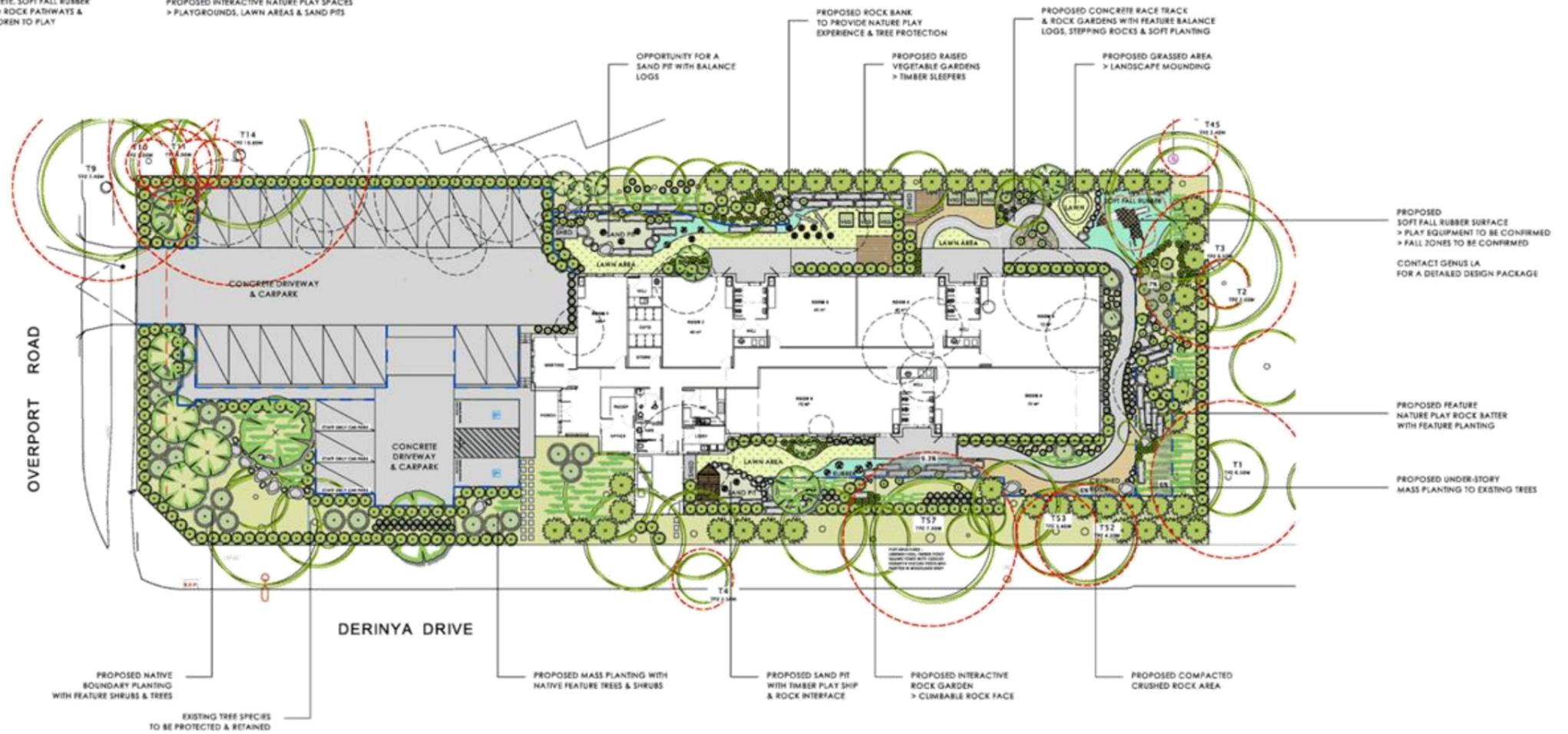
*Grevillea*  
ROBYN GORDON



*Myoporum parvifolium*  
CREEPING BOOBIALLA



*Syzygium australe*  
BUSH CHRISTMAS



TITLE:  
PROPOSED CHILDCARE  
 CLIENT:  
HOPE EARLY LEARNING CENTRE  
 ADDRESS:  
91 OVERPORT ROAD, FRANKSTON

ISSUE	DATE	DESCRIPTION
A	16/03/20	TOWN PLANNING APPLICATION
B	15/04/20	TOWN PLANNING APPLICATION

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DRAWN: GLA  
 SCALE: 1:200  
 SIZE: A1  
 REFERENCE: 19-0584  
 DATE: 3/2020  
 ISSUE: B  
 SHEET: L0

415 McCLELLAND DRIVE  
LANGWARRIN, VIC 3910  
 1.03 9788 8724 1.03 9788 8799  
 e.info@genusla.com.au  
 www.genusla.com.au

**Executive Summary****11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied***Enquiries: (Sam Clements: Communities)*Council Plan

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

**Purpose**

This report considers the merits of the planning application to extend the area where liquor is allowed to be consumed or supplied at 383-389 Nepean Highway Frankston (Frankston International).

**Recommendation (Director Communities)**

That Council resolves to issue a Planning Permit on Planning Application number 374/2020/P, subject to the conditions contained in the officers' recommendation.

**Key Points / Issues**

- It is proposed to extend the red line area where liquor is allowed to be consumed or supplied.
- The liquor consumption is in association with the existing Frankston International Motel.
- It is proposed to extend the red line area to incorporate the external terrace to the front (west) and south side of the existing restaurant.
- This will allow the restaurant to provide a full service to outdoor dining patrons.
- The Motel has an existing General Licence which restricts patron numbers and trading hours.
- Patron Numbers:
  - Restaurant: 100 persons
  - Function room: 80 persons
  - Residents' Lounge: 86 persons
- Trading Hours:
  - At any time to residents, guests of residents, the licensee and guests of the licensee.
  - To any other person:

Sunday	Between 12noon and 11.30pm
Sunday (being Christmas Eve, New Year's Eve or Day)	Between 12noon and 1am the following morning
Good Friday	Between 12noon and 11.30pm
On any other day	Between 7am and 1am the following morning

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Executive Summary**

- It is proposed to seat up to 40 patrons in the external terrace.
- It is not proposed to increase the existing capacity of the restaurant, rather the ratio of patrons will be split, 60 internal and 40 external.
- Liquor is proposed to be sold on the external terrace during the following hours:

Sunday	Between 12noon and 11pm
Sunday (being Christmas Eve, New Year's Eve or Day)	Between 12noon and 11pm
Good Friday	Between 12noon and 11pm
On any other day	Between 7am and 11pm

- Notice of the application was given to the adjoining property owners and occupiers, and no objections were received.
- This matter is required to be reported to Council as it is an application associated with liquor.

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

**Financial Impact**

The fee paid for this application is \$1668.10. The average cost to process a planning application is \$2,265.

**Consultation**1. External Referrals

The application was referred externally to Victoria Police, however no response was received as at the date of this report. Victoria Police will have an opportunity to make a submission when the applicant seeks to vary the Liquor Licence with the VCGLR.

2. Internal Referrals

The application was referred internally to Council's Social Policy and Planning Department who have no concerns with the proposal.

Notification of Proposal

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

Notification was given in the form of:

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

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

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

The proposal will have no impact on the environment.

It is considered the proposed extension to the red line area will bring some economic growth and employment opportunities in the area.

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Executive Summary**

The proposed extension of the red line area on the premises is considered to be reasonable in association with the existing use.

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

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

Legal

The proposal requires a planning permit under Clause 52.27 (Licenced Premises).

Policy Impacts

The relevant State and Local Planning Policies are outlined below:

- Amenity and Safety (Clause 13.07)
- Economic Development (Clause 17)
- Settlement (Clause 21.04)
- Economic Development (Clause 21.08)

Officer's Declaration of Interests

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

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

**Risk Mitigation**

There are no particular risks associated with this application.

**Conclusion**

The proposal is considered to be consistent with State and Local Planning Policy. The proposal is satisfactory subject to the inclusion of condition and is not likely to impact negatively on community safety and public amenity in itself. The proposal is consistent with the purpose of the zone, which encourages commercial centres to be utilised for retail, office, business and entertainment related uses.

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**ATTACHMENTS**

- Attachment A: [↓](#) Locality Map
- Attachment B: [↓](#) Aerial Locality Map
- Attachment C: [↓](#) Red Line Plan & General Licence

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Officers' Assessment****Summary**

<b>Existing Use</b>	Frankston International Motel
<b>Site Area</b>	Approximately 4639 square metres
<b>Proposal</b>	To extend the red line area where liquor is allowed to be consumed or supplied.
<b>Zoning</b>	Mixed Use Zone
<b>Overlays</b>	Special Building Overlay Design and Development Overlay Schedule 5 Parking Overlay Schedule 1
<b>Reason for Reporting to Council</b>	Application associated with Liquor

**Background****Subject Site**

The subject site is situated on the corner of Nepean Highway and O'Grady Avenue, and abuts Evelyn Street and Evelyn Park Reserve at the rear.

The site is irregular in shape with a frontage to Nepean Highway of 72.5m, a northern boundary to O'Grady Avenue of 78.35m, an eastern boundary to Evelyn Street of 21.7m and an irregular boundary abuttal to Evelyn Street Park Reserve. The total area of the site is 4,653m<sup>2</sup>.

A drainage and electricity easement affect the site.

At grade car parking is located within the site. Primary vehicle access to the site is from Nepean Highway with secondary access from Evelyn Street to the rear.

The site contains the Frankston International Motel. The Motel was opened in December 1986 with a General Licence. The building has been licensed for 34 years.

**Locality**

The subject site is located on the northern edge of the Frankston Metropolitan Activity Centre City Precinct near the corner of Nepean Highway and Fletcher Road.

The site is positioned on the edge of the commercial precinct adjacent to Evelyn Street Park and opposite the Frankston Police Station and Law Courts. Diagonally to the south is the Bayside Shopping Centre car park and the Bayside Shopping Centre commercial area.

To the north of the site are residential dwellings with commercial uses located to the Nepean Highway frontage. On the western side of the Nepean Highway there is a mix of residential apartment buildings and commercial uses.

Nepean Highway is a four lane arterial road. There is no on-street parking available along the Nepean Highway frontage or along Fletchers Road. On-street car parking in the area is limited and in some cases restricted from general public use.

## 11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied

### Officers' Assessment

The building form in the area is generally commercial in design.

#### Site History

Previous planning permits for the site include:

- Planning Permit 762/2001/P was issued on 15 January 2002 for the erection of advertising signs and a new canopy structure, in accordance with the endorsed plans
- Planning Permit 52/1999/P was issued on 16 April 1999 for an internally illuminated pole sign in accordance with the endorsed plans
- Planning Permit FR3444 was issued on 6 December 1991 to carry out building and works in accordance with the attached endorsed plans to use such land and buildings and works for the purposes of: MOTEL, RESTAURANT AND CONFERENCE ROOM.
- Planning Permit FR2996 was issued 2 September 1985 to carry out buildings and works in accordance with the attached endorsed plan, and to be used for the purpose of a: MOTEL AND RESTAURANT.

#### Proposal

The proposal is summarised as:

- It is proposed to extend the existing red line area to incorporate the external terrace to the existing restaurant.
- It is proposed to seat up to 40 patrons in the external terrace.
- It is not proposed to increase the existing capacity of the restaurant, rather the ratio of patrons will be split, 60 internal and 40 external.
- Liquor is proposed to be sold on the external terrace during the following hours:

Sunday	Between 12noon and 11pm
Sunday (being Christmas Eve, New Year's Eve or Day)	Between 12noon and 11pm
Good Friday	Between 12noon and 11pm
On any other day	Between 7am and 11pm

#### State and Local Planning Policy Frameworks

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

- Clause 13.07 Amenity and Safety
- Clause 17 Economic Development
- Clause 21.04 Settlement
- Clause 21.08 Economic Development

#### Planning Scheme Controls

A Planning Permit is required pursuant to:

- Clause 52.27: To increase the area that liquor is allowed to be consumed or supplied under a licence

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Officers' Assessment*****Notification of Proposal***

No objections were received.

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

The proposal is consistent with State and Local Planning Policy which seeks to create employment opportunities and economic growth.

It is considered that this proposal will appropriately respond to State and Local Planning Policies.

***Clause 52.27 Licence Premises***

It is considered the proposal will contribute to the viability of the Frankston International Motel during and post COVID-19 pandemic restrictions. The increased red line area where liquor is proposed to be served is considered low risk as the consumption of liquor is secondary to the primary activity of providing food to restaurant patrons.

It is considered that the increased red line area will have limited impact on the broader area as the Motel is well managed, with Council having no record of any complaints relating to the service of liquor. The external terrace is relatively small, and screened from Nepean Highway and Fletcher Road by established vegetation. It is noted that Victoria Police are located directly behind the venue and have provided no objection to the proposal.

While the proposed hours of liquor sale (7am-11pm) are contrary to Council's longstanding approach to liquor applications, the venue has operated under these hours for 34 years. As mentioned, there is no record of complaints or issues with the service of liquor from this venue. Based on this, it is considered reasonable to allow consistent liquor service hours across the site (noting that this application only applies to the external terrace). Council's Social Policy and Planning department have offered no objection to the proposal.

The proposal does not seek to increase the existing patron numbers allowed under the General Licence, rather the existing 100 patrons permitted to the restaurant will be split between the internal and external areas.

For these reasons and through the inclusion of conditions it is considered that the proposal supports Clause 52.27.

***Liquor Accord***

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

**Analysis (Economic and Social Implications)**

It is considered that the proposal will have positive economic development impacts, leading to future job creation. The potential for social issues to arise is considered relatively low due to the lack of complaints or issues arising from the premises during its 34 year operation. The Victoria Police adjoin the site and have provided no objection to the proposal.

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Officers' Assessment****Recommendation (Director Communities)**

That Council resolves to issue a Planning Permit in respect to Planning Permit Application number 374/2020/P to extend the area where liquor is allowed to be consumed or supplied at 383-389 Nepean Highway Frankston subject to the following conditions:

**Amended Plans**

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - a. Red line area fully encapsulating the external terrace.

**No Alterations**

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

**Patron Numbers**

3. A maximum of 60 patrons internally and 40 patrons externally shall be permitted in the restaurant at any one time, unless with the prior written consent of the Responsible Authority.

**Liquor Consumption**

4. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place within an approved red line plan and at the premises during the following hours:

Sunday	12noon to 11pm
Sunday (being Christmas Eve, New Year's Eve or Day)	12noon to 11pm
Good Friday	12noon to 11pm
On any other day	7am to 11pm

**Amenity**

5. The licensee/permit holder shall not cause or permit undue detriment to the amenity of the area that arises out of or is in connection with the use of the premises to which the licence/permit relates during or immediately after trading hours authorised by the licence/permit.
6. Noise emissions from the premises must comply with the requirements of the *State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1* (as varied).

**Permit Expiry**

7. This permit will expire if one of the following circumstances applies:
  - The use is not started within two (2) years of the date of this permit.
  - The use is discontinued for a period of two (2) years or more.

**11.2 Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International) - To extend the area where liquor is allowed to be consumed or supplied****Officers' Assessment**

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

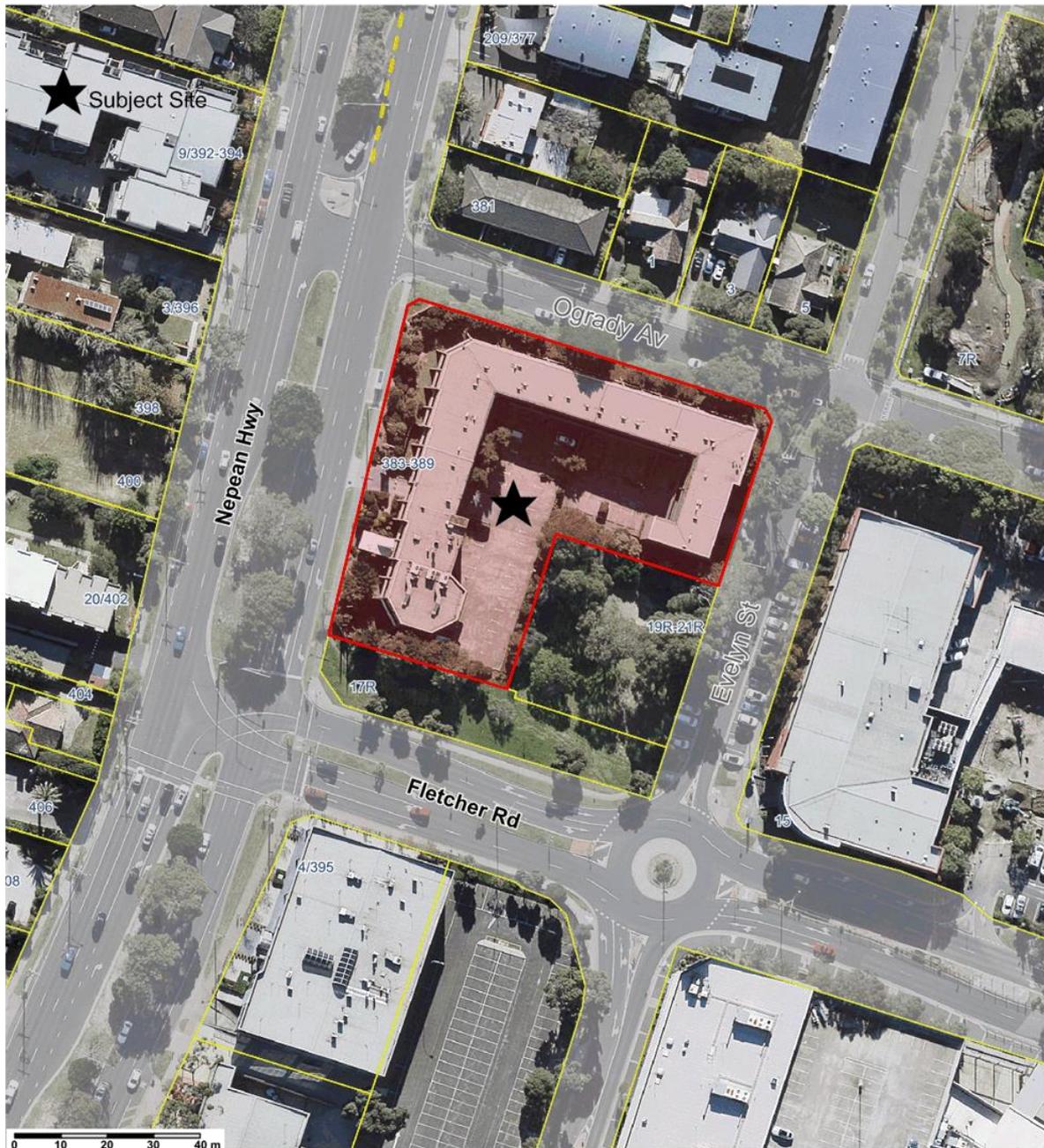
**Notes**

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

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



Aerial Locality Map - Planning Application 374/2020/P - 383-389 Nepean Highway Frankston (Frankston International)



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Projection: GDA94 / MGA zone 55

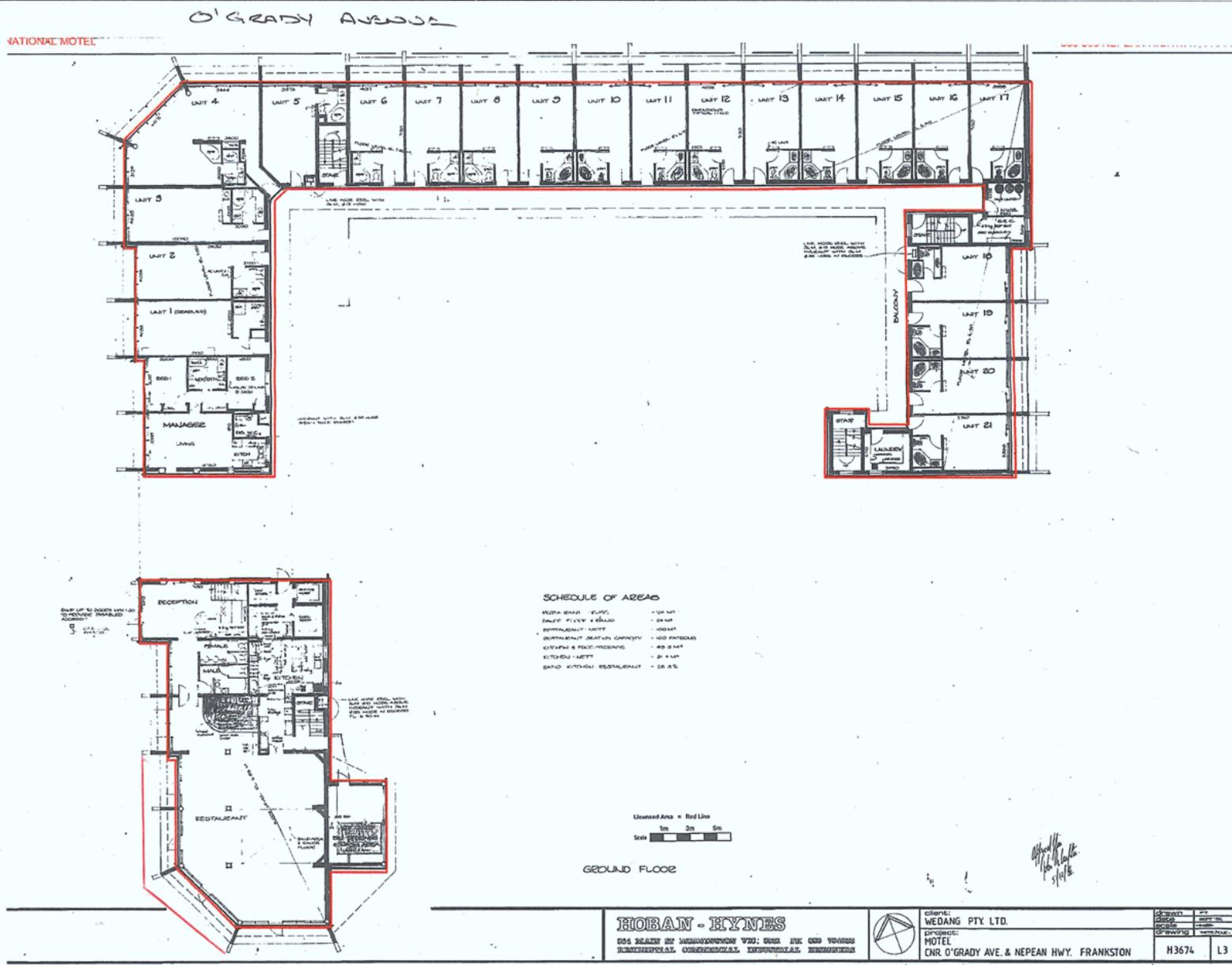
Scale: 1:1128

Date Printed: 9/12/2020

Time Printed: 3:13 PM

Issued by: Katherine Ritchie





# LIQUOR LICENCE

Section 101, Liquor Control Reform Act 1998

This licence must be displayed in a conspicuous place on the licensed premises, in a manner that invites public attention.

# 2020

## General Licence

Licence No. 33100281

Subject to the provisions of the Liquor Control Reform Act 1998 and any conditions specified in the licence, the licensee is authorised to supply liquor up to and including 31 December 2020

Licensee JONTAG PTY LTD (ACN:096 981 065)

Address for service of notices 383-389 NEPEAN HIGHWAY  
FRANKSTON 3199

Licensed premises address 383-389 NEPEAN HIGHWAY  
FRANKSTON 3199

Trading as FRANKSTON INTERNATIONAL MOTEL

### Additional person(s) endorsed on licence

PHILIP LEE JONES - approved as nominee, and is liable as if the licensee, until ceasing to manage and control the licensed premises.

### GENERAL INFORMATION

A liquor licence does not override local laws, planning schemes and conditions on planning permits. It is the licensee's responsibility to ensure they comply with these.

### TYPE OF LICENCE

This licence is a general licence and authorises the licensee to supply liquor on the licensed premises for consumption on the licensed premises during the trading hours specified below.

### AMENITY

The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised under this licence. The licensee shall ensure that the level of noise emitted from the licensed premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No.N-2.

### MAXIMUM CAPACITIES

Restaurant - 100 persons Function Room - 80 persons Residents' Lounge - 86 persons.

### TRADING HOURS

At any time to residents, guests of residents, the licensee and guests of the licensee.

To any other person -

Sunday

Sunday (being Christmas Eve or Day, New Year's Eve or Day)

Good Friday

On any other day

Between 12 noon and 11.30 p.m.

Between 12 noon and 1 a.m. the following morning.

Between 12 noon and 11.30 p.m.

Between 7 a.m. and 1 a.m. the following morning.

End of Conditions - Printed on 12/02/2020



Victorian Commission for  
Gambling and Liquor Regulation

Level 3, 12 Shelley Street, Richmond VIC 3121  
GPO Box 1988, Melbourne VIC 3001

1300 182 457  
vcglr.vic.gov.au



**Executive Summary****11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1**

*Enquiries: (Sam Clements: Communities)*

**Council Plan**

Community Outcome:	1. Planned City
Strategy:	1.1 Community Infrastructure
Priority Action	1.1.6 Ensure community infrastructure and services match community need

**Purpose**

This report considers the merits of the planning application to use and develop the land at 366-368 Nepean Highway, Frankston, to construct a building and construct and carry out works within a Mixed Use Zone (MUZ), to construct a building construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in a Road Zone Category 1.

**Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit to Permit Application Number 288/2020/P, subject to the conditions contained in the officers recommendation.

**Key Points / Issues**

- It is proposed to use and develop the land for a child care centre catering for 120 children.
- The proposed child care centre is to be located on a high profile site along the Nepean Highway which presents opportunity for redevelopment with a building of high architectural merit.
- The proposal is consistent with the Planning Policy Frameworks, local planning policy and the planning requirements of the Frankston Planning Scheme.
- Car parking is also provided in accordance with Clause 52.05 of the Frankston Planning Scheme.
- A total of 31 objectors were received. The main concerns relating to loss of the city's heritage, traffic and car parking.
- The applicant has submitted without prejudice discussion plans following public notice of the application which include a number of cosmetic changes to the built form, but do not substantively alter the key aspects of the application.
- The application is being reported to Council as it was called in by Councillor Toms in the previous Council term.

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

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Executive Summary****Financial Impact**

The fee paid for this application is \$4,631.80. The average cost to process a planning application is \$2,265. This represents a difference of \$2,366.80.

**Consultation****1. External Referrals**

The application was referred externally to the Department of Transport and to Melbourne Water.

**2. Internal Referrals**

The application was referred internally to Urban Design, Strategic Planning, Traffic, Drainage and Environment.

**Notification of Proposal**

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

Notification was given in the form of:

- Mail to adjoining owners and occupiers; and
- A sign erected on the site frontage

As a result of the public notification, 31 objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

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

The proposed use and development will have a positive environmental impact with the removal of environmental weed species and vegetation that is of a poor condition, to be replaced with appropriate landscaping, including indigenous planting, along the Kananook Creek environs.

The proposal will also have a positive economic impact to the local community. In the short term it will be through the provision of construction jobs, in the long term through positions at the facility once operating, and to local business through economic spin-off.

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

**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**

Council has complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987* in processing the planning permit application.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Executive Summary**Policy Impacts

Council has assessed the planning permit application in accordance with the relevant State and Local planning policy framework, zone, overlays, particular and general provisions of the Frankston Planning Scheme.

Officer's Declaration of Interests

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

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

**Risk Mitigation**

There are no relevant risk implications.

**Conclusion**

Overall, it is considered that the proposal to use and develop the land at 366-368 Nepean Highway, Frankston is satisfactory subject to conditions and it is recommended to be supported.

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**ATTACHMENTS**

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

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1**

### Officers' Assessment

#### Summary

<b>Existing Use</b>	Vacant - previously used as a restaurant
<b>Site Area</b>	1887 square metres
<b>Proposal</b>	To develop and use the land for a Childcare Centre
<b>Site Cover</b>	57%
<b>Permeability</b>	35%
<b>Zoning</b>	Mixed Use Zone
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Design and Development Overlay – Schedule 6</li> <li>• Environmental Significance Overlay – Schedule 1</li> <li>• Land Subject to Inundation Overlay</li> <li>• Parking Overlay – Schedule 1</li> </ul>
<b>Neighbourhood Character Precinct</b>	Not applicable
<b>Reason for Reporting to Council</b>	Councillor call in by Councillor Toms (previous Council term)

#### Background

##### **Subject Site**

The subject site is located at 366-368 Nepean Highway in Frankston. It is a large regular shaped allotment on the western side of the Nepean Highway which extends through to Kananook Creek.

The site frontage measures 25.20 metres, the maximum depth is 77.44 metres and the site area is 1887 square metres. A wide vehicle crossover is located at the northern end of the frontage providing site access.

The site has recently been cleared of buildings, the car park and some vegetation. It was previously occupied by the Kananook Creek Boathouse Gallery (at the front) and the Kananook Creek Boathouse Restaurant (at the rear). Some vegetation remains within the rear of the site.

The land slopes from the front to the rear of site and has a fall of approximately 5 metres. The slope is steeper towards the Creek interface; forming a natural embankment. An existing timber viewing area with open balustrade follows the rear interface with the creek.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Officers' Assessment*****Locality***

The site is located at the northern section of the Frankston Metropolitan Activity Centre (FMAC) within a mixed use area. Whilst there are a number of older residential properties within this precinct, land uses are expected to change over time with Council's strategic planning direction for the area.

Adjoining the subject site are commercial use/s to the north (Connecting2Australia) and on eastern side of the Nepean Highway (Officeworks; Moore Storage). To the west is the Kananook Creek and a residential area beyond, and to the south is a unit complex comprising twelve single storey dwellings. Existing fencing along the side boundaries is in poor condition and requires replacing.

***Site History***

Previous planning permit applications for the site include:

- Planning Permit 38/1995/P, Restaurant Use, approved 1995.
- Planning Permit 507/1997/P, Buildings and works for Restaurant and Art Gallery, approved 12/02/1998.

***Proposal***

It is proposed to develop and use the land for a child care centre and to alter access to Nepean Highway.

The centre is to accommodate 120 children.

The use is to operate Monday to Friday 6.30am to 7.00pm.

The building is contemporary in design, comprises three (3) levels with a maximum building height of 8.5 metres and uses a combination of external finishes and materials.

**Lower ground level**

Located at the rear of the site, it includes children rooms 5 and 6 that are separated by a centrally located bathroom, prep & store and staff WC. There is an also a store, a lift and stairwell to other levels.

**Ground level**

Provides a pedestrian entry to the building and reception from Nepean Highway and the undercover car park located on the southern side of the site with 26 car spaces (including 1 disable space). This presents as a panelled glassed frontage providing views into the site.

There is a waste storage area located at the end of the car park.

The vehicle access is via the existing crossover.

The north side of the building contains an office, planning area, kitchen, dining room and staff room separated by an alfresco area, the lift and stairwell, WC, laundry, prep room and bathroom. Across the rear of the building is children Room 1 which opens onto a large outdoor play area, and a further two (2) cot rooms.

The minimum setback from side boundaries is 1m on the south and 1.107m on the north.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Officers' Assessment**First floor level

This provides for Rooms 2, 3 and 4 which open onto a large outdoor play space at the building frontage. There are further storage and bathroom/toilet facilities, a cot room and lift and stairwell.

Other details

The building has a well-articulated building footprint and built form. It has a 5m landscaped setback to the Nepean Highway frontage and a minimum setback of 17.845 metres from the rear Creek boundary. The upper level building component is recessed back from the ground level below.

A mixture of different fencing treatments are proposed including acoustic and safety fencing at nominated locations. Across the property frontage is an open style slat fence, and at the upper level is a mixture of slat and glass balustrading that is building feature.

Site coverage is 57% and site permeability is 35%. The rear of the site will be landscaped.

Vegetation is to be removed from the site but does not trigger the need for planning approval.

**State and Local Planning Policy Frameworks**

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

- Clause 11.01-1R Settlement – Metropolitan Melbourne
- Clause 11.02-2S Structure planning
- Clause 12.03-1S River corridors, waterways, lakes and wetlands
- Clause 13.03-1S Floodplain management
- Clause 13.05-1S Noise abatement
- Clause 13.07-1S Land use compatibility
- Clause 14.02-1S Catchment planning and management
- Clause 15.01-1S Urban design
- Clause 15.01-2S Building design
- Clause 15.03-2S Aboriginal cultural heritage
- Clause 17.01-1R Diversified economy – Metropolitan Melbourne
- Clause 18.01-1S Land use and transport planning
- Clause 19.02-2S Education facilities

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

- Clause 21.03 Vision and Strategic Framework.
- Clause 21.04 Settlement

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1**

**Officers' Assessment**

- Clause 21.05 Environmental Risk
- Clause 21.06 Environmental and Landscape Values
- Clause 21.08 Economic Development
- Clause 21.10 Built environment and Heritage
- Clause 21.11 Transport
- Clause 22.07 Streetscape Policy

**Planning Scheme Controls**

A Planning Permit is required under the Frankston Planning Scheme pursuant to:

- Clause 32.04-2 – Mixed Use Zone - for the child care centre use (section 2 use).
- Clause 32.04-9 – Mixed Use Zone - to construct a building or construct or carry out works for a section 2 use.
- Clause 43.02 – Design and Development Overlay - to construct a building or construct and carry out works as there is no exemption under Schedule 5 to the overlay.  
Schedule 5 to the Design and Development Overlay - The subject site is within Sub-precinct 5 under the Schedule which applies:
  - A mandatory rear setback from Kananook Creek.
  - A preferred front and side setbacks for land with Nepean Highway frontage, as specified in Table 2 – Sub-precinct A.
  - A preferred maximum building height of 12 metres for Sub-precinct A.
- Clause 44.04-2 – Land Subject to Inundation Overlay – to construct a building or to construct or carry out works; including a fence.

***Notification of Proposal***

Notification was given in the form of mail to adjoining and nearby owners and occupiers and placing a sign at the property frontage.

As a result of the public notification, 31 objections were received. The grounds of objections are summarised below:

- Loss of a heritage/iconic building.
- The restaurant use should be retained.
- Poor/unsafe location for a child care centre.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Officers' Assessment**

- Traffic congestion and increased on-street car parking.

It is noted that the substantive majority of objections received related to a desire to see the boathouse building retained and operating as a restaurant/function centre.

***Referrals******External Referrals***

The proposal was sent to the Department of Transport and to Melbourne Water who did not object to the proposal subject to the inclusion of conditions on any permit issued.

***Internal Referrals (summarised)******Urban Design***

The Urban Designer indicated no objection and general satisfaction with the proposal subject to some further minor changes. Initial concerns raised by the Urban Designer have been readily addressed in the amended plans provided to Council for discussion purposes (received 21/10/2020).

Additional changes recommended include preference for the alfresco area on the north side of the building to accommodate a deep soil planting zone measuring 4.5m x 4.5m minimum. This is to maximise plant establishment and longevity and will add to the amenity of this space.

The main entry off Nepean Highway should be readily identifiable and present with an open, light, activated and welcoming appearance and obscure glazing or frosted films should not be used along the building frontage.

The visual impact of the development is not considered to be inappropriate in its presentation towards the Kananook Creek.

***Strategic***

The Strategic Planner indicated no objection to the proposal. A summary of comments provided include that the Mixed Use Zone supports the notion of a mixed use area as intended by the structure plan. Whilst higher density residential would be preferred in this area, given the location attributes and proximity to services and public transport; a child care centre will acceptably meet the zone objectives. The site is also not identified as having any local heritage significance.

***Traffic***

The Traffic Engineer indicates no objection and general satisfaction with the proposal in terms of car parking provision and design, and the passing area located at the entrance to the car park. The proposed timber slat fence at the front of site is acceptable and allows for pedestrian visibility. The re-use of the existing vehicle crossover is also acceptable; subject to the Department of Transport conditions.

The garage collection by private waste management contractor is considered acceptable, but should only be undertaken outside of the centre operating hours. This is because the size of the nominated collection vehicle will require use of the car parking spaces to perform an onsite u-turn to exit the property in a forward direction.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Officers' Assessment*****Environment***

The Planning Arborist indicates no objection to the proposal subject to the inclusion of conditions on any permit issued.

The Arborist Report (Tree Logic 29/07/2020) is considered to contain sound findings and recommendations. There were no substantial trees on site, with the majority of trees being Black Locust specimens which are exotic and not considered botanically significant. However, with their combined numbers, they provide noted canopy cover and screening within the rear of the site near the Creek.

There are two street trees (Trees 1 and 2) both being of below average condition, and a neighbouring tree (Tree 3), all which will remain unaffected if adequately protected during construction.

***Drainage***

No objection subject to the inclusion of conditions on any permit issued.

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

The proposal is generally consistent with State and Local Planning Policy, with the objectives of the Frankston Metropolitan Activity Centre Structure Plan and Mixed Use Zone.

This is a purpose built child care facility, of contemporary high quality architectural design which responds well to its site and wider context, and is sensitive to the adjoining Kananook Creek. The built form will fit well and add interest within its setting along the Nepean Highway which provides a boulevard entrance into Frankston.

The site is well located for a child care centre being within a mixed use area with ready access to a range of community facilities and services and good road and transport networks. The proposal is consistent with local planning policy which seeks to encourage uses and high quality building design that will enhance the boulevard entrance along the Nepean Highway to the Frankston Metropolitan Activity Centre.

Consideration is given to ensuring there will be not be unreasonable negative amenity impact on the surrounding area as a result of noise, car parking, visual impact overlooking and overshadowing which can be reinforced through various requirements and conditions included on any approval given.

The proposal will provide a service catering for community needs, it will strengthen educational uses within the FMAC, will have local economic benefit and provide for local employment opportunities.

**Clause 32.04 - Mixed Use Zone**

The proposal provides for an educational use and development in an appropriate location that will service community needs. The use is considered consistent with the Purpose of the Mixed Use Zone as it will help implement the Municipal Planning Strategy and the Planning Policy Frameworks, and is a use that will complement the mixed-use function of the locality. The proposal in general will be compatible with other uses within the area. It also has ready access to a major road corridor and to the Frankston commercial area.

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1****Officers' Assessment**

Consideration has been given to the impact that the use may have on the amenity of the area. There will be no unreasonable adverse impact resulting from traffic, car parking, noise and emissions generated by the use. Management of these aspects of the proposal will be discussed later in this report.

***Design and Development Overlay Schedule 5***

The subject site is located within the DDO5 that relates to the Frankston Metropolitan Activity Centre Precinct 5 – Nepean Highway Boulevard & Kananook Creek Precinct; and falls within Sub-precinct A.

The overlay seeks to encourage a mix of development along the Nepean Highway Boulevard which responds to its role as a gateway in the City Centre and supports the objectives of the FMAC Structure Plan. Buildings with activated frontages, promoting street surveillance and safety are encouraged, and car parks, loading bays and services areas should not dominate public spaces. Development should also respect the environmental qualities and amenity of the Kananook Creek through appropriate siting, site coverage, fencing and landscaping.

The proposed building takes advantage of the site topography. It presents as a two storey structure to the Nepean Highway and along its side interfaces, while the lower level will only be seen from the Creek. The proposal responds to the sensitive Kananook Creek interface by maintaining the natural landscape character of the creek corridor. This will be further enhanced with the preparation of a landscape plan that is to include indigenous vegetation; and as required by Melbourne Water.

The proposed 35% site permeability is above the 30% requirement and the maximum building height of 8.5 metre is below the 12 metre maximum as specified in Sub-precinct A.

The proposal also meets the setback requirements specified in Tables 2 and 3 of Schedule 5 Sub-precinct A. This includes the 5 metres preferred setback from the street frontage (east elevation) and the preferred 1 metre minimum setback from side boundaries (north and south elevations). On the Kananook Creek side (west), the proposed building meets the mandatory setback of 10 metres minimum from the 1.15 metres AHD contour (2 year Annual Recurrence Interval), and the building is progressively stepped back from the creek to provide an appropriate transition of built form.

The building is architecturally designed to a high standard and includes sustainable design elements, supported by an Environmentally Sustainable Design Report prepared by Sustainable Development Consultants (July 2020). The built form and the use of select materials colours and finishes will ensure the development will sit well within the Creek environs with minimal visual intrusion. From the Nepean Highway, the contemporary built form will appear as a two storey building and sit well within the streetscape and with adjoining properties. The development achieves the required front, rear and side setbacks and a deep soil zone that is provided adjacent to the northern side boundary.

On balance, it is considered the proposal meets the objectives of the overlay.

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Clause 52.06-5 Table 1 of the Frankston Planning Scheme specifies a rate of 0.22 car parking spaces is to be provided to each child for a Child Care Centre use. There are 26 car spaces provided for on-site; including one disable space which meets the requirements for 120 children.

The under-croft access arrangements and car parking layout are appropriately designed and comply with the Design standards of Clause 52.06-9 of the Frankston Planning Scheme in relation to accessways, car parking spaces and gradients. The site access arrangements will remain as is existing, with utilisation of the existing crossover and left in/left out vehicle movements by traffic that is north bound. South bound traffic wanting to access the site will be required to conduct a u-turn via the u-turn lane just north of the intersection of Nepean Highway and O'Grady Avenue; or further south at the intersection with Merewether Avenue.

The Traffic and Car Parking Assessment prepared by Ratio conducted Traffic Movement Surveys at peak times (prior to COVID-19 restrictions) along the Nepean Highway; at the intersections with Mereweather Avenue and O'Grady Avenue. The intersections were found to be operating under excellent conditions with relatively minimal delays and queues.

The majority of traffic generated by child care centres is associated with parents dropping and collecting children. Generally, vehicle movement is evenly-spilt between inbound and outbound traffic, and drop-off and pick-up activity is usually part of a linked trip.

Comparing the existing conditions with anticipated traffic movement (using SIDRA analysis), it is expected that the assessed intersections will continue to operate with minimal change to movement performance.

Nepean Highway is a Primary State Arterial Road management by the Department of Transport (VicRoads) which was notified as a section 55 Referral under the requirements of the *Planning and Environment Act 1987*. The Department of Transport indicated no objection to the proposal subject to conditions on any permit issued. These relate to crossover and driveway construction, traffic management treatment in the form of a splitter island at the site entry, ensuring no disruption of bus operations on the Nepean Highway during demolition and construction, and seeking written consent from the Department if there is likelihood of a disruption to bus operations.

***Transport Networks***

The site is readily accessible to public transport networks. There are two bus routes along the Nepean Highway connecting with the Frankston Train Station and Bus Exchange located 1.2 km to south-east. Nearby bicycle networks are also available along the Nepean Highway and Kananook Creek Trail.

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The Waste Management Plan (WMP) prepared by Ratio (29/07/2020) states that waste will be sorted by garbage, recycling, organics and hard waste/e-waste. Collection will be by private contractor using mini rear-lift waste trucks and will be the responsibility of the child care centre management. The bin storage area is located at the north-west corner of the ground level car park. The WMP makes recommendation that waste collection be outside of the child care centre operating times for safety reasons. Council's Traffic Engineer also raised concern about waste vehicles having to use car spaces to manoeuvre to exit the site in a forward direction. A condition can be placed on the permit requiring that waste collection be conducted outside of the centre operating hours accordingly to the satisfaction of the Responsible Authority.

***Creek Environs***

The rear of the site adjoins Kananook Creek and is affected by a Land Subject to Inundation Overlay (LSIO); which extends approximately 2.5m into the site. The majority of buildings and works are outside of the overlay area, but some additional safety and acoustic fencing is proposed within the LSIO.

Melbourne Water, being a Referral Authority, had no objection to the proposal. It does however, require some modifications to fencing and the inclusion of conditions on any permit issued. In summary, these relate to treatment along the Creek environs, fencing, finished floor levels and building setbacks, site fill, provision of a landscape buffer zone, vegetation and planting requirements, the requirement for a site environmental management plan, a Section 173 Agreement (inundation areas, flood risk management plan) and certified survey plan prior to issue of an Occupancy Permit.

Additional supporting reports provided with the application include an Acid Sulphate Soil Assessment, prepared by Geocquitarde Environmental (15/07/2020) and a report responding to issues raised by Melbourne Water prepared by Energy Water Management (10/07/2020); given the site's location next to the Creek.

***Noise***

An Acoustic Report prepared by WSP (23 July 2020) provided with the application includes data on assessments carried out on background noise levels, expected children noise emissions and external building façade acoustic performance. The dominant source of noise intrusion to the site is from the Nepean Highway, and the close noise sensitive receptors are residential properties located immediately to the south and on the western side of Kananook Creek.

The report finds that acoustic impacts resulting from the development can be sufficiently addressed and makes a number of recommendations which have been incorporated into the proposal's design. This includes provision of 1.8m high acoustic fencing along side boundaries, and adjacent to the outdoor play spaces, the provision of sound insulation to external building façade, the location of waste bin areas and treatment of mechanical plant emissions. Provision of acoustic fencing and other general amenity conditions to manage noise can be included on any permit issued.

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The subject site is located within an area of Aboriginal Cultural Heritage Sensitivity. A CHMP (17227), has been prepared by Australian Cultural Heritage Management (16/07/2020), as the proposal is considered a high impact activity and is within 200 metres of a waterway. This concludes that no Aboriginal Cultural Heritage has been identified within the site and includes requirements to be undertaken by the permit holder during construction. The CHMP was approved by the Bunurong Land Council Aboriginal Corporation on 21 July 2020.

**Without prejudice discussion plans**

As noted, the applicant has submitted without prejudice discussion plans which include the following cosmetic changes to the built form:

**External finishes/Visual bulk**

A greater mix of external finishes are introduced to address the extent of rendered finishes proposed. This includes stone wall columns added to the rear elevation at ground floor level, timber looking battens applied over a section of the first floor building along the rear and side elevations to break up visual bulk and full height windows in the rear ground floor elevation. Additionally, the applicant has indicated that the inclusion of a deep planting area within the existing alfresco area is accepted as a condition of permit.

**Street presentation**

The changes to plans improve on activation to the street and passive surveillance. The timber looking battens along the front elevation now have a varied height and spacing to create a curvilinear pattern resulting in more visual permeability, interest and articulation to the building.

The airlock at the main building entrance is reconfigured and now incorporates a glazed wall to the car park. The internal office and reception area are more integrated and a safety gate is provided to the car park and to the Nepean Highway entrances allowing for better surveillance.

**Integration with the Creek**

Improvements to the building's presentation towards Kananook Creek has been addressed by including full length windows to the rear elevation to Rooms 1, 5 and 6. These windows will be protected by the roof overhangs for sun protection. Additionally a landscape plan is provided which demonstrates planting at the rear of side and the Creek environs.

**Conclusion**

The proposal is considered to be consistent with the requirements of the Frankston Planning Scheme, including the relevant Planning Policy Frameworks and the Municipal Strategic Statement, zone, overlays and particular provisions. The proposal will provide an appropriate education facility in a mixed use area that is highly accessible, within proximity of the Frankston Centre and will have positive social and economic benefits to the community. Referrals have been considered and requirements incorporate as necessary. The concerns of objectors have been addressed satisfactorily so that there will be minimal impact on the local area. Overall, it is considered that the proposal is reasonable and should be supported by Council.

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That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 288/2020/P to construct a building and construct and carry out works within a Mixed Use Zone (MUZ), to construct a building construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in a Road Zone Category 1 at 366 and 368 Nepean Highway Frankston generally in accordance with the plans submitted with the application identified as PA00-PA23, prepared by Mollard Property Group PTY LTD 28 July 2020, subject to the following conditions:

**Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) Changes as shown on the discussion plans provided to Council dated 19 October 2020.
  - (b) All trees growing on the site and on the adjoining properties within 3m of the boundaries clearly illustrated on all relevant plans. This must include canopy width, trunk location and be clearly labelled in accordance with the arborist report by Tree Logic dated 29/07/2020, and state whether the tree is to be retained or removed.
  - (c) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all retained trees and the location of tree protection fencing and or ground protection systems must be clearly illustrated on all relevant plans (including ground floor).
  - (d) Notation of all relevant plans that the existing natural ground level (NGL) within the neighbouring TPZ for Tree 3 that extends into the site must be maintained and not be altered by excavations throughout the all development phases.
  - (e) The alfresco area on the north side of the building to accommodate a deep soil planting zone and have a minimum dimension of 4.5m x 4.5m.
  - (f) Notation that clear glazing (i.e. not obscured glazing or frosted film) is to be used along the building frontage.
  - (g) A schedule of external finishes and colours (including samples) to be used on the building.
  - (h) Tree protection conditions noted in accordance with Condition 3.
  - (i) A landscape plan as required by Condition 6.

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- (j) The Waste Management Plan amended to demonstrate that waste collection will be undertaken by private contractor outside of the operating hours of the child care centre and to the satisfaction of the Responsible Authority.
- (k) The Melbourne Water requirements as shown in conditions 24 to 38.
- (l) The Department of Transport in requirements in Condition 41 noted on all relevant plans.
- (m) The location of the splitter island required by Condition 42.

**No Alterations**

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

**Tree Protection**

- 3. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority.
- 4. The following radial tree protection zones (TPZ) apply to the following trees:
  - Tree 1 (Council street tree – Brush Box) – 4.3m (finishing at paved surfacing level).
  - Tree 2 (Council street tree – Silky Oak) – 2.1m (finishing at paved surfacing level).
  - Tree 3 (neighbouring Photinia to the south) – 2.0m.
- 5. Prior to the commencement of the development (including demolition and any initial site preparations) Tree Protection Fencing (TPF) must then be erected at the applicable radial TPZs.

The TPF must comprise temporary fencing panels (min. 1.8m height) and held in place with concrete feet. A fixed sign stating Tree Protection zone is to be provided on all visible sides of the TPF. All tree protection zones, fencing and signage must be to the satisfaction of the Responsible Authority.

The requirements below must be observed within this area:

- (a) Coarse mulch laid to a depth of 75 mm (excluding road reserve of street trees).
- (b) No vehicular or pedestrian access.
- (c) The existing soil level must not be altered either by fill or excavation.
- (d) The soil must not be compacted or the soil's drainage changed.
- (e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- (f) No storage of equipment, machinery or material is to occur.
- (g) No open trenching to lay underground services.
- (h) Nothing whatsoever is to be attached to any tree.

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- (i) Tree roots must not be severed or injured.
- (j) All tree pruning (including to roots) is to be carried out by a professional arborist and in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees.

Note: where TPF is impractical, formalised ground protection must be installed. Ground protection must comprise strapped timber rumble boards installed over the previously installed layer of mulch.

**Landscape Plans**

6. Before the commencement of buildings and works, a landscape plan in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) A survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed.
  - (b) The tree number, T.P.Z., S.R.Z. and notations regarding protection methods during construction of retained trees.
  - (c) Buildings on neighbouring properties within three metres of the boundary.
  - (d) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site.
  - (e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
  - (f) A range of plant types from ground covers to large shrubs and trees.
  - (g) Landscaping and planting within all open areas of the site.
  - (h) Adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals).
  - (i) Plants with a height of less than 0.9m to be used within corner splay areas
  - (j) No synthetic grass to be used in the ground level open air play space areas
  - (k) A Landscape Buffer Zone within the Kananook Creek setback as required by Melbourne Water and shown in Condition 34.
  - (l) A planting theme of a minimum 75% indigenous and 25% native (EVC Coast Banksia Woodland/Swamp Scrub Mosaic) within each plant group.
  - (m) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Frankston Invasive Species guide' (2019) are not to be planted.
  - (n) The provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority:
    - i. Three (3) within the front setback minimum mature height of 10m.
    - ii. Five (5) within the rear play space minimum mature height 7m.

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- (o) The provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- (p) All tree stock used must be in accordance with AS2303-2015 Tree stock for Landscape Use.

**Prior to Occupation**

- 7. The landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.
- 8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged trees are to be replaced.

**Engineering Requirements**

- 9. Stormwater drainage shall be connected to stormwater Legal Point of Discharge as nominated and to the satisfaction of the Responsible Authority.
- 10. Soakage systems for Stormwater drainage shall be provided with Geotechnical design to demonstrate that effective drainage can be provided without detriment to premises and/or other properties.
- 11. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system are to be submitted and approved to the satisfaction of the Responsible Authority.
- 12. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following components or a combination thereof:
  - On-site stormwater detention.
  - Permeable Paving.
  - Rainwater tanks for harvesting and re-use of stormwater for toilet flushing, landscape irrigation, etc.
  - Soil percolation.
  - Rain gardens providing extended detention and on-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.
- 13. Stormwater runoff must achieve the following objectives for environmental quality, as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999:
  - 80% retention of the typical annual load of suspended solids.
  - 45% retention of typical annual load of total phosphorous.
  - 45% retention of typical annual load of total nitrogen.

Water quality works within the development must be provided to achieve compliance with the above best practice.

- 14. Prior to occupation of the building, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be:

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

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

15. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

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

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

**Urban Design**

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

**Number of Children**

19. Unless with the prior written consent of the Responsible Authority, no more than 120 children may be on the premises at any one time.

**Hours of Operation**

20. Unless with the prior written consent of the Responsible Authority, the use hereby permitted may operate only between the hours of 6.30am–7.00pm, Monday to Friday.
21. Unless with the prior written consent of the Responsible Authority, the use hereby permitted may not operate on weekends or public holidays.

**Amenity**

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22. The amenity of the area must not be detrimentally affected by the development and/or use through the:
- Transport of materials, goods or commodities to or from the land.
  - Appearance of any building, works or materials.
  - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - Presence of vermin.
- to the satisfaction of the Responsible Authority.
23. Unless with the prior written consent of the Responsible Authority, any form of public address system or sound amplification equipment used on the premises must not be audible outside the premises.

**Melbourne Water Requirements**

24. Prior to the development plans being endorsed, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must show:
- The removal of one of the fences adjacent Kananook Creek.
  - Detailed footing design of the fence to be located within the setback.
  - The acoustic side boundary fence located at and above the 1.5 metre contour line.
25. Finished floor levels of the building must be constructed no lower than 3.0 metres to Australian Height Datum (AHD).
26. The building must be setback a minimum of 10 metres measured from the top of bank of Kananook Creek or above the 1.5 metre contour line whichever is greater.
27. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the building only.
28. No imported fill is permitted below the 1.7 metre contour line to allow for the conveyance of floodwaters.
29. The natural surface levels below the 1.9 metre contour must not be lowered below existing to ensure flood depths are not exacerbated.
30. The acoustic style side boundary fence must be located at and above the 1.5 metre contour line to allow for the conveyance of flood flow.
31. Any new internal and side boundary fencing located at and below the 1.7 metre contour line must be 'open style' a minimum of 50% of construction or timber paling to allow for the conveyance of floodwaters.
32. Melbourne Water will permit the construction of one 'open style' fence located within the Kananook Creek setback.
33. The fence including footings permitted to be located within the Kananook Creek setback must be designed as to not impact the bank of Kananook Creek and must be designed and constructed to the satisfaction of Melbourne Water.
34. A 'Landscape Buffer Zone' of indigenous vegetation located within the

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Kananook setback is required to screen the development from the waterway to protect ecological and future amenity. A detailed landscape plan must be submitted to Melbourne Water and must detail:

- (a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - (b) Details of surface finishes of pathways and driveways.
  - (c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - (d) If retaining any Robinia pseudoacacia tree species a maintenance plan to outline how the trees will be managed to avoid suckering and reseeding into the landscape.
  - (e) Only local native plants (Coast Banksia Woodland (EVC 2) must be used and shown on the landscape plans.
35. No native vegetation is permitted to be removed located within twenty (20) metres measured from the 'top of bank' of Kananook Creek without prior written approval from Melbourne Water.
36. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.
37. Prior to commencement of construction a Site Environmental Management Plan (SEMP) must be submitted to Melbourne Water for approval, specifying relevant actions in a practical way to ensure that they are implemented effectively. The SEMP must include a site map detailing the location and design of all measures including the following:
- (a) Silt fencing.
  - (b) Access tracks.
  - (c) Spoil stockpiling.
  - (d) Trenching locations.
  - (e) Machinery/Plan Locations.
38. Prior to the completion of works, a Flood Risk Management Plan prepared by an accredited risk management professional must be submitted to the satisfaction and approval of Melbourne Water. The Flood Risk Management Plan must provide for ongoing effective management of flood risks.
39. Prior to the Occupancy Permit being issued, the owner of the Land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Responsible Authority and Melbourne Water Corporation. All costs associated with the setting up of the agreement must be borne by the permit holder. The agreement must be registered on the title of the Land and must provide, to the satisfaction of the Responsible Authority and Melbourne Water, for:
- (a) Prospective and future owners/users of the Land to be informed that the outdoor play areas is subject to inundation;
  - (b) Identify the implementation of a Flood Risk Management Plan which has been approved by the Responsible Authority and Melbourne Water Corporation.
40. Prior to the issue of an Occupancy Permit, a certified survey plan, showing

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finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

**Department of Transport Requirements**

41. Prior to the commencement of the use, the crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
42. Traffic management treatment in the form of a splitter island must be provided at the entry point to the site and must be setback inside the property boundary to allow vehicles to store clear of the Nepean Highway pavement and footpath.
43. The demolition and construction of the development must not disrupt bus operations on Nepean Highway without the prior written consent of the Head, Transport for Victoria.
44. Any request for written consent to disrupt bus operations on Nepean Highway during the demolition and construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.

**Waste Management Plan**

45. Waste management must be implemented to the satisfaction of the Responsible Authority in accordance with Waste Management Plan approved as part of this permit.

**Satisfactorily Completed**

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

**Permit Expiry**

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

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

**Notes**

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

Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment Act 1987 the Responsible Authority may extend the

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periods referred to if a request is made in writing within the following prescribed timeframes:

- Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
- Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

- B.** Prior to the commencement of construction the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.

**Department of Transport**

- C.** The proposed development requires the construction of a crossover, and the reinstatement of a disused crossover to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

**Melbourne Water**

- D.** The applicable flood level for the property is 1.7 metres to Australian Height Datum (AHD).
- E.** This property will also be affected by any incremental mean sea level rise associated with climate change predictions above the current Port Phillip Bay level of 1.6 metres. The flood level for Port Phillip Bay in 2040, rises 200mm to a level of 1.80 metres (AHD), with a further increase of 600mm by 2100, to 2.4 metres AHD.

**Fencing**

- F.** Melbourne Water will permit the construction of one fence only to be located within the Kananook Creek setback.

The submitted plan show the existing fence located on the deck to remain and a new fence within the Kananook Creek setback. Melbourne Water will permit only one fence. This fence may either be the existing fence on the deck with an extension to the property boundary for security purposes or a new fence as proposed within the setback the entire length of the property boundary. Melbourne Water will not permit both fences and therefore one must be removed.

Any new fencing including footings must not impact the bank of Kananook Creek and must be constructed as 'open style' to the satisfaction of Melbourne Water.

**Landscape Plan**

- G.** The existing vegetation on the site comprises of Robinia pseudoacacia, a tree

**11.3 Town Planning Application 288/2020/P - 366 and 368 Nepean Highway, Frankston 3199 - To use and construct a child care centre within a Mixed Use Zone (MUZ), to construct a building and construct and carry out works in a Design and Development Overlay Schedule 5 (DDO5) and to create/alter access to a road in Road Zone Category 1**

**Officers' Assessment**

species that is prone to 'suckering' and can re-seed. the landscape plan must show if these trees are to be removed or retained for the development. If they are to be retained the landscape plan must include details as to how these tree will be managed in the future to avoid suckering & seeding into the new re-vegetation.

Planning Application 288/2020/P - 366-368 Nepean Highway Frankston  
 Subject Site  Objectors  (27 Objectors not shown on map)



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Projection: GDA94 / MGA zone 55

Scale: 1:1494

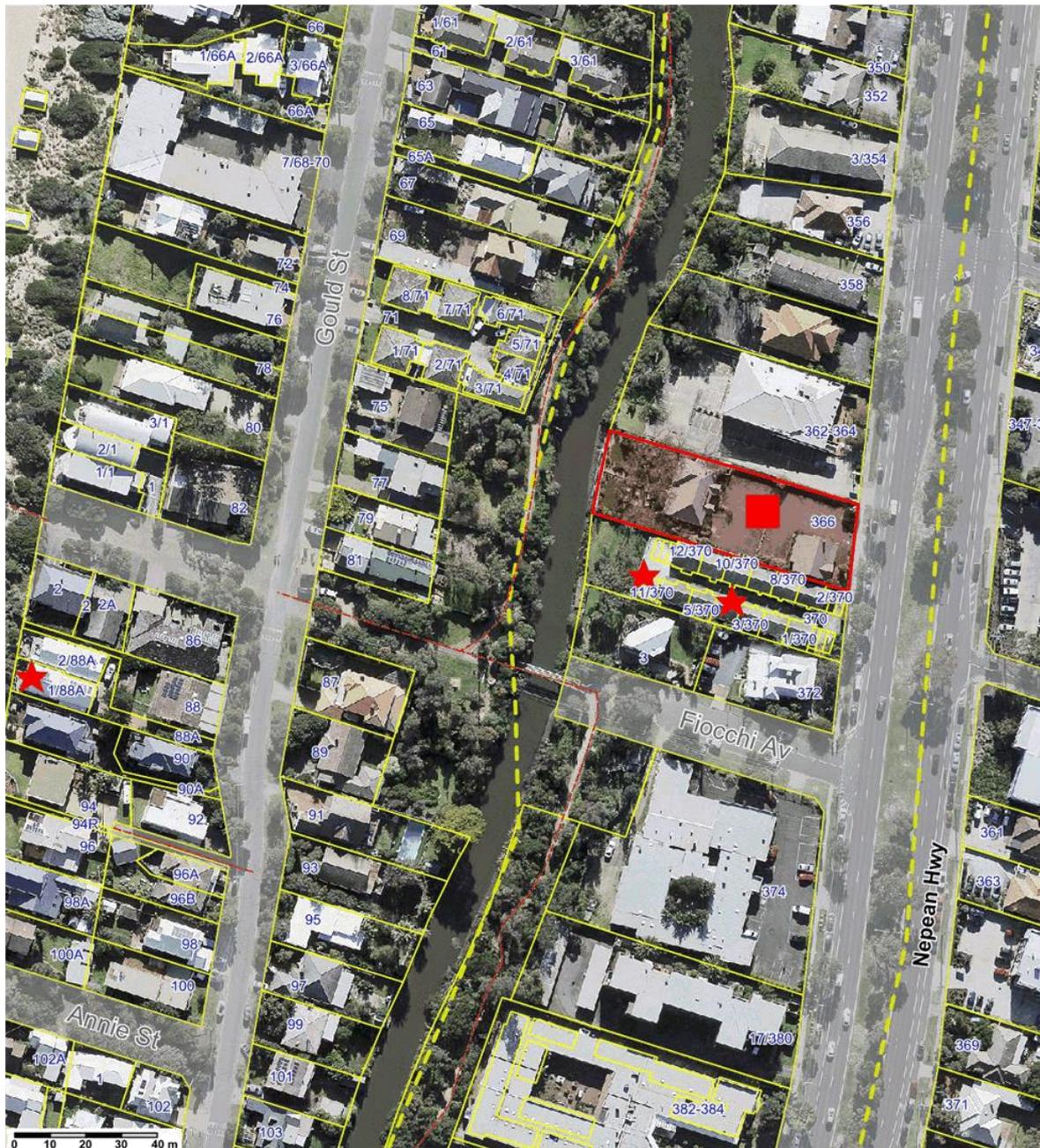
Date Printed: 6/01/2021

Time Printed: 3:58 PM

Issued by: Maxine O'Neill



Planning Application 288/2020/P – 366-368 Nepean Highway Frankston  
 Subject Site ■ Objectors ★ (27 Objectors not shown on map)



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Projection: GDA94 / MGA zone 55

Scale: 1:1494

Date Printed: 6/01/2021

Time Printed: 4:07 PM

Issued by: Maxine O'Neill





REFER DRAWINGS PA16-PA17 FOR MATERIALS AND COLOURS

DRAWING SCHEDULE	
PA00	COVER
PA01	SITE CONTEXT ANALYSIS PLAN
PA02	SITE CONTEXT ANALYSIS NEIGHBOURHOOD IMAGES
PA03	SURVEY
PA04	EXISTING SITE PLAN AND DEMOLITION
PA05	DESIGN RESPONSE SITE PLAN
PA06	FENCE AND BALUSTRADE SITE PLAN
PA07	MELBOURNE WATER SETBACK PLAN
PA08	DESIGN RESPONSE SITE ELEVATIONS
PA09	DESIGN RESPONSE SITE SECTION
PA10	GROUND FLOOR LEVEL
PA11	UPPER FLOOR LEVEL
PA12	LOWER FLOOR LEVEL
PA13	ROOF PLAN
PA14	RECEPTION, OFFICE, ENTRY DETAIL <b>NEW DRAWING</b>
PA15	ELEVATIONS
PA16	ELEVATIONS
PA17	MATERIALS AND COLOURS <b>NEW DRAWING</b>
PA18	MATERIALS AND COLOURS
PA19	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 9AM
PA20	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 10AM
PA21	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 11AM
PA22	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 12PM
PA23	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 1PM
PA24	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 2PM
PA25	PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 3PM

GROSS FLOOR AREA	
GROUND LEVEL DECK	117 m <sup>2</sup>
GROUND LEVEL INDOOR	352 m <sup>2</sup>
LOWER LEVEL INDOOR	236 m <sup>2</sup>
UPPER LEVEL DECK	436 m <sup>2</sup>
UPPER LEVEL INDOOR	349 m <sup>2</sup>
TOTAL FLOOR AREA	1489 m <sup>2</sup>

AREA ANALYSIS CHILD CARE FACILITY		
SITE AREA:		1887m <sup>2</sup>
SITE COVERAGE:		57%
SITE PERMEABILITY:		35%
TOTAL CHILDREN SPACES:		120
OUTDOOR PLAY AREA REQUIRED:		840m <sup>2</sup>
OUTDOOR PLAY AREA PROVIDED:		1122m <sup>2</sup>
TOTAL CARPARKING REQUIRED:		26
TOTAL CARPARKING PROVIDED:		26

ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
TOTAL	390m <sup>2</sup>	120

OPERATIONAL HOURS 6:30am-7:00pm  
 MONDAY TO FRIDAY

TOWN PLANNING APPLICATION DRAWINGS FOR  
**PROPOSED EARLY LEARNING CENTRE**  
 366-368 Nepean Highway, Frankston VIC 3199





- KANANOOK CREEK
- RESIDENTIAL UNITS
- CONNECTING 2 AUSTRALIA  
DISABILITY SERVICES & SUPPORT ORGANISATION  
362 NEPEAN HW
- NEPEAN HIGHWAY
- ELIZA LODGE NURSING HOME
- PUBLIC TRAIL
- PROPOSED EARLY LEARNING CENTRE
- OFFICE WORKS
- 12 RESIDENTIAL UNITS SINGLE LEVEL  
370 NEPEAN HW
- ONE PEAR TREE CAFE
- PEDESTRIAN BRIDGE
- SHERIDAN AVE
- FIOCCHI AVE

AREA ANALYSIS CHILD CARE FACILITY		
SITE AREA:		1887m <sup>2</sup>
SITE COVERAGE:		57%
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TOTAL CARPARKING PROVIDED:		26
<b>ROOM No</b>		
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>
OPERATIONAL HOURS 6:30am-7:00pm MONDAY TO FRIDAY		



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

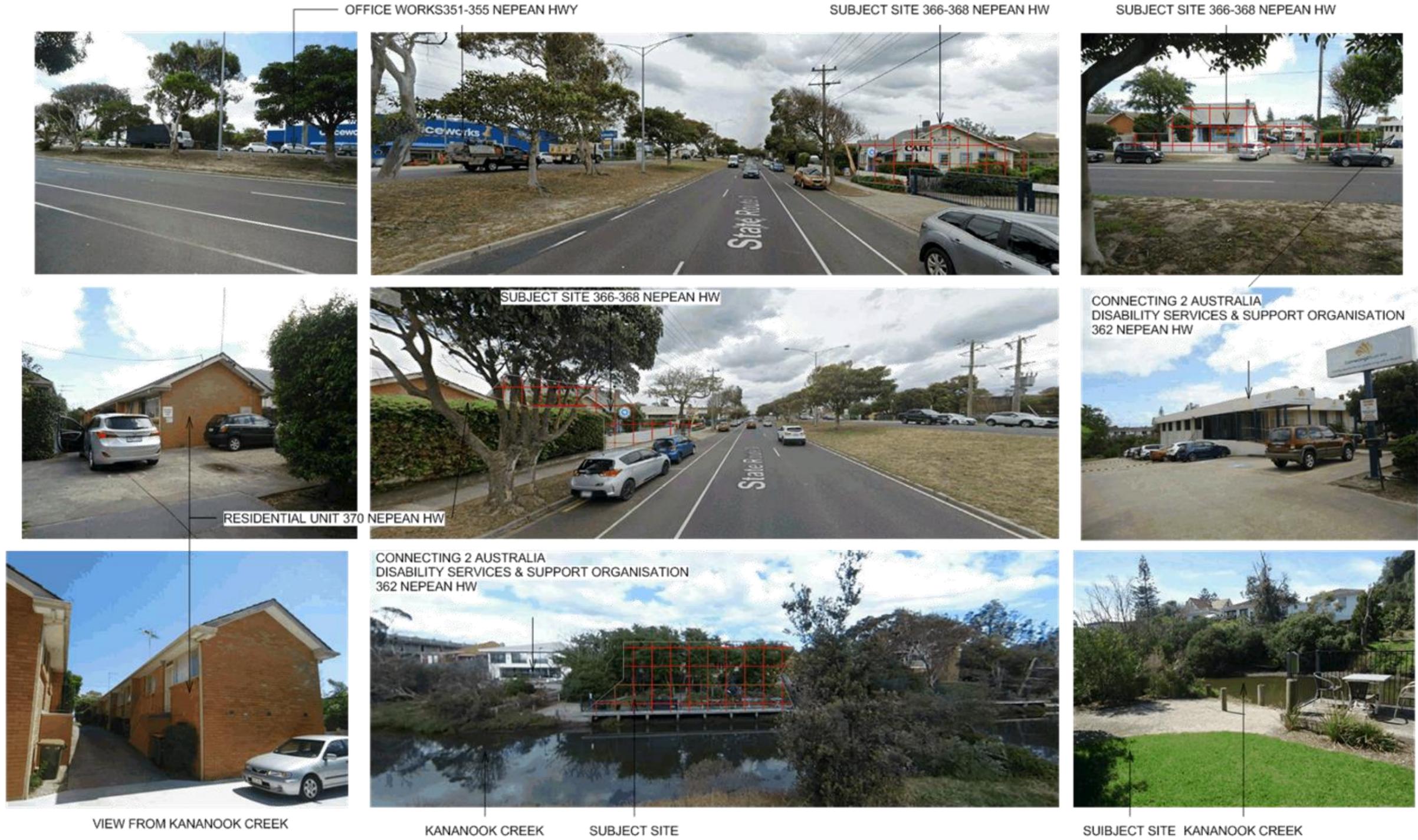
Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**SITE CONTEXT ANALYSIS PLAN**

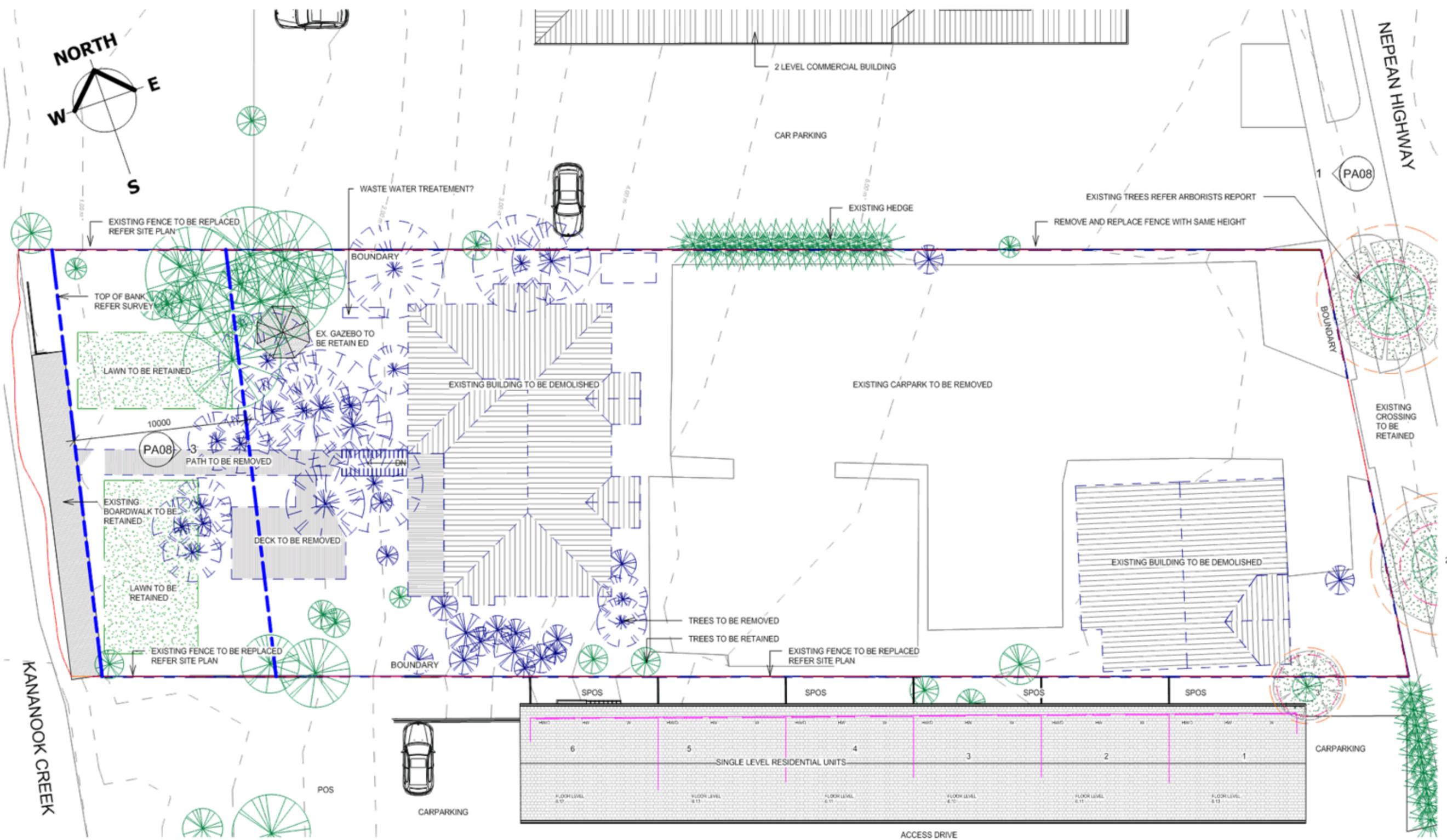
Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): 1 : 100  
 Drawing no.: PA01



	Client: Christina's Investment Trust	Address: 366-368 Nepean Highway, Frankston VIC 3199	<table border="1"> <thead> <tr> <th>No.</th> <th>Issue Details</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>PRE PLANNING APPLICATION</td> <td>20-07-2020</td> </tr> <tr> <td>16</td> <td>PLANNING APPLICATION</td> <td>28-07-2020</td> </tr> <tr> <td>19</td> <td>URBAN DESIGN COMMENTS RESPONSE</td> <td>19-10-2020</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	Issue Details	Date	15	PRE PLANNING APPLICATION	20-07-2020	16	PLANNING APPLICATION	28-07-2020	19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020																			Drawing Name: SITE CONTEXT ANALYSIS NEIGHBOURHOOD IMAGES
	No.	Issue Details	Date																															
15	PRE PLANNING APPLICATION	20-07-2020																																
16	PLANNING APPLICATION	28-07-2020																																
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020																																
Project: Early Learning Centre	Property Details: TP 132587N, LOT 1, V.10384 F.920 1887m <sup>2</sup> TOTAL SITE AREA	Project number: 11594 Current Issue Date: 19-10-2020 Scale (A3): 1 : 100 Drawing no.: PA02	Town Planning Application																															

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Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

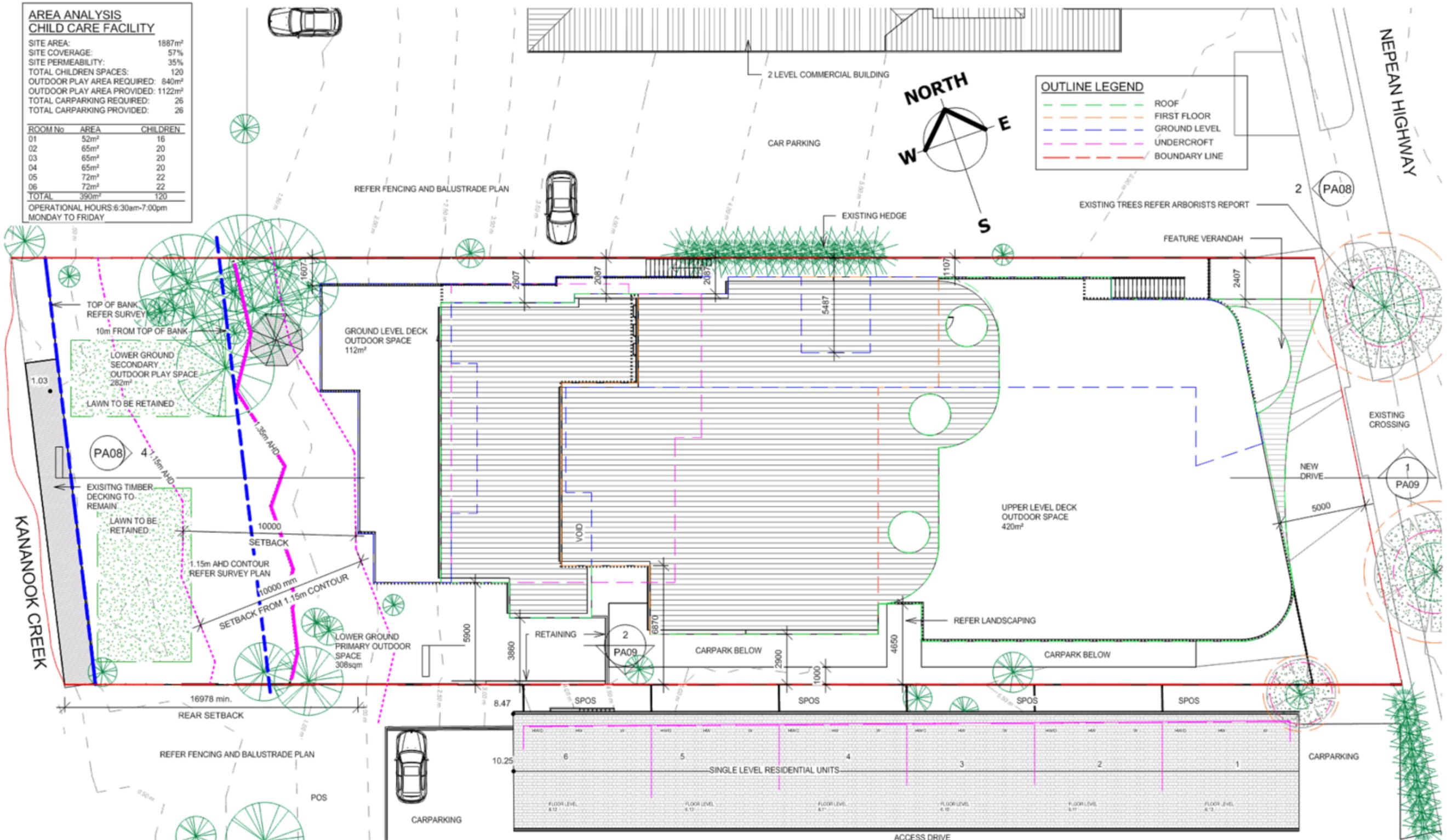
Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
7	SETBACK	13-05-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**EXISTING SITE PLAN AND DEMOLITION**

Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): 1 : 200  
 Drawing no.: PA04



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**DESIGN RESPONSE SITE PLAN**

Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): As indicated  
 Drawing no.: PA05

**AREA ANALYSIS  
CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

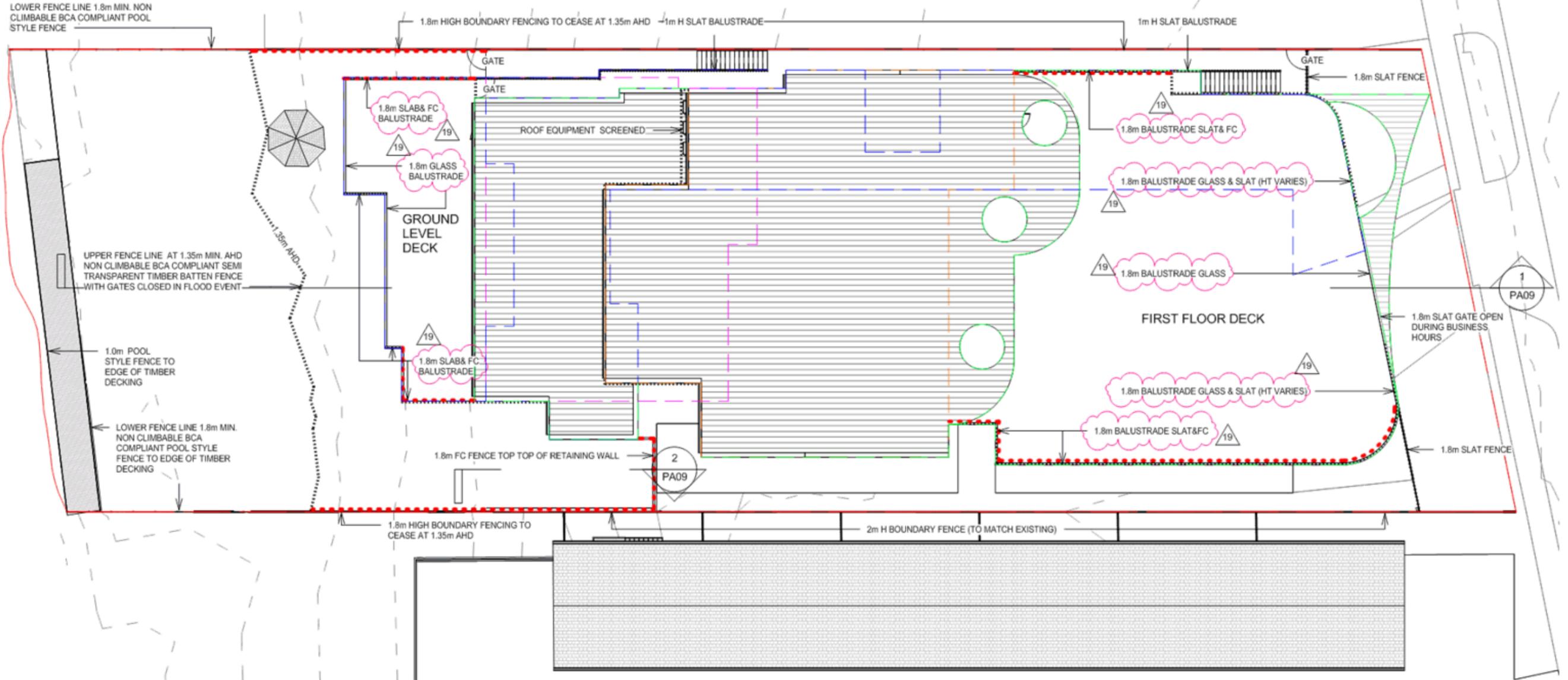
OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY

**OUTLINE LEGEND**

- ROOF
- FIRST FLOOR
- GROUND LEVEL
- UNDERCROFT
- BOUNDARY LINE

**ACOUSTIC FENCING LEGEND**

--- 1.8m (MIN.) HIGH SOLID (MINIMUM DENSITY 12 KG/M<sup>2</sup>) ACOUSTIC FENCE. I.E SOLID TIMBER, COMPRESSED FC SHEET, TOUGHENED GLASS ETC. WITH NO AIR GAPS/HOLES.



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

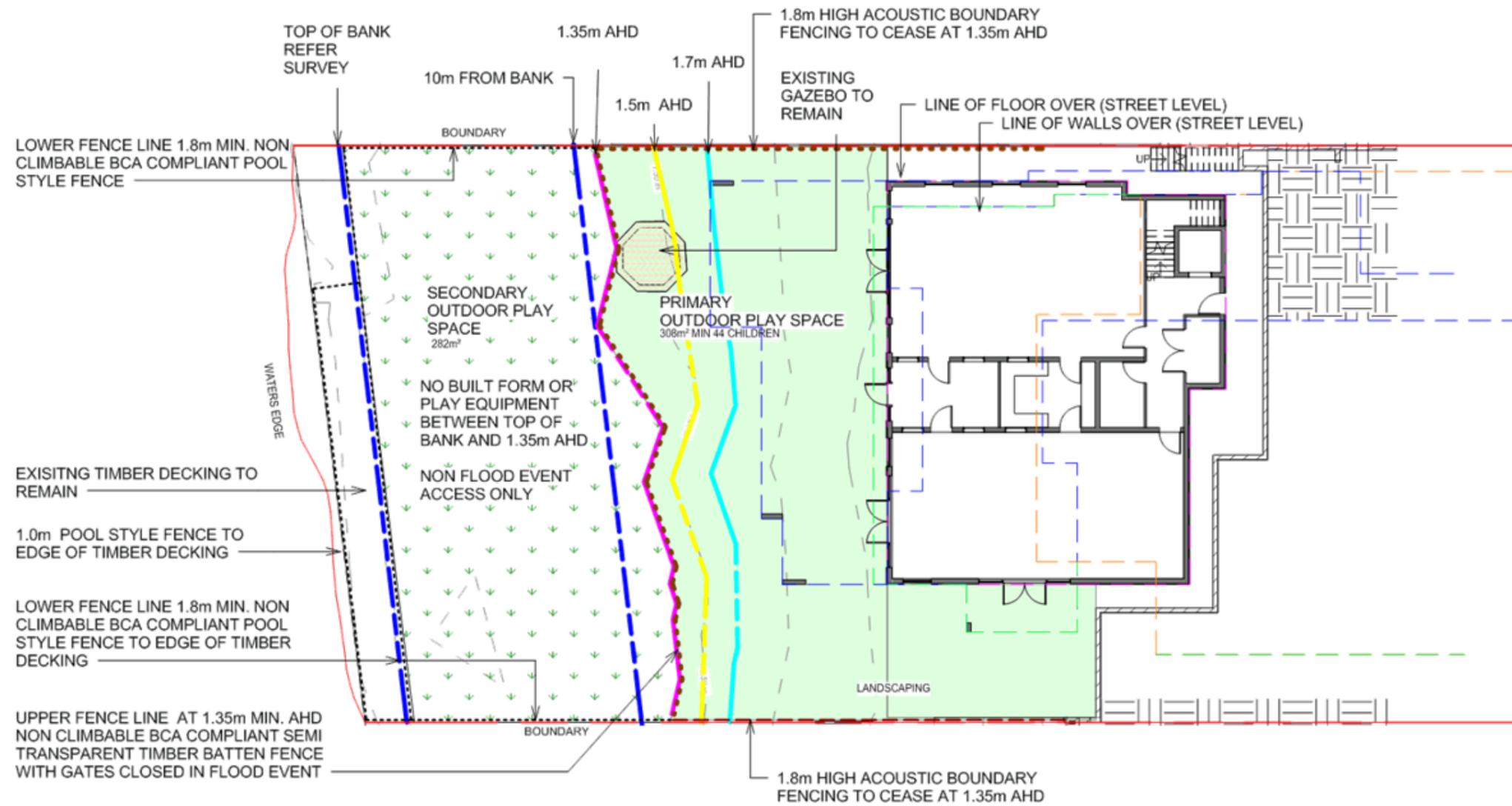
Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**FENCE AND BALUSTRADE SITE PLAN**

Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA06



**AREA ANALYSIS  
CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY

**OUTLINE LEGEND**

--- (Green)	ROOF
--- (Orange)	FIRST FLOOR
--- (Blue)	GROUND LEVEL
--- (Purple)	UNDERCROFT
--- (Red)	BOUNDARY LINE



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

Address:  
 366-368 Nepean Highway, Frankston VIC 3199

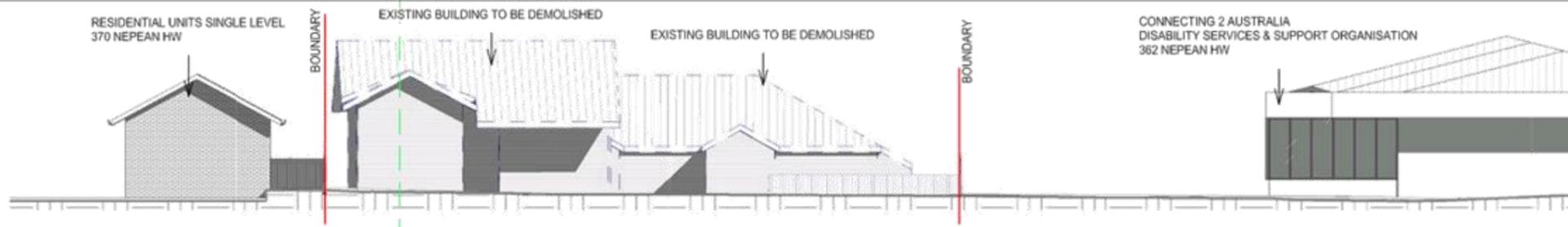
Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

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No.	Issue Details	Date
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**MELBOURNE WATER SETBACK PLAN**

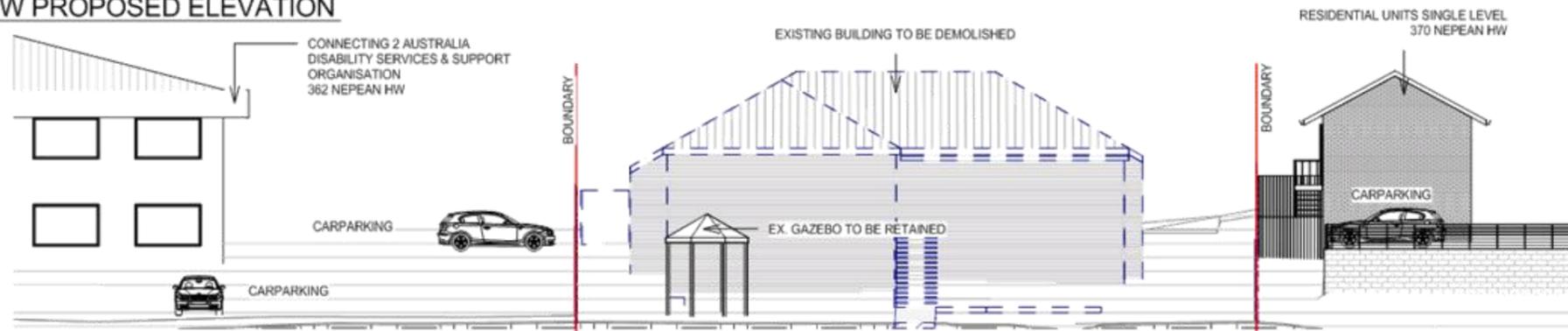
Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): As indicated  
 Drawing no.: PA07



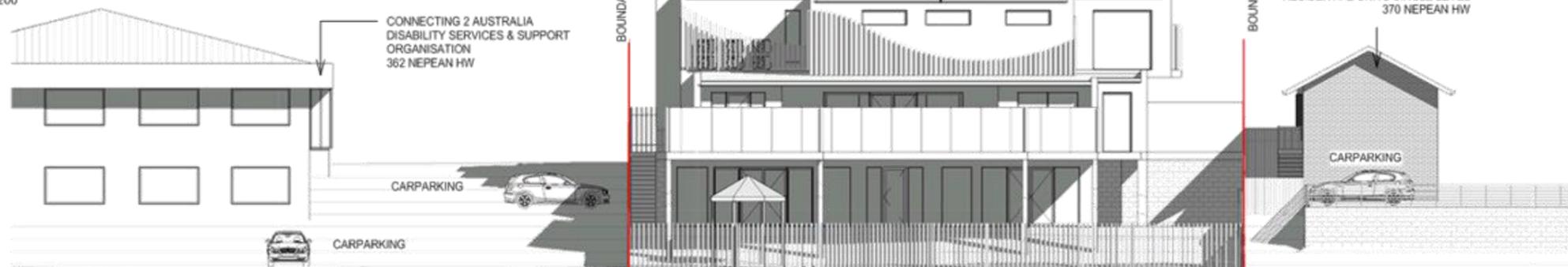
1 NEAPEAN HW EXISTING ELEVATION  
1:200



2 NEAPEAN HW PROPOSED ELEVATION  
1:200



3 REAR EXISTING ELEVATION  
1:200



4 REAR PROPOSED ELEVATION  
1:200

AREA ANALYSIS CHILD CARE FACILITY		
SITE AREA:		1887m <sup>2</sup>
SITE COVERAGE:		57%
SITE PERMEABILITY:		35%
TOTAL CHILDREN SPACES:		120
OUTDOOR PLAY AREA REQUIRED:		840m <sup>2</sup>
OUTDOOR PLAY AREA PROVIDED:		1122m <sup>2</sup>
TOTAL CARPARKING REQUIRED:		26
TOTAL CARPARKING PROVIDED:		26
<b>ROOM No</b>	<b>AREA</b>	<b>CHILDREN</b>
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>
OPERATIONAL HOURS: 6:30am-7:00pm MONDAY TO FRIDAY		



Client:  
Christina's Investment Trust

Project:  
Early Learning Centre

Town Planning Application

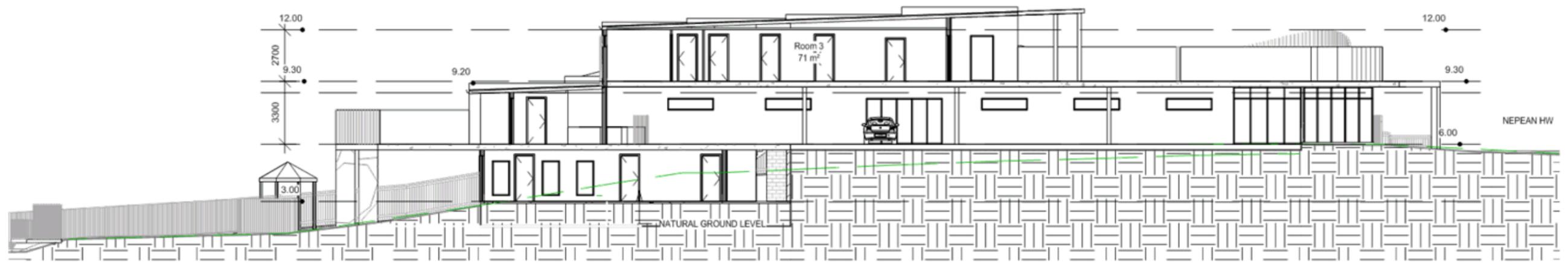
Address:  
366-368 Nepean Highway, Frankston VIC  
3199

Property Details:  
TP 132587N, LOT 1, V.10384 F.920  
1887m<sup>2</sup> TOTAL SITE AREA

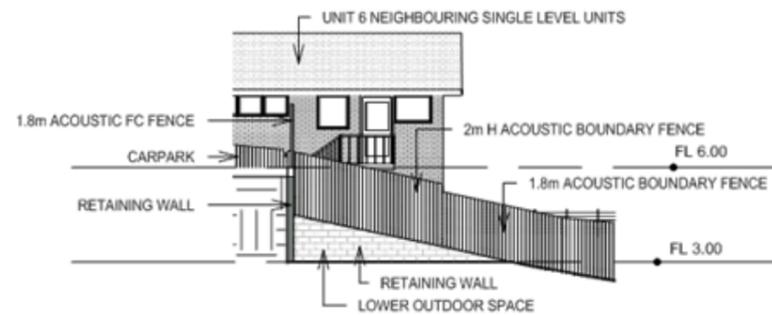
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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>DESIGN RESPONSE SITE ELEVATIONS</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA08



1 SITE SECTION  
 1 : 200



2 LOWER OUTDOOR SPACE RETAINING AND FENCING  
 1 : 200

AREA ANALYSIS CHILD CARE FACILITY		
SITE AREA:		1887m <sup>2</sup>
SITE COVERAGE:		57%
SITE PERMEABILITY:		35%
TOTAL CHILDREN SPACES:		120
OUTDOOR PLAY AREA REQUIRED:		840m <sup>2</sup>
OUTDOOR PLAY AREA PROVIDED:		1122m <sup>2</sup>
TOTAL CARPARKING REQUIRED:		26
TOTAL CARPARKING PROVIDED:		26
ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>
OPERATIONAL HOURS: 6:30am-7:00pm MONDAY TO FRIDAY		



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

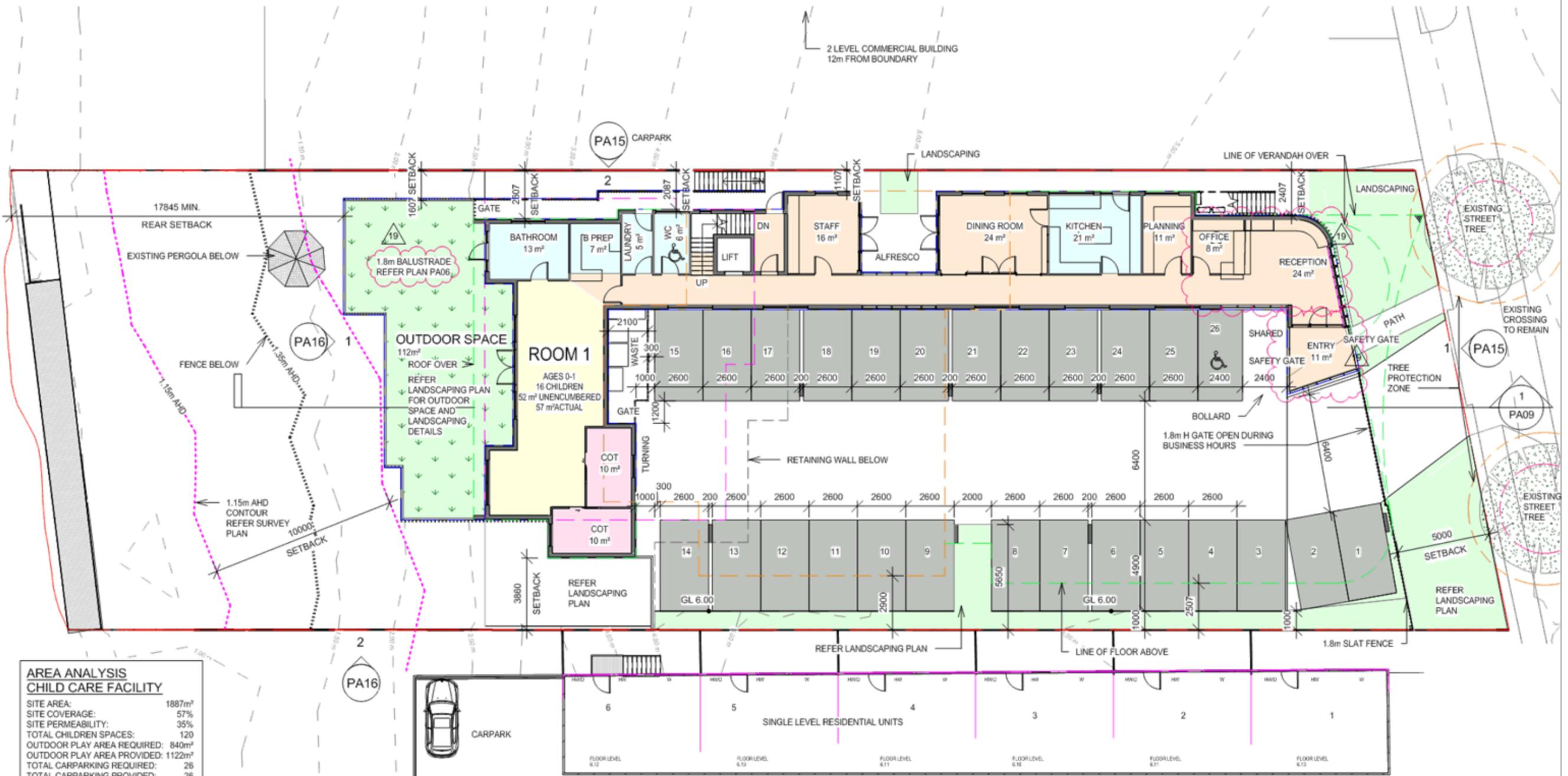
Address:  
 366-368 Nepean Highway, Frankston VIC  
 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>DESIGN RESPONSE SITE SECTION</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA09



**AREA ANALYSIS  
CHILD CARE FACILITY**

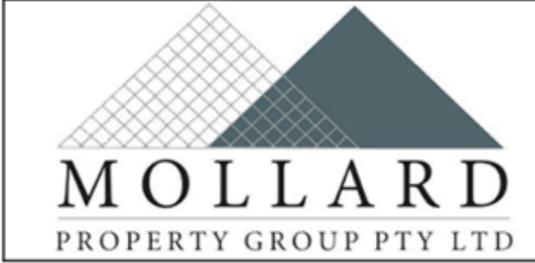
SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS 6:30am-7:00pm  
 MONDAY TO FRIDAY

**OUTLINE LEGEND**

- ROOF
- FIRST FLOOR
- GROUND LEVEL
- UNDERCROFT
- BOUNDARY LINE



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
4	FEASIBILITY	01-04-2020
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
14	FLOOR PLAN REDESIGN	13-07-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**GROUND FLOOR LEVEL**

Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): As indicated  
 Drawing no.: PA10

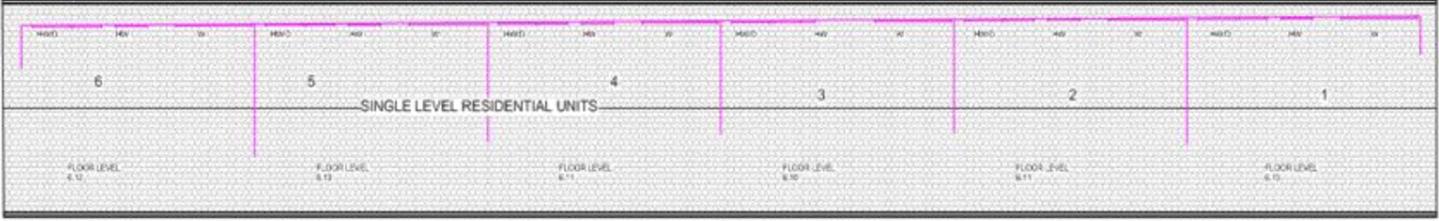


**AREA ANALYSIS  
CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

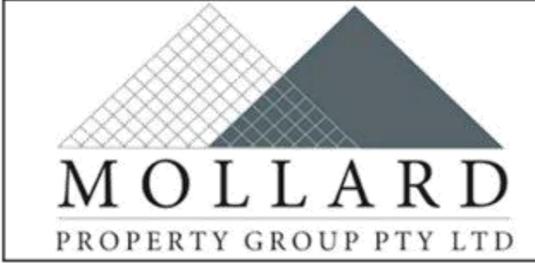
ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY



**OUTLINE LEGEND**

- ROOF
- FIRST FLOOR
- GROUND LEVEL
- UNDERCROFT
- BOUNDARY LINE



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

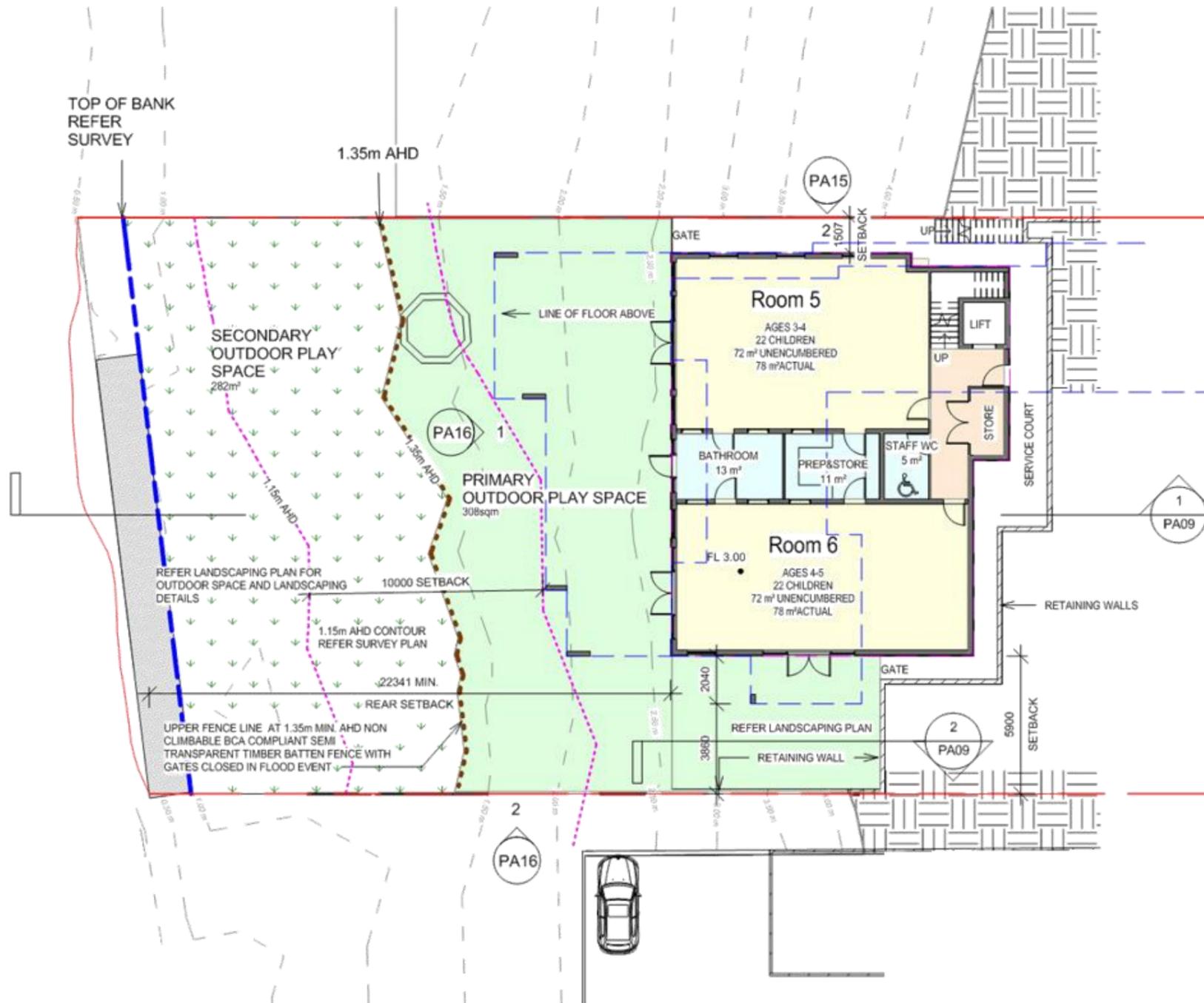
Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

No.	Issue Details	Date
4	FEASIBILITY	01-04-2020
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
14	FLOOR PLAN REDESIGN	13-07-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**UPPER FLOOR LEVEL**

Project number: 11594  
 Current Issue Date: 19-10-2020  
 Scale (A3): As indicated  
 Drawing no.: PA11

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AREA ANALYSIS CHILD CARE FACILITY	
SITE AREA:	1887m <sup>2</sup>
SITE COVERAGE:	57%
SITE PERMEABILITY:	35%
TOTAL CHILDREN SPACES:	120
OUTDOOR PLAY AREA REQUIRED:	840m <sup>2</sup>
OUTDOOR PLAY AREA PROVIDED:	1122m <sup>2</sup>
TOTAL CARPARKING REQUIRED:	26
TOTAL CARPARKING PROVIDED:	26
<b>ROOM No</b>	<b>AREA</b> <b>CHILDREN</b>
01	52m <sup>2</sup> 16
02	65m <sup>2</sup> 20
03	65m <sup>2</sup> 20
04	65m <sup>2</sup> 20
05	72m <sup>2</sup> 22
06	72m <sup>2</sup> 22
<b>TOTAL</b>	<b>390m<sup>2</sup></b> <b>120</b>
OPERATIONAL HOURS: 6:30am-7:00pm MONDAY TO FRIDAY	

OUTLINE LEGEND	
	ROOF
	FIRST FLOOR
	GROUND LEVEL
	UNDERCROFT
	BOUNDARY LINE



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
4	FEASIBILITY	01-04-2020
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
14	FLOOR PLAN REDESIGN	13-07-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**LOWER FLOOR LEVEL**

Project number      11594

Current Issue Date      19-10-2020

Scale (A3)      As indicated

Drawing no.      PA12

**AREA ANALYSIS  
 CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

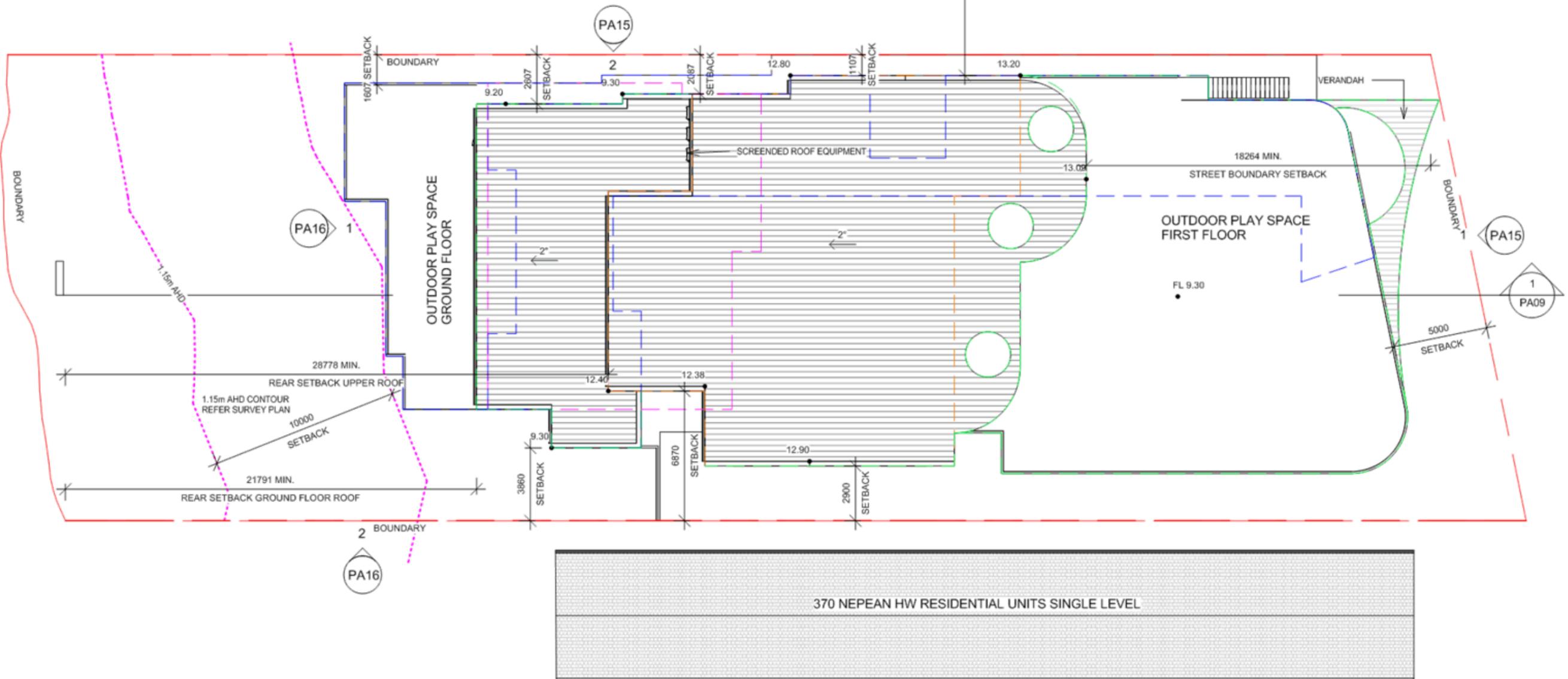
ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY



**OUTLINE LEGEND**

	ROOF
	FIRST FLOOR
	GROUND LEVEL
	UNDERCROFT
	BOUNDARY LINE



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

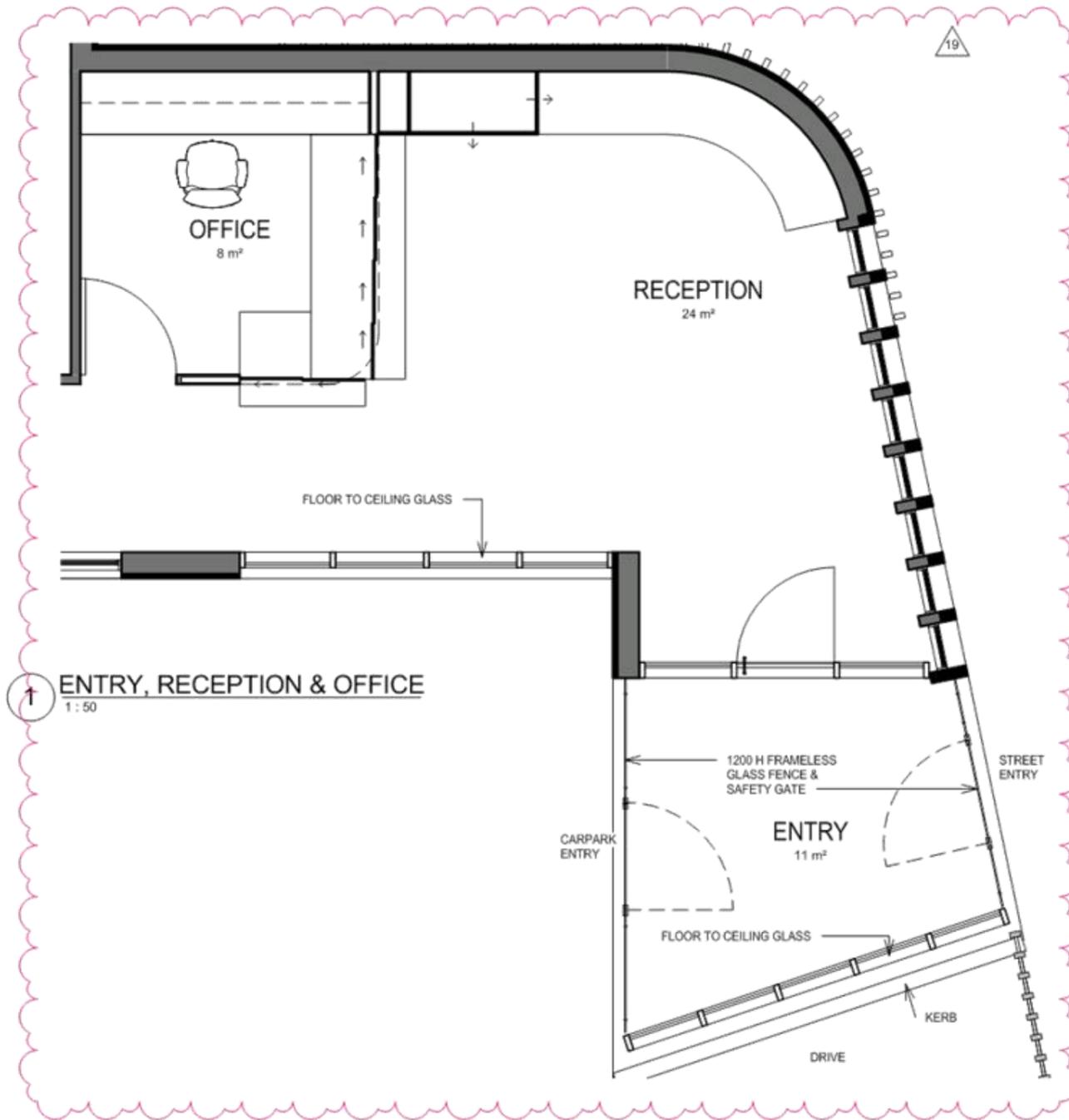
Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>ROOF PLAN</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA13



2 ENTRY FROM STREET VIEW



3 ENTRY FROM CARPARK VIEW



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

Address:  
 366-368 Nepean Highway, Frankston VIC  
 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m² TOTAL SITE AREA

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No.	Issue Details	Date
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>RECEPTION, OFFICE, ENTRY                  DETAIL</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 50
Drawing no.	PA14

**AREA ANALYSIS  
CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

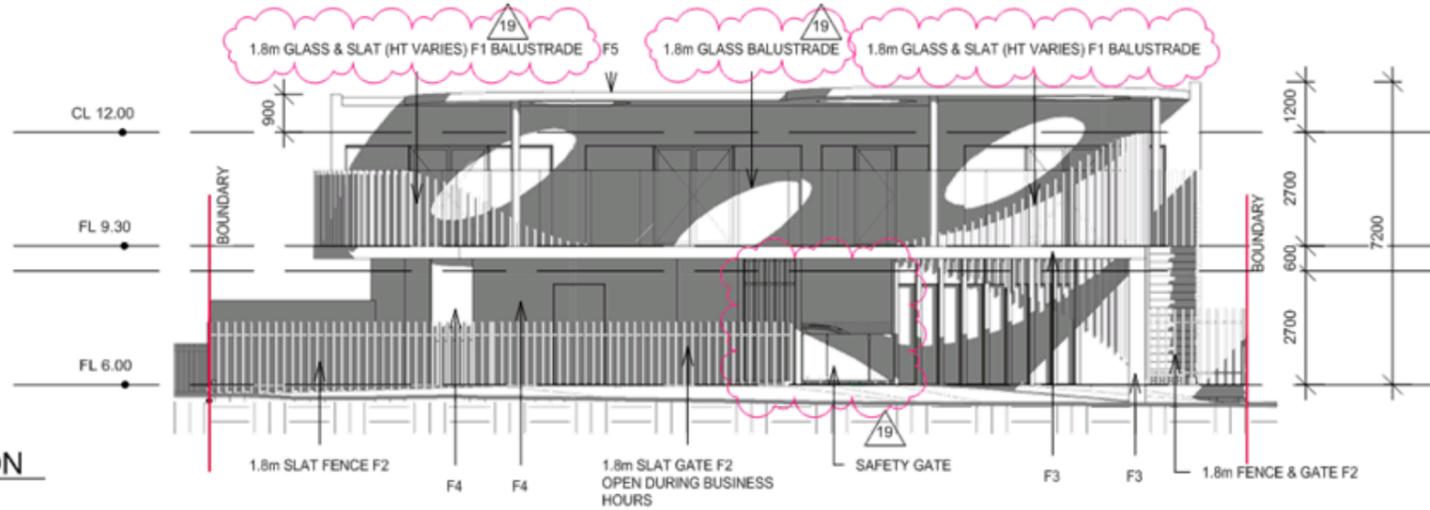
ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY

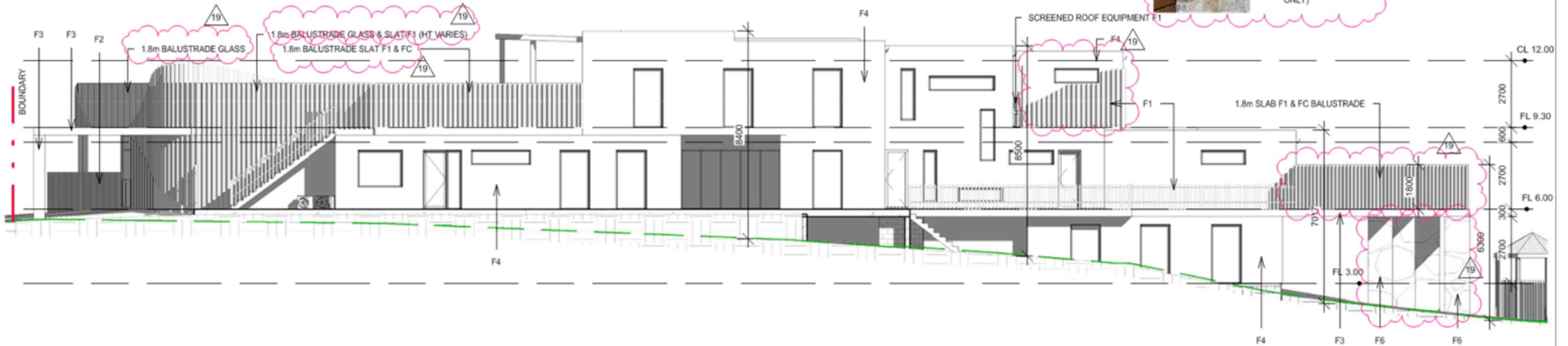
**MATERIALS AND FINISHES**

- F1** POWDERCOATED TIMBER  
 LOOK ALUMINIUM BATTENS  
 COLOUR: WHITE ASH  
 VERTICAL BATTENS 100x50  
 SUPPLIER: KNOTWOOD  
<http://www.knotwood.com.au/wo-odgrain-colours/>
- F2** COLOURBOND POWDERCOATED  
 ALUMINIUM BATTENS &  
 JOINERY  
 COLOUR: MATT MONUMENT  
 VERTICAL BATTENS 100x50
- F3** RENDERED &  
 PAINTED  
 VERANDA/FLOOR  
 & STREET COLUMN  
 DULUX ALMOND  
 SWIRL SN3D3
- F4** RENDERED & PAINTED  
 EXTERIOR WALLS &  
 COLUMNS  
 DULUX OFF WHITE  
 SW1E7
- F5** COLOURBOND ROOFING,  
 BARGE, FASCIA & GUTTER  
 LONGLINE 305  
 COLOUR SURF MIST
- F6** STONE WALL CLADDING  
 (REAR LOWER COLUMNS  
 ONLY)

**1 EAST ELEVATION**  
 1: 150



**2 NORTH ELEVATION**  
 1: 150



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>ELEVATIONS</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA15

**AREA ANALYSIS  
CHILD CARE FACILITY**

SITE AREA: 1887m<sup>2</sup>  
 SITE COVERAGE: 57%  
 SITE PERMEABILITY: 35%  
 TOTAL CHILDREN SPACES: 120  
 OUTDOOR PLAY AREA REQUIRED: 840m<sup>2</sup>  
 OUTDOOR PLAY AREA PROVIDED: 1122m<sup>2</sup>  
 TOTAL CARPARKING REQUIRED: 26  
 TOTAL CARPARKING PROVIDED: 26

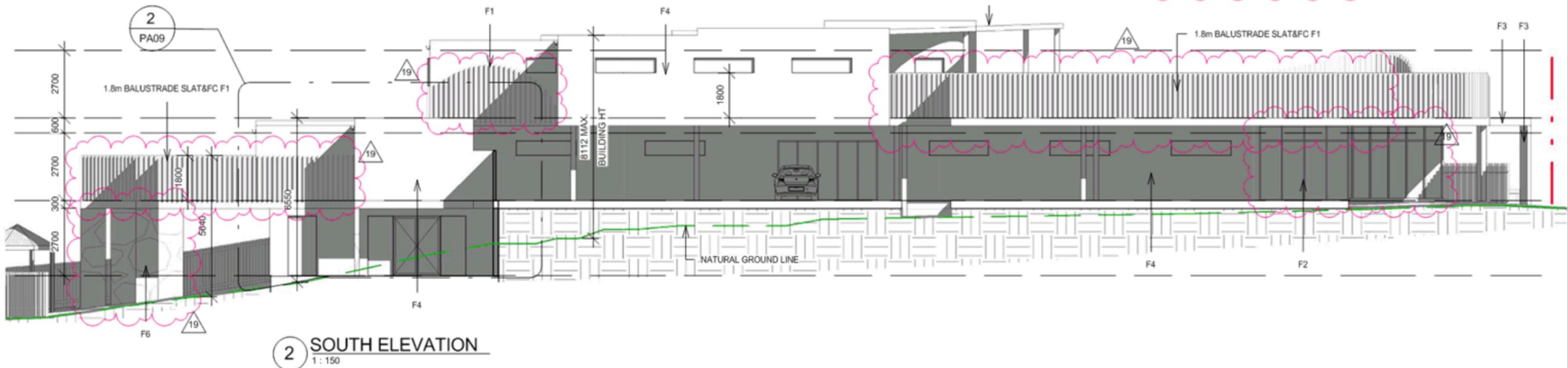
ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
 MONDAY TO FRIDAY



**MATERIALS AND FINISHES**

- F1** POWDERCOATED TIMBER LOOK ALUMINIUM BATTENS  
 COLOUR: WHITE ASH  
 VERTICAL BATTENS 100x50  
 SUPPLIER: KNOTWOOD  
<http://www.knotwood.com.au/wodgrain-colours/>
- F2** COLOURBOND POWDERCOATED ALUMINIUM BATTENS & JOINERY  
 COLOUR: MATT MONUMENT  
 VERTICAL BATTENS 100x50
- F3** RENDERED & PAINTED VERANDAH/FLOOR & STREET COLUMN  
 DULUX ALMOND SWIRL SN3D3
- F4** RENDERED & PAINTED EXTERIOR WALLS & COLUMNS  
 DULUX OFF WHITE SW1E7
- F5** COLOURBOND ROOFING, BARGE, FASCIA & GUTTER  
 LONGLINE 305  
 COLOUR: SURF MIST
- F6** STONE WALL CLADDING (REAR LOWER COLUMNS ONLY)



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA**

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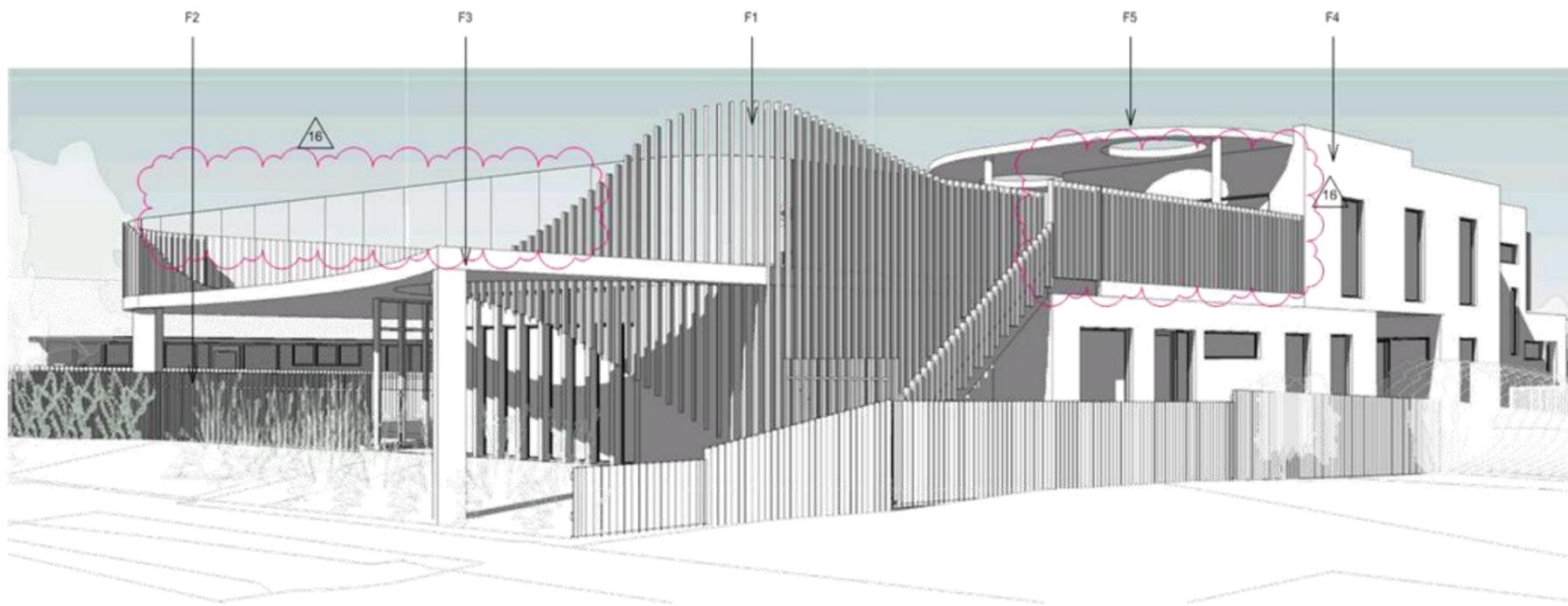
No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>ELEVATIONS</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	As indicated
Drawing no.	PA16



### MATERIALS AND FINISHES

- F1** POWDERCOATED TIMBER  
LOOK ALUMINIUM BATTENS  
COLOUR: WHITE ASH  
VERTICAL BATTENS 100x50  
SUPPLIER: KNOTWOOD  
<http://www.knotwood.com.au/wodgrain-colours/>
- F2** COLOURBOND POWDERCOATED ALUMINIUM BATTENS & JOINERY  
COLOUR: MATT MONUMENT  
VERTICAL BATTENS 100x50
- F3** RENDERED & PAINTED VERANDA/FLOOR & STREET COLUMN  
DULUX ALMOND SWIRL SN3D3
- F4** RENDERED & PAINTED EXTERIOR WALLS & COLUMNS  
DULUX OFF WHITE SW1E7
- F5** COLOURBOND ROOFING, BARGE, FASCIA & GUTTER  
LONGLINE 305  
COLOUR SURF MIST
- F6** STONE WALL CLADDING (REAR LOWER COLUMNS ONLY)



### AREA ANALYSIS CHILD CARE FACILITY

SITE AREA:	1887m <sup>2</sup>
SITE COVERAGE:	57%
SITE PERMEABILITY:	35%
TOTAL CHILDREN SPACES:	120
OUTDOOR PLAY AREA REQUIRED:	840m <sup>2</sup>
OUTDOOR PLAY AREA PROVIDED:	1122m <sup>2</sup>
TOTAL CARPARKING REQUIRED:	26
TOTAL CARPARKING PROVIDED:	26

ROOM No	AREA	CHILDREN
01	52m <sup>2</sup>	16
02	65m <sup>2</sup>	20
03	65m <sup>2</sup>	20
04	65m <sup>2</sup>	20
05	72m <sup>2</sup>	22
06	72m <sup>2</sup>	22
<b>TOTAL</b>	<b>390m<sup>2</sup></b>	<b>120</b>

OPERATIONAL HOURS: 6:30am-7:00pm  
MONDAY TO FRIDAY



Client:  
**Christina's Investment Trust**

Project:  
**Early Learning Centre**

Town Planning Application

Address:  
**366-368 Nepean Highway, Frankston VIC 3199**

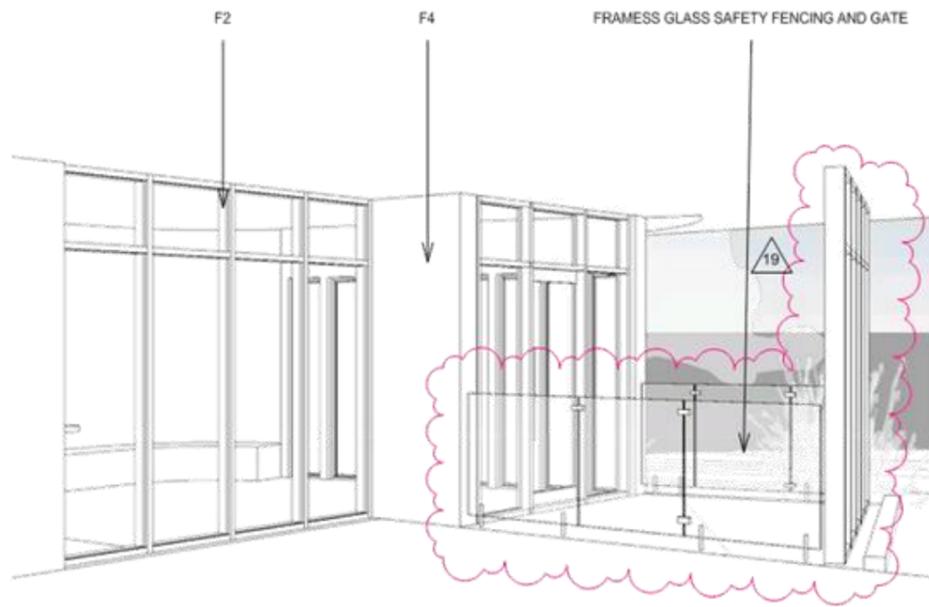
Property Details:  
**TP 132587N, LOT 1, V.10384 F.920  
1887m<sup>2</sup> TOTAL SITE AREA**

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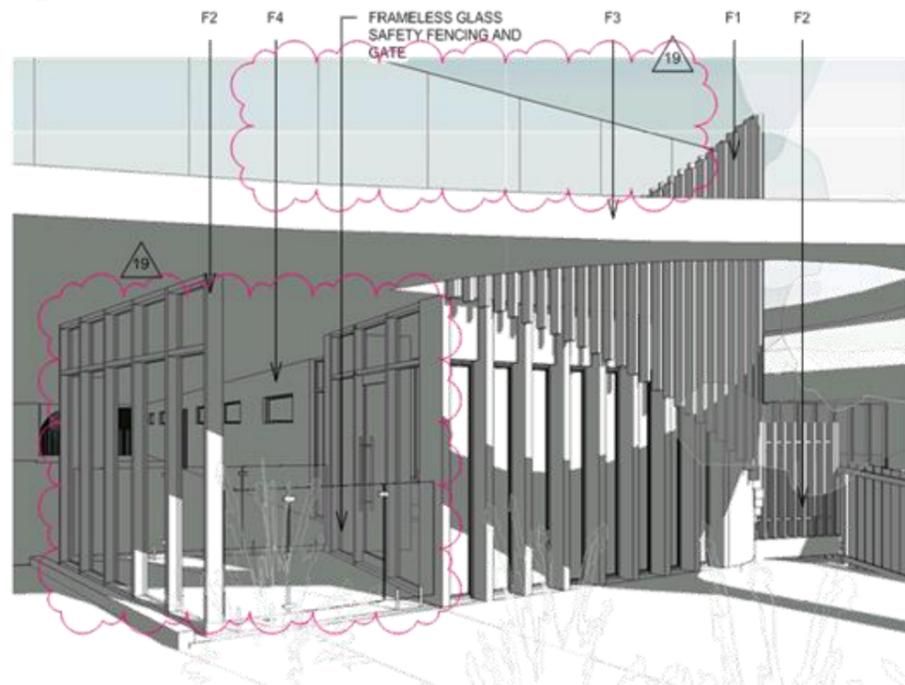
No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name:  
**MATERIALS AND COLOURS**

Project number: 11594  
Current Issue Date: 19-10-2020  
Scale (A3): As indicated  
Drawing no.: PA17

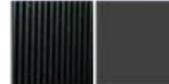


1 ENTRY FROM CARPARK VIEW



2 ENTRY FROM STREET VIEW

**MATERIALS AND FINISHES**

-  **F1** POWDERCOATED TIMBER LOOK ALUMINIUM BATTENS  
 COLOUR: WHITE ASH  
 VERTICAL BATTENS 100x50  
 SUPPLIER: KNOTWOOD  
<http://www.knotwood.com.au/wo-odgrain-colours/>
-  **F2** COLOURBOND POWDERCOATED ALUMINIUM BATTENS & JOINERY  
 COLOUR: MATT MONUMENT  
 VERTICAL BATTENS 100x50
-  **F3** RENDERED & PAINTED VERANDAH/FLOOR & STREET COLUMN  
 DULUX ALMOND SWIRL SN3D3
-  **F4** RENDERED & PAINTED EXTERIOR WALLS & COLUMNS  
 DULUX OFF WHITE SW1E7
-  **F5** COLOURBOND ROOFING, BARGE, FASCIA & GUTTER  
 LONGLINE 305  
 COLOUR SURF MIST
-  **F6** STONE WALL CLADDING (REAR LOWER COLUMNS ONLY)



4 NW SIDE VIEW



3 SW REAR VIEW



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

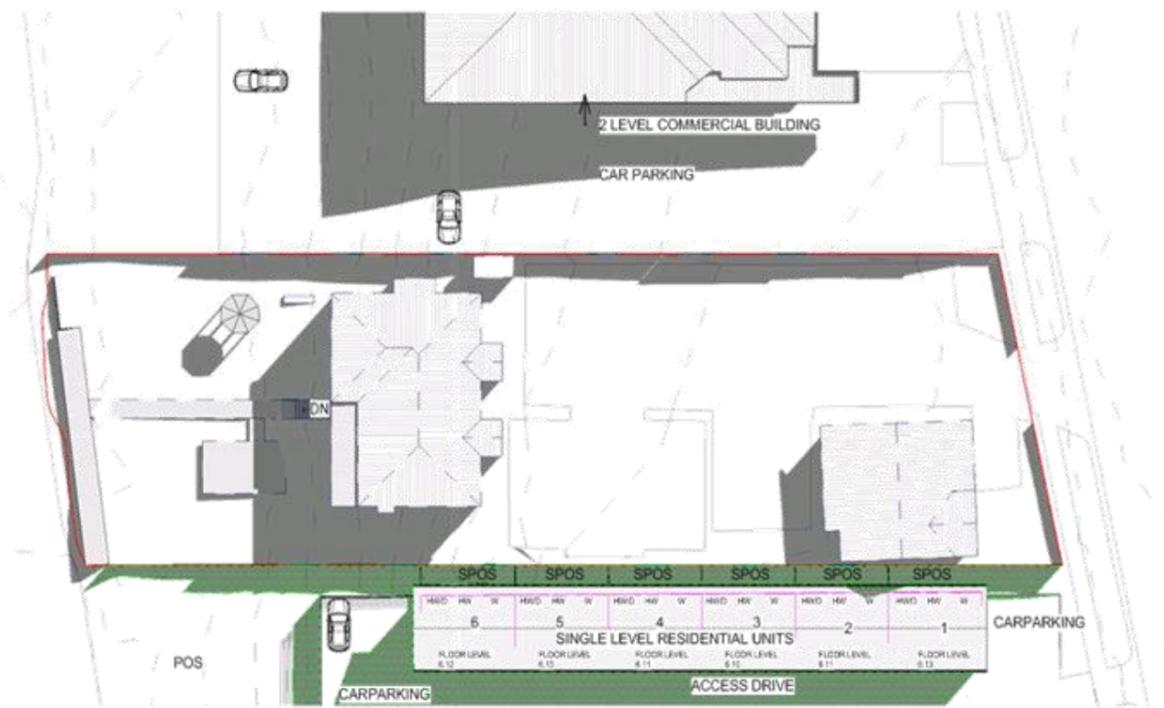
Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

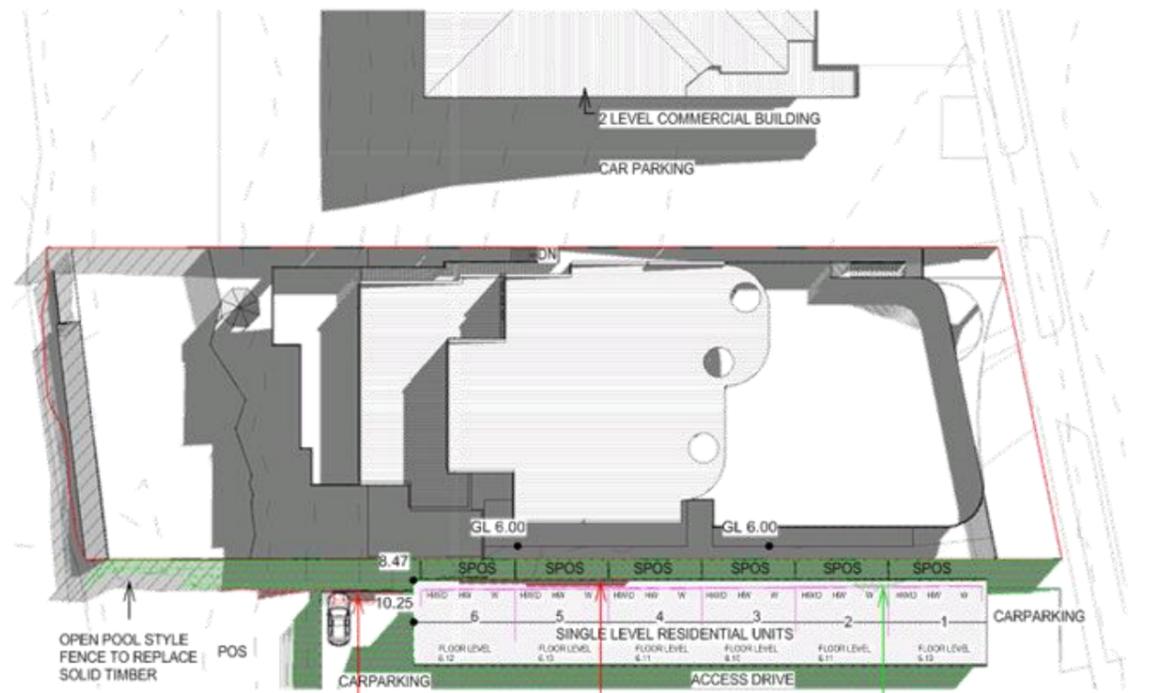
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No.	Issue Details	Date
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>MATERIALS AND COLOURS</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 200
Drawing no.	PA18



2 9AM EXISTING SHADOWS  
 1 : 500



1 9AM PROPOSED SHADOWS  
 1 : 500

**LEGEND**  
 EXISTING SHADOW  
 ADDITIONAL SHADOW



**Client:**  
 Christina's Investment Trust

**Project:**  
 Early Learning Centre

**Town Planning Application**

**Address:**  
 366-368 Nepean Highway, Frankston VIC 3199

**Property Details:**  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

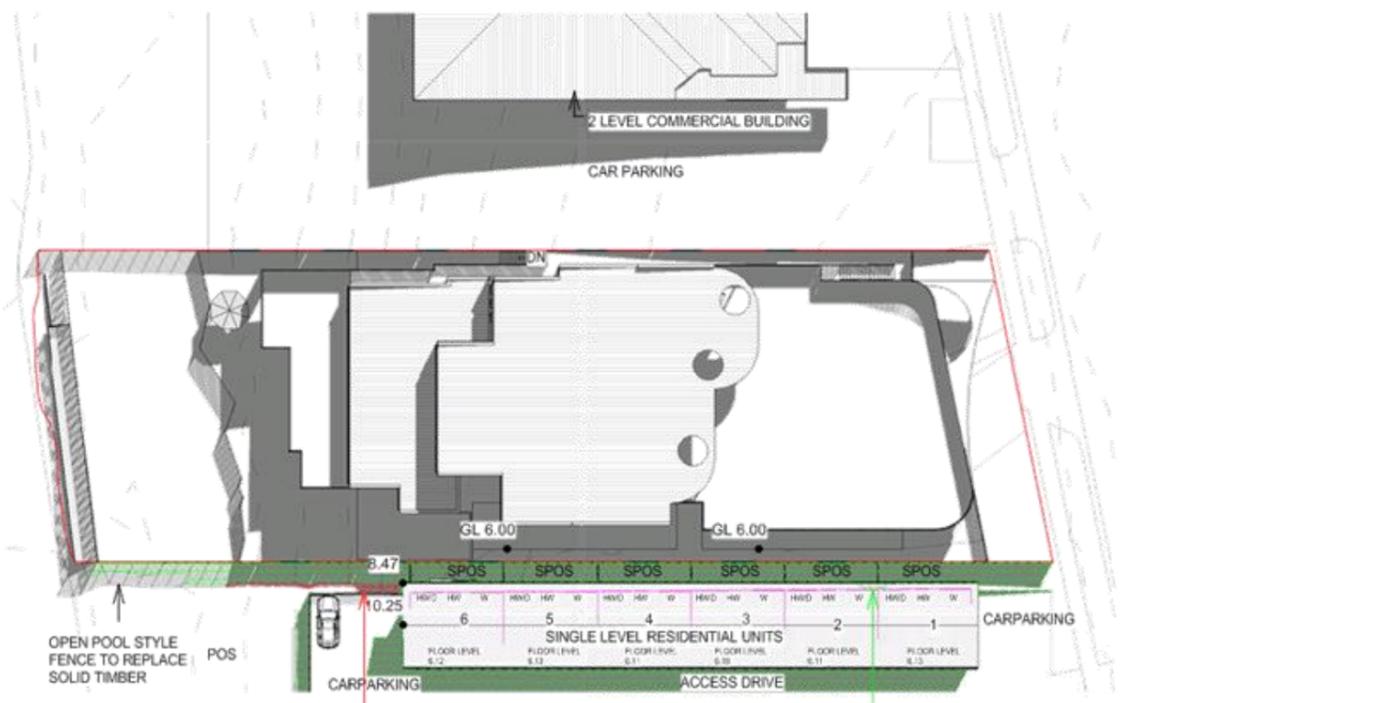
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No.	Issue Details	Date
5	PRELIMINARY CONCEPT	14-04-2020
6	PRE APPLICATION	21-04-2020
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

<b>Drawing Name:</b> PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 9AM	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA19



1 10AM EXISTING SHADOWS  
 1 : 500



2 10AM PROPOSED SHADOWS  
 1 : 500

LEGEND  
 EXISTING SHADOW  
 ADDITIONAL SHADOW



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m² TOTAL SITE AREA

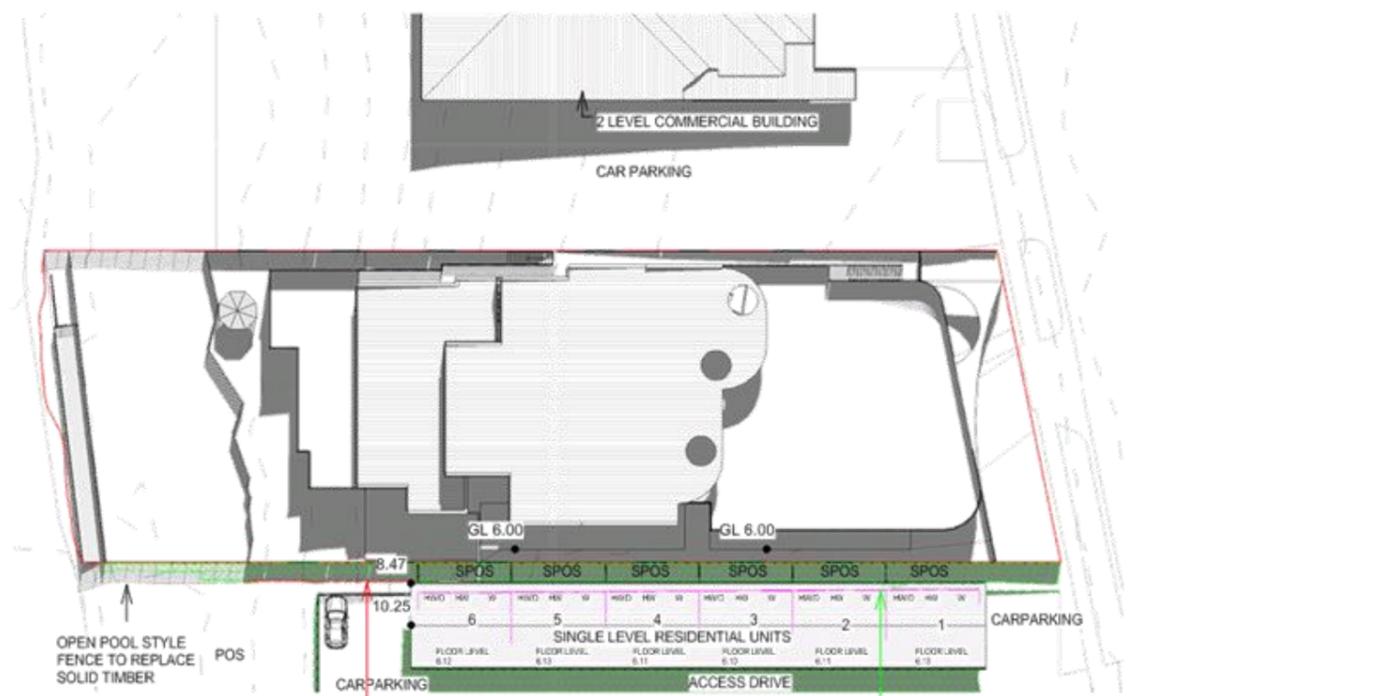
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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 10AM</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA20



1 11AM EXISTING SHADOWS  
 1:500



2 11AM PROPOSED SHADOWS  
 1:500

**LEGEND**  
 EXISTING SHADOW  
 ADDITIONAL SHADOW



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

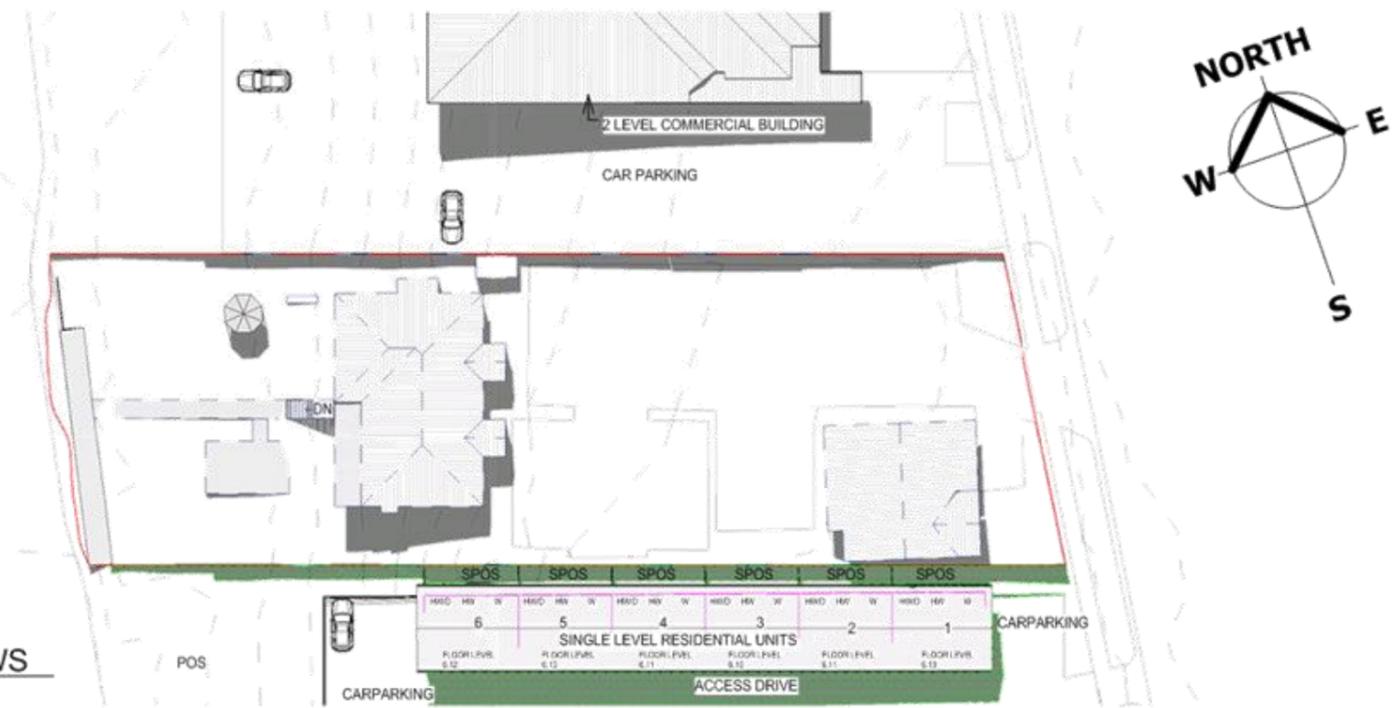
Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m² TOTAL SITE AREA

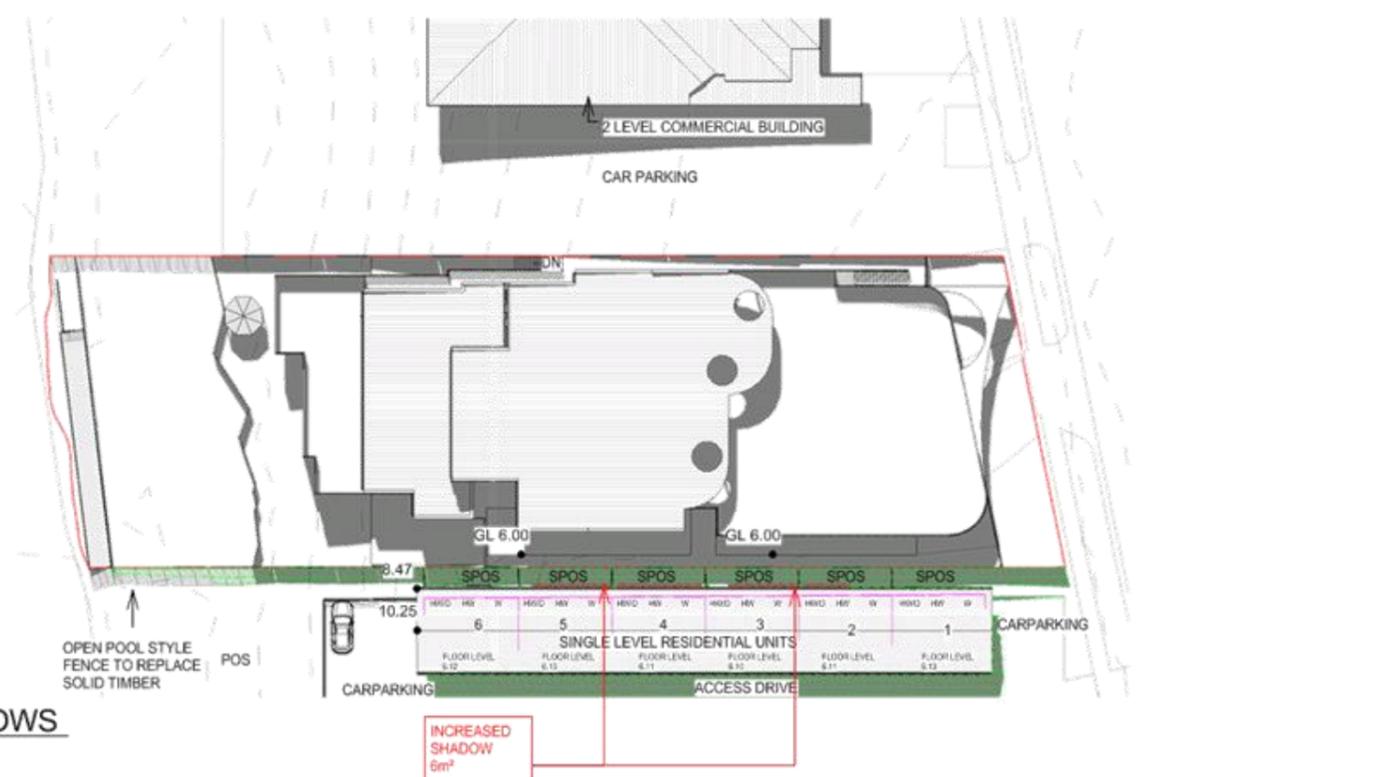
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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 11AM	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1:500
Drawing no.	PA21

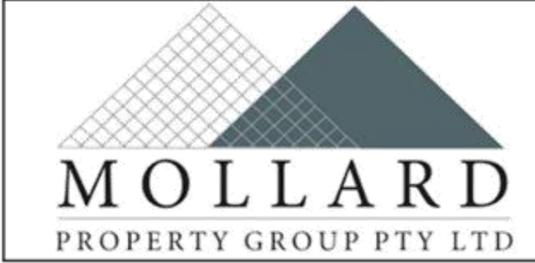


1 12PM EXISTING SHADOWS  
 1 : 500



2 12PM PROPOSED SHADOWS  
 1 : 500

LEGEND  
 EXISTING SHADOW  
 ADDITIONAL SHADOW



Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m² TOTAL SITE AREA

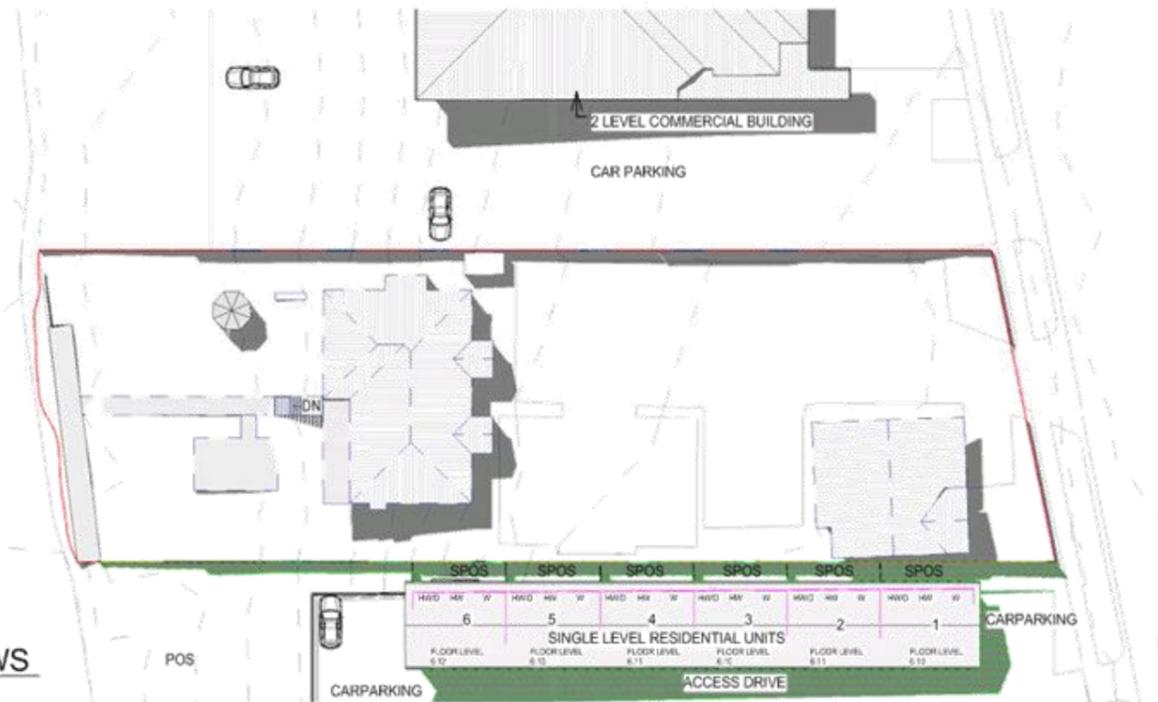
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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

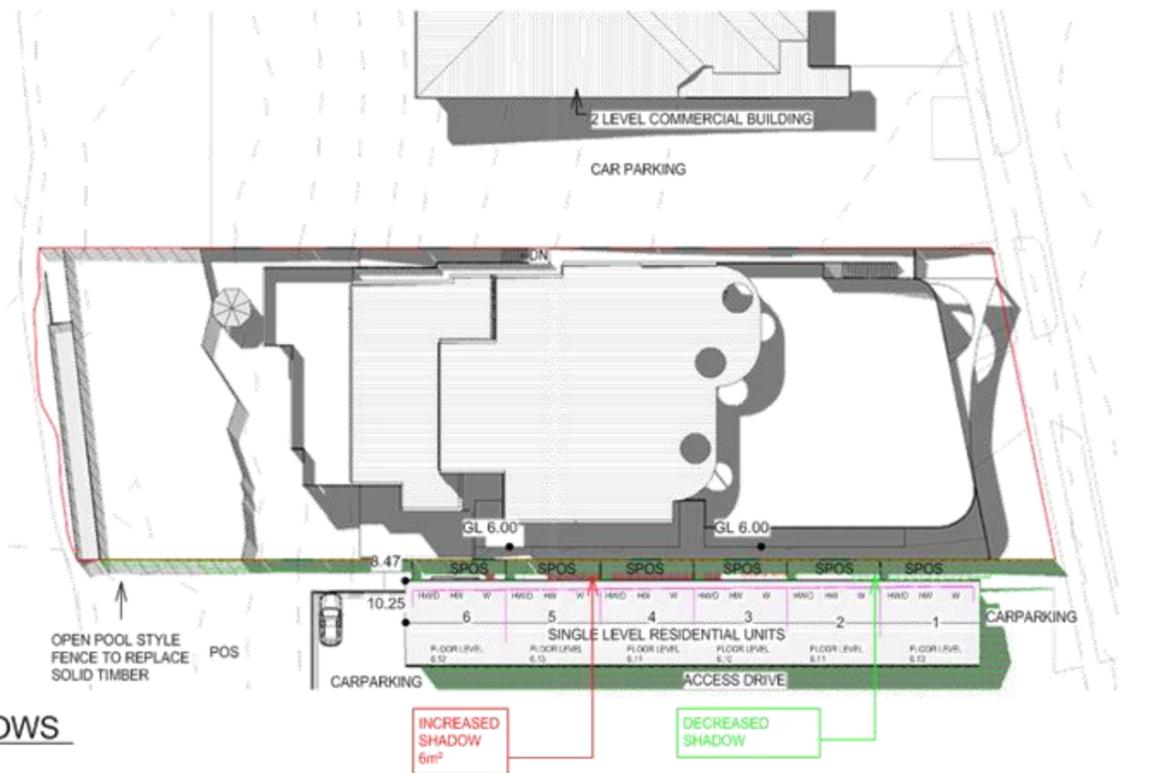
Drawing Name: PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 12PM	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA22



**1 1PM EXISTING SHADOWS**  
 1 : 500



**2 1PM PROPOSED SHADOWS**  
 1 : 500



**LEGEND**

	EXISTING SHADOW
	ADDITIONAL SHADOW

**MOLLARD**  
 PROPERTY GROUP PTY LTD

Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

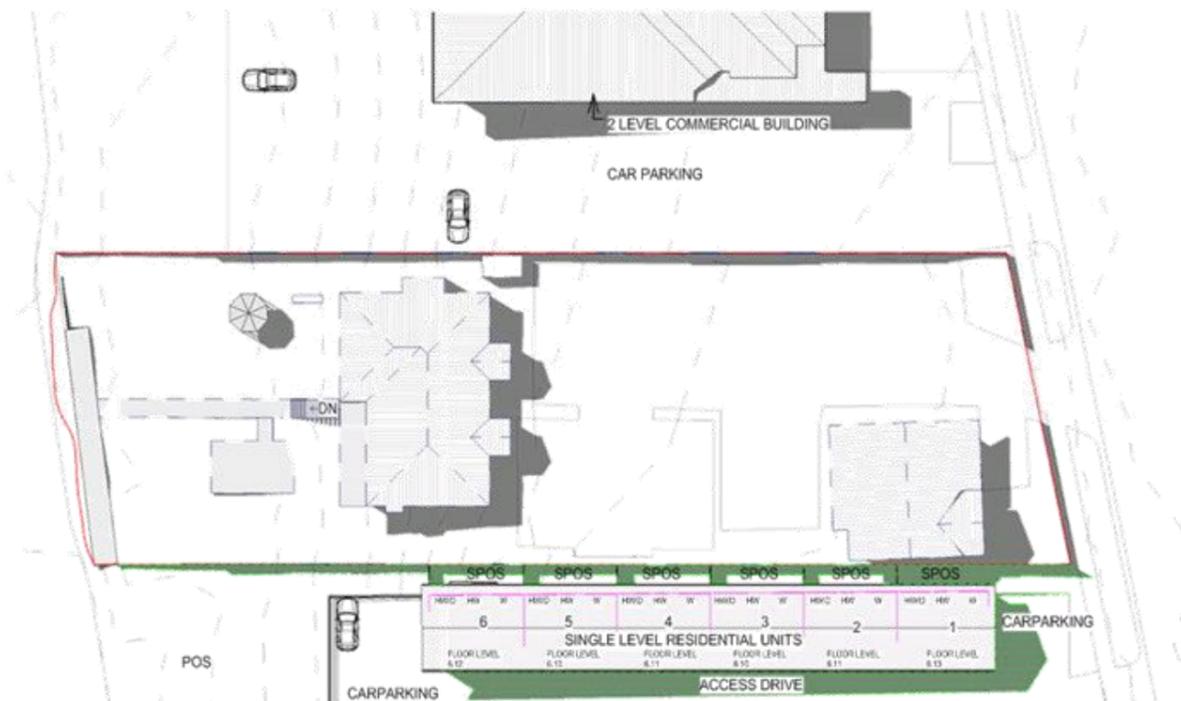
Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m² TOTAL SITE AREA

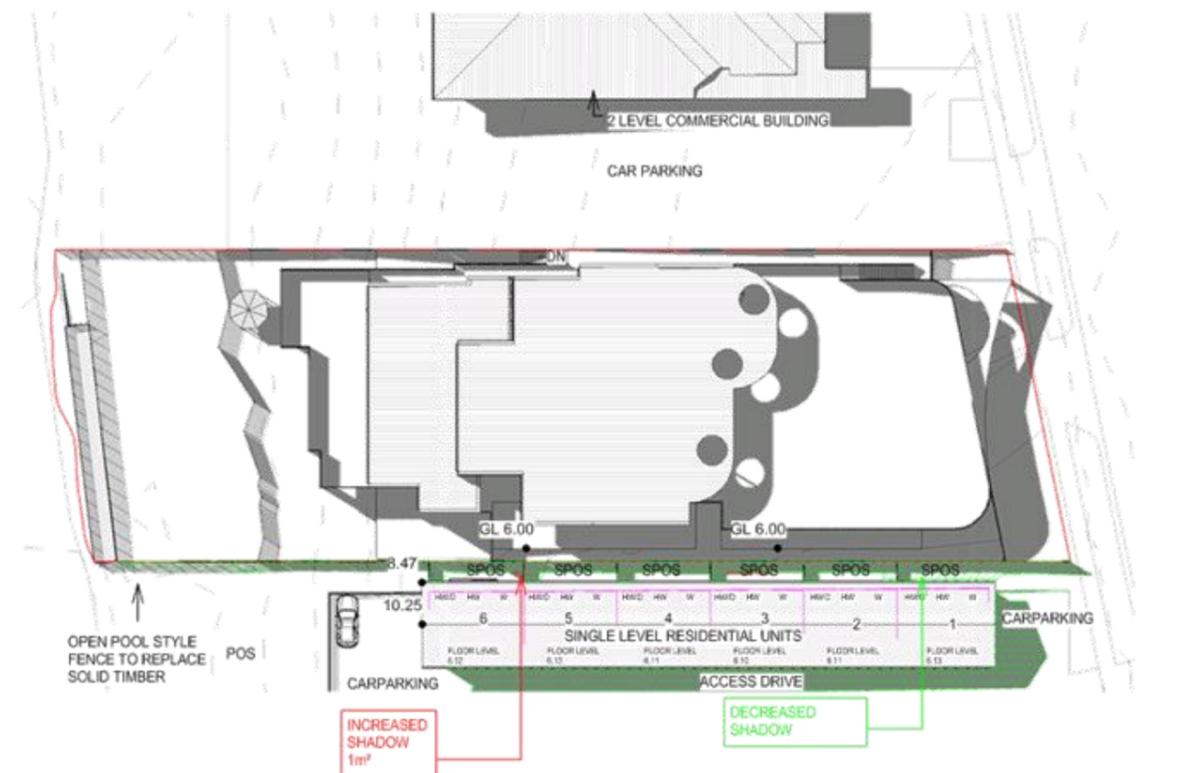
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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 1PM</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA23



1 2PM EXISTING SHADOWS  
 1 : 500



2 2PM PROPOSED SHADOWS  
 1 : 500

LEGEND

- EXISTING SHADOW
- ADDITIONAL SHADOW

**MOLLARD**  
 PROPERTY GROUP PTY LTD

Client:  
 Christina's Investment Trust

Project:  
 Early Learning Centre

Town Planning Application

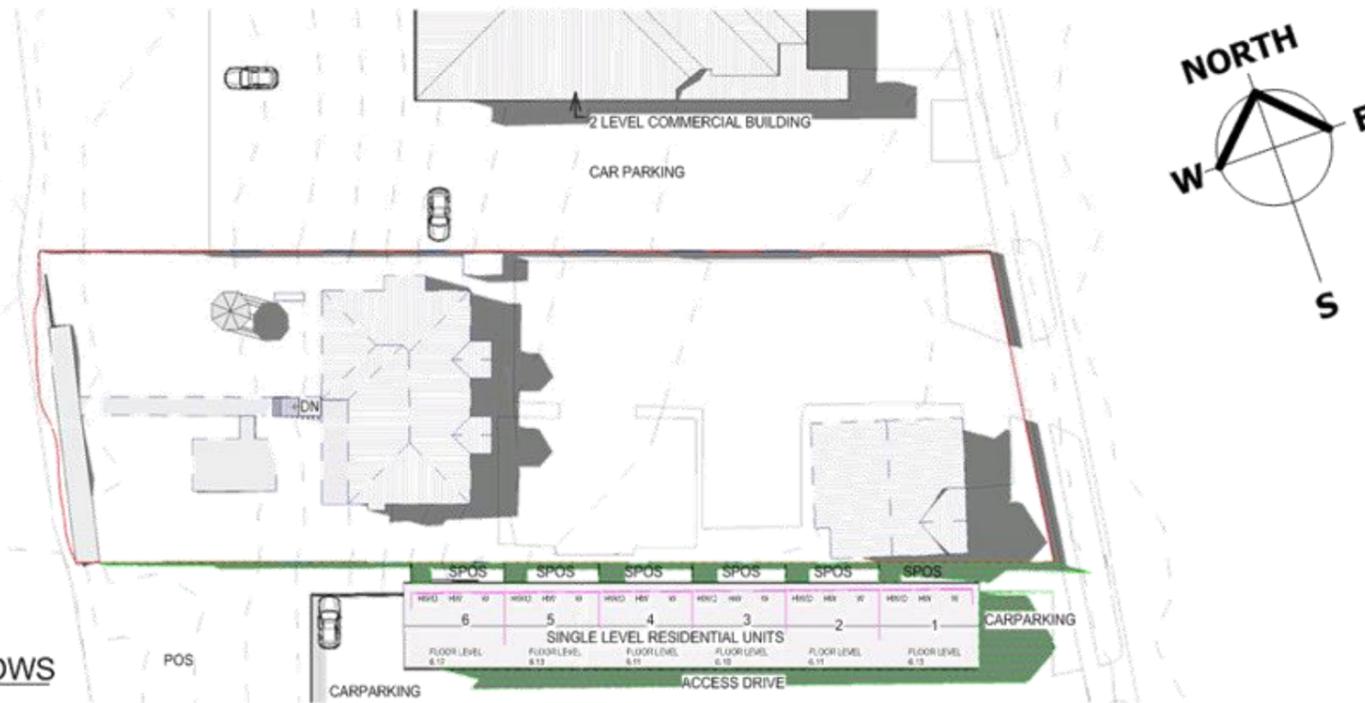
Address:  
 366-368 Nepean Highway, Frankston VIC 3199

Property Details:  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

Drawing Name: <b>PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 2PM</b>	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA24



1 3PM EXISTING SHADOWS  
 1 : 500



2 3PM PROPOSED SHADOWS  
 1 : 500

**LEGEND**  
 EXISTING SHADOW  
 ADDITIONAL SHADOW



**Client:**  
 Christina's Investment Trust

**Project:**  
 Early Learning Centre

**Town Planning Application**

**Address:**  
 366-368 Nepean Highway, Frankston VIC 3199

**Property Details:**  
 TP 132587N, LOT 1, V.10384 F.920  
 1887m<sup>2</sup> TOTAL SITE AREA

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No.	Issue Details	Date
15	PRE PLANNING APPLICATION	20-07-2020
16	PLANNING APPLICATION	28-07-2020
19	URBAN DESIGN COMMENTS RESPONSE	19-10-2020

<b>Drawing Name:</b> PRELIMINARY SHADOW DIAGRAM 22 SEPTEMBER 3PM	
Project number	11594
Current Issue Date	19-10-2020
Scale (A3)	1 : 500
Drawing no.	PA25

**Executive Summary****11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston  
- To use the land for the sale and consumption of liquor (On-premise  
Licence) and to reduce the number of car parking spaces required under  
Clause 52.06-5**

*Enquiries: (Sam Clements: Communities)*

Council Plan

Community Outcome:	1. Planned City
Strategy:	1.1 Community Infrastructure
Priority Action	1.1.6 Ensure community infrastructure and services match community need

**Purpose**

This report considers the merits of the planning application to use the land for the sale and consumption of liquor in association with a food and drink premises (bar) and to reduce the number of car parking spaces.

**Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit to Planning Permit Application Number 353/2020/P to use the land for the sale and consumption of liquor (On-premise Licence) and reduction in the number of car parking spaces supplied pursuant to Clause 52.06 at 3A Shannon Street Mall Frankston, subject to the conditions contained in the officers recommendation.

**Key Points / Issues**

- The proposal is to use part of the existing building for sale and consumption of liquor (On-premise Licence), in association with a food and drink premises (bar).
- A maximum of 22 patrons are proposed within the building, with some outdoor seating.
- The proposal is seeking approval to reduce the requirements of Clause 52.06 by 2 car parking spaces, which is acceptable for this nature of use.
- The application was advertised and two (2) objections were received identifying concerns about car parking, access and anti-social behaviour.
- The proposal is consistent with the planning controls and policy as it provides for retail, entertainment and commercial uses in a commercial area which is part of the Frankston Major Activity Centre.
- The matter is required to be reported to Council as it is an application associated with liquor.

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

**Financial Impact**

The permit application fee paid to Council is \$1,688.10. The average cost to process a planning application is \$2265. This represents a difference \$596.90, however these costs can be accommodated within existing budgets.

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Executive Summary****Consultation**1. External Referrals

The application was referred externally to Victoria Police, however there has been no response.

2. Internal Referrals

The application was referred internally to Council's Engineering Services (traffic Engineer), Economic Development, Waste management and Community Strengthening, who offered no objections to the proposal.

Notification of Proposal

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

Notification was given in the form of:

- Mail to adjoining and nearby owners and occupiers; and
- Two (2) signs erected on the shop windows facing Shannon Street Mall and White Street Mall.

As a result of the public notification, 2 objections were received. The grounds of objection are summarised in the officer's assessment contained within this report.

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

The proposal will have a positive economic impact by contributing to the ongoing viability of the existing local food and drink businesses.

The proposal will have beneficial social implications by offering patrons the opportunity to enjoy alcohol consumption within a well-managed and safe environment which also provides opportunity for social interaction.

It is noted that Council's Social Policy and Planning and Economic Development teams support the proposal on social and security grounds.

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

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

Legal

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

- Clause 52.27 (Licensed Premises)
- Clause 52.06- 03 – Reduction of car parking spaces

Policy Impacts

- Clause 11 – Settlement
- Clause 17 – Economic Development
- Clause 21.04 - Settlement

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Executive Summary**

- Clause 21.08 - Economic Development

Should a permit be issued, the applicant will be recommended to become a member of Council's Liquor Accord.

**Officer's Declaration of Interests**

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

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

**Risk Mitigation**

There are no particular risks associated with this application.

**Conclusion**

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

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**ATTACHMENTS**

- Attachment A: [↓](#) Locality Map  
Attachment B: [↓](#) Locality Map (Aerial)  
Attachment C: [↓](#) Floor plan and red line area

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5**

**Officers' Assessment**

**Summary**

<b>Existing Use</b>	Retail
<b>Site Area</b>	Approximately 63m <sup>2</sup> (part of the 299m <sup>2</sup> site)
<b>Proposal</b>	Use the land for the sale and consumption of Liquor (On-premise Licence) and reduce the number of car parking spaces.
<b>Site Cover</b>	N/A
<b>Permeability</b>	N/A
<b>Zoning</b>	Commercial 1 Zone
<b>Overlays</b>	Parking Overlay Schedule 1
<b>Neighbourhood Character Precinct</b>	N/A
<b>Reason for Reporting to Council</b>	Application associated with Liquor

**Background**

**Subject Site**

The site is occupied by a single storey shop building operating as a retail premises. The shop fronts to both Shannon Street Mall and White Street Mall. The proposed bar will occupy the section which fronts the White Street Mall and access will be provided from White Street Mall and also Shannon Street Mall via the existing retail premises.

**Locality**

The subject site is located within the Frankston Major Activity Centre and is surrounded by commercial developments.

**Site History**

Previous planning permit applications for the site include:

- There are no previous planning permit applications associated with this site.

**Proposal**

The proposal is to use the land to sell and consume liquor with an On-premise Licence in association with a bar. The premises will operate with the existing retail business within the same building serving small range of food items and tea/coffees during the early hours of the day and then serving liquor from noon with small range of bar snacks. The food will be sourced from other local cafes. The proposed hours for the serving of liquor are as follows:

Wednesday and Thursday 12 noon to 9pm

Friday and Saturday 12 noon to 11pm

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment**

Sunday 12 noon to 5pm

Anzac Day 2pm to 5pm

Public Holidays – 12 noon to 5pm

The maximum of 22 patron numbers are proposed within the building. A further 40 intended to be provided outside the premises within the White Street mall. These proposed seats will be regulated separately other than planning permit given that they are on public land. Accordingly a separate license or local law approval will need to be sought for these seats. Presently the application proposes to licence both indoor and outdoor areas.

**State and Local Planning Policy Frameworks**

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

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

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

- Clause 21.04 – Settlement
- Clause 21.08 – Economic Development

**Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 52.27 (Licensed Premises).
- Clause 52.06- 03 – Reduction of car parking spaces.

**Notification of Proposal**

Notification was given in the form of:

- Mail to adjoining and nearby owners and occupiers; and
- Two (2) signs erected on the shop windows facing Shannon Street Mall and White Street Mall.

As a result of the public notification, 2 objections were received. The grounds of objections are summarised below:

- Lack of car parking and loading and unloading facility.
- Safety and anti-social behavioural issues related to a licenced premises.

**Internal Referrals**

A summary of internal referral comments received regarding the proposal include:

**Engineering Services - Traffic Engineer**

- The bar will be attached to the existing retail shop and the leasable area is 52 square metres.

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment**

- The proposed change of use of existing building is located within the FMAC area and the parking provision rates is 3 car spaces per 100 square metres of leasable floor area of Food and Drink Premises in accordance with Parking Overlay under Clause 45.09. Thus, minimum of 2 car parking spaces are required for 52 square metres of leasable floor area of the site.
- The waiver of 2 car parking spaces for this proposal is acceptable in the context of the FMAC. The site is well located to support a travel mode shift away from private motor vehicle travel and no onsite parking supply will support greater adoption of alternative transport modes.
- Proposed outdoor seating arrangement fronting the bar and intending to use this as part of the hospitality business may restrict/impact on access to other business at the end of White Street Mall.

**Social Policy and Planning Team**

- No objection to the proposed development.

**Waste Management**

- It is noted that Council waste collection vehicles do not traverse down either Shannon Street Mall or White Street Mall.
- No objection raised to a private contractor managed Waste Management Plan. This will be required to be provided as a condition of the permit.

**Economic Policy and Planning**

- Supportive of the proposed development, as both the retail and hospitality elements combined have the potential to become a significant new destination for Frankston.

**Victoria Police**

- The application was referred to Victoria Police however no response has been received to date.

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

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

***Clause 52.06 Car Parking***

The site is within the Parking Overlay Schedule 1. The proposed leasable area for the bar will be 52m<sup>2</sup>. Under Parking Overlay Schedule, 2 car parking spaces are required at the rate of 3 spaces per 100m<sup>2</sup> of leasable floor area.

No car parking spaces are available on the site and no space is available to provide car parking on site. Thus, car parking waiver is required for total of 2 spaces.

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment**

The site is located within the Frankston Major Activity Centre (FMAC) and within Principal Public Transport Network area where public transport is largely available and the car parking in the area is largely a shared resource. Further, the site was used previously as a shop which required a similar car parking requirement and has been sharing the existing car parking within the vicinity. Therefore, the reduction of car parking requirement is considered acceptable.

As the site is within Parking Overlay schedule 1, Council may consider accepting a financial contribution in-lieu of car parking spaces required. However, as the proposal is making use of an existing building that has been used for commercial purposes for a number of years and which has relied on the existing car parking spaces within the area, it would not be equitable to require a financial contribution in this instance.

**Clause 52.27 Licence Premises**

The site is considered appropriately located for a use involving consumption of liquor, as it is within the existing Frankston Major Activity Centre, which is the focus for commercial and entertainment type uses directed by planning policies.

As the land is located in a commercial area and does not have abutting residential neighbours, the consumption of liquor will not likely impact upon the amenity of the area. Council's Social policy and Planning Team has not objected to the proposal.

The plans show indoor dining area with a capacity of 22 patrons and outdoor dining area with a capacity of 40 patrons. The outdoor seating is on public land and is separately regulated. It is noted that it may obstruct access to other properties fronting White Street Mall including the access to the recently approved development at 12 Balmoral Walk. Therefore, it is considered that the full outdoor dining area within the White Street Mall and along the other property frontages should not be shown on these plans.

However, there could be an opportunity to accommodate maximum of three tables under the building canopy with 6 seating capacity along the subject site's White Street Mall frontage without obstructing the access to other properties. Again, this would be subject to separate approval, but the area could be included within the licensed area pursuant to this approval in anticipation of this. The red line area also should be amended in accordance with these changes and this is reflected in recommended amended plan conditions.

Including under canopy tables, it is considered that maximum of 28 patron numbers is a reasonable number to be allowed at site at any one time.

Further, a condition will apply on any permit issued, to submit a Patron/Venue Management Plan considering the impact of consumption of liquor, on the amenity of the surrounding properties.

***Liquor Accord***

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

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment****Response to Grounds of Objections****Car parking Issues**

Concerns were raised about the lack of car parking and loading and unloading facility and its impact on on-street car parking. This matter has been considered in the above assessment and there is no objection to the car parking reduction sought from Council's Traffic Engineer. Further, applicant suggested loading and unloading will be carted down from Wells Street which is considered acceptable.

**Anti-social Behaviour**

There were some concerns raised on possible anti-social behaviour associated with the sale and consumption of liquor and it would impact on the residential apartments in the vicinity. It is considered that the proposed bar is small in scale and a venue/patron management plan to Council's satisfaction will be required on any approval. This would include measures of how the patrons will be managed within the designated redline area thereby minimising the potential for any detrimental amenity impacts and anti-social behaviour.

**Analysis (Economic and Social Implications)**

It is considered that the proposal will have positive economic development implications. Social impacts are considered to be positive, providing an area for patrons to consume liquor in a managed and clearly delineated area within the proposed bar. Council's Economic and Policy Planning Department is supportive of the proposal.

**Conclusion**

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

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment****Recommendation (Director Communities)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 353/2020/P to use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car spaces required under Clause 52.06-5 at 3A Shannon Street Mall Frankston, subject to the following conditions:

**Plans**

1. Before the use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be substantially in accordance with the plans submitted with the application but modified to show:
  - (a) Deletion of outdoor dining tables within White Street Mall and other property frontages.
  - (b) Notation of the three tables with 6 seating capacity located under canopy at the frontage of the subject site as being subject to separate Council Local Law or License approval.
  - (c) The amended red line area reduced to cover the internal areas and potential external under canopy seating area in accordance with condition 1(a) and 1(b).
  - (d) A Venue/Patron Management Plan in accordance with Condition 5.
  - (e) A Waste Management Plan in accordance with condition 7.

**No Alterations**

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

**Number of Patrons**

3. A maximum of 28 patrons may be present on the site at any one time.

**Liquor Licence Requirements**

4. The sale and consumption of alcohol must only take place at the premises during the following hours:
  - Wednesday and Thursday 12 noon to 9pm
  - Friday and Saturday 12 noon to 11pm
  - Sunday 12 noon to 5pm
  - Anzac Day 2pm to 5pm
  - Public Holidays – 12 noon to 5pm

**Venue/Patrons Management Plan**

5. Prior to the commencement of the sale and consumption of alcohol within the site, a Venue/Patrons Management Plan is to be submitted to and approved by the Responsible Authority that details (but is not limited to) the following:

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment**

- a) Measures taken to manage the number of patrons admitted in the designated area at any one time.
  - b) Venue shut down procedures to encourage the patrons to leave the premises sporadically.
  - c) Signage to be used to encourage responsible off-site patron behaviour.
  - d) Measures to prevent vandalism and antisocial behaviour.
  - e) Details to address and reduce waste, including bottles and rubbish, generated by the use.
  - f) Standard procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of the Responsible Authority, or an officer of Liquor Licensing Victoria.
  - g) Details of training provided for staff in the responsible serving of alcohol, and the management of patron behaviour.
  - h) Lighting within the boundaries of the site, and security lighting outside the premises.
  - i) Measure taken to have passive surveillance within the site and particularly at the time when the patrons leave the site.
6. The requirements of the endorsed Venue/Patron Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

**Waste Management Plan**

7. Before the development starts, a Waste Management Plan must be submitted to, and approved by, the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must include reference to the following:
- (a) The waste collection and management to be done by a private waste management contractor.
  - (b) The estimated garbage and recycling generation volumes for the proposed use.
  - (c) The garbage and recycling equipment to be used and the collection service requirements, including the frequency of collection.
  - (d) The location, proximity, screening of and space allocated both to the garbage and recycling storage areas and collection points.
  - (e) How noise, odour and litter will be managed and minimised.
  - (f) Approved facilities for washing bins and storage areas.
  - (g) Swept path diagrams illustrating how waste vehicles will access the site if applicable.
8. The requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

**Amenity**

**11.4 Town Planning Application 353/2020/P - 3A Shannon Street Mall Frankston - To use the land for the sale and consumption of liquor (On-premise Licence) and to reduce the number of car parking spaces required under Clause 52.06-5****Officers' Assessment**

9. The amenity of the area must not be detrimentally affected by the use through the
- a) Transport of materials, good or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, seam, soot, ash, dust, waste water, waste products, rit or oil.
  - d) Presence of vermin.
  - e) In any other way
- To the satisfaction of the Responsible Authority.
10. Noise emitted from the premises must not exceed limits prescribed by the State Environmental Protection Policy (Control of Noise form Commerce, Industry and Trade) No N-1.

**Permit Expiry**

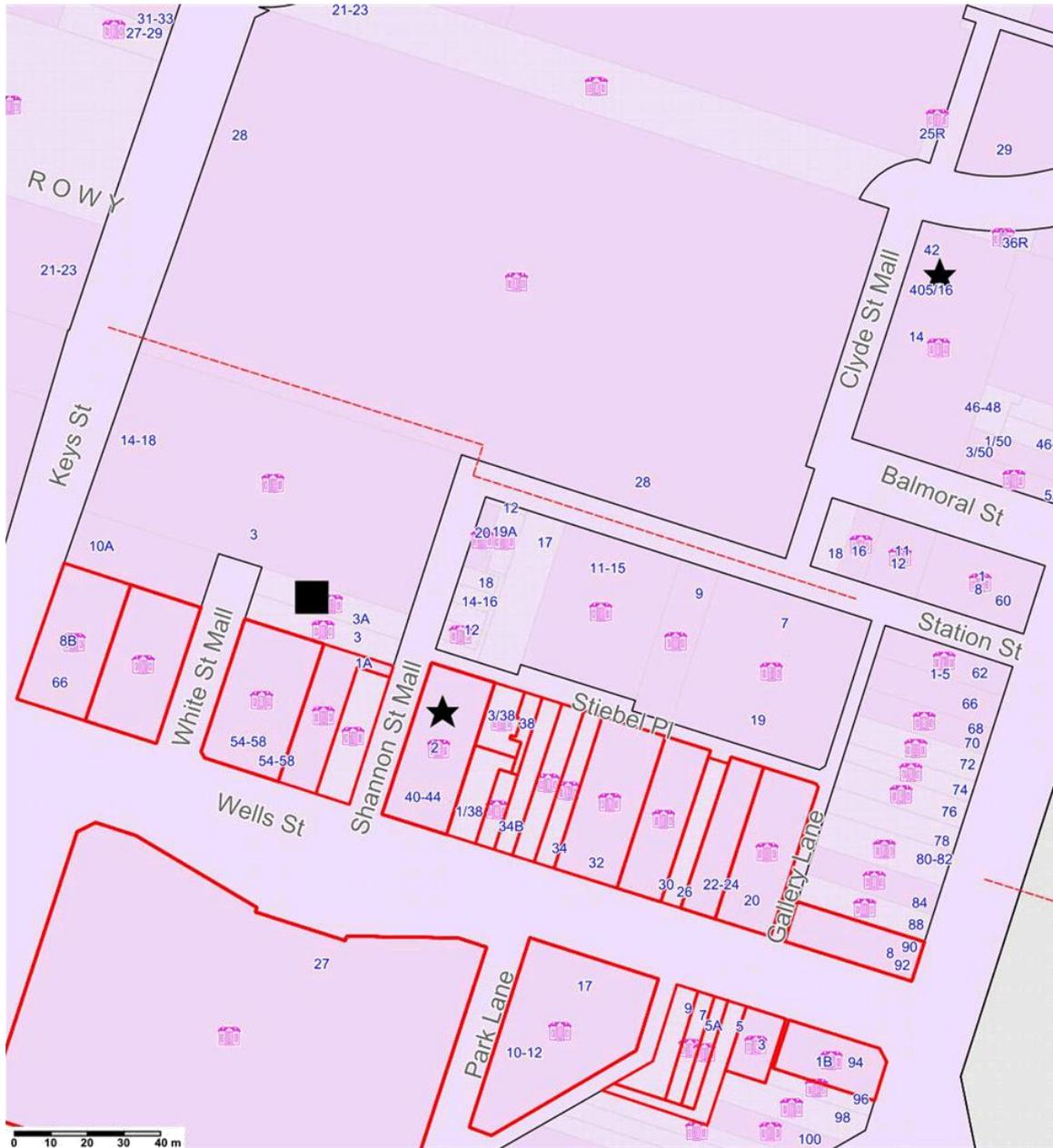
11. This permit will expire if one of the following circumstances applies:
- (a) The use is not started within two years of the date of this permit.
  - (b) The use ceases for a continuous period of two (2) or more years.

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

**Notes**

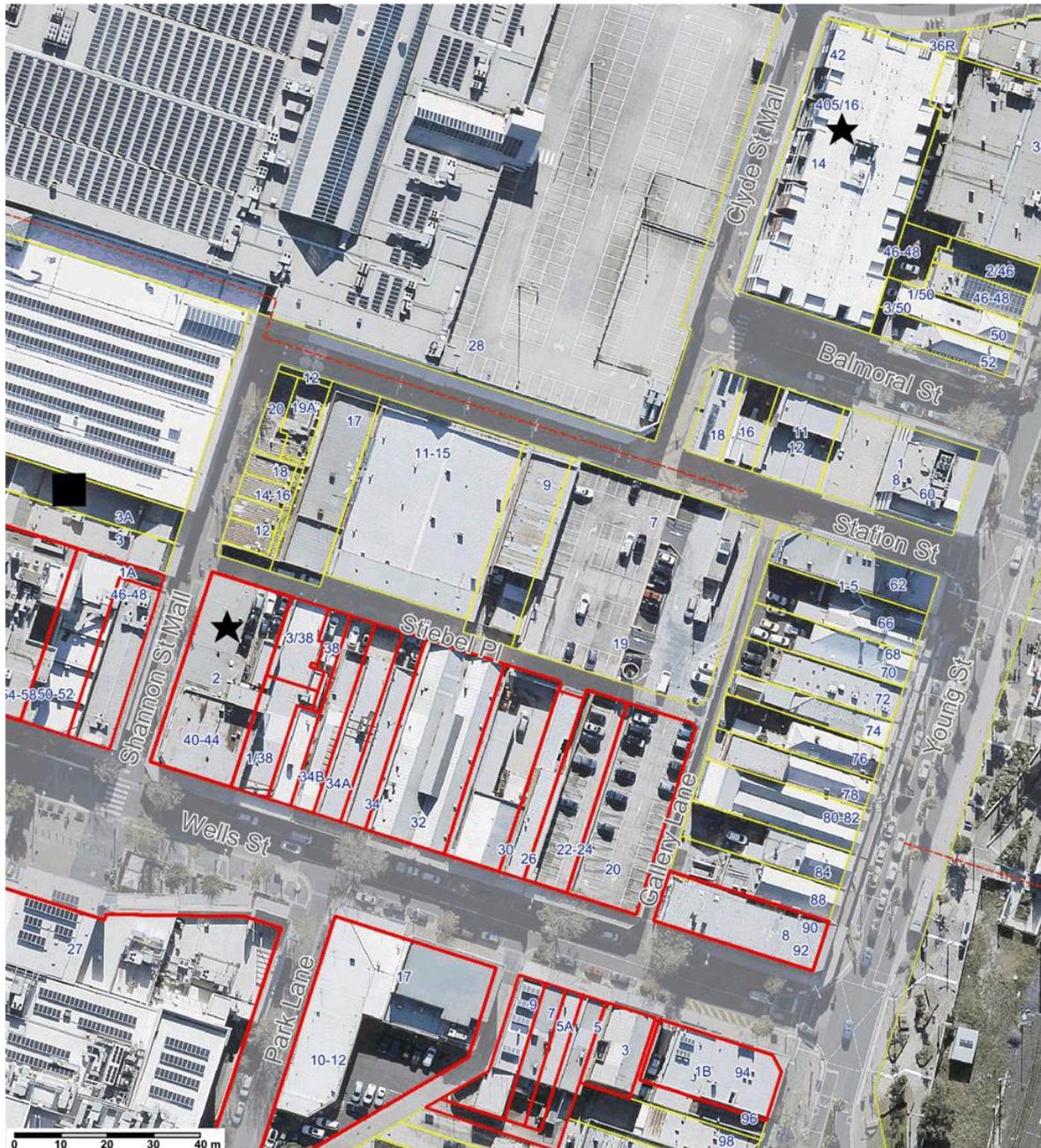
- A. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.
- B. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made. Pursuant to Section 69 of the Planning and Environment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

Planning Application 353/2020/P – 3A Shannon Street Mall Frankston  
 Subject Site ■ Objectors ★



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Planning Application 353/2020/P – 3A Shannon Street Mall Frankston  
 Subject Site ■ Objectors ★



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Projection: GDA94 / MGA zone 55

Scale: 1:1145

Date Printed: 6/01/2021

Time Printed: 3:37 PM

Issued by: Maxine O'Neill





**Executive Summary****11.5 Statutory Planning Progress Report - November and December 2020**

*Enquiries: (Sam Clements: Communities)*

**Council Plan**

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

**Purpose**

To provide Council with an update on the exercise of planning delegations by Council officers for the months of November and December 2020.

**Recommendation (Director Communities)**

That Council receives the Statutory Planning Progress Reports for the months of November and December 2020.

**Key Points / Issues**

- This report provides Council with an update on the exercise of planning delegations by Council officers on the following items:
  - Planning applications received;
  - Planning decisions;
  - Subdivision applications received;
  - Subdivision decisions;
  - Planning scheme amendments;
  - VCAT appeal register; and
  - VCAT decisions.
- In November 2020, 85 applications for planning permits or amendments to permits were received, and 74 applications determined. A total of 76% of permit decisions were made within 60 statutory days.
- In December 2020, 91 applications for planning permits or amendments to permits were received, and 86 applications determined. A total of 71% of permit decisions were made within 60 statutory days.
- At the end of 2020, there were 286 undecided planning permits, amendment to planning permits, and plan approval applications currently with Council.
- Over the period, 23 decisions related to multi-dwelling applications. All of these applications complied with the Multi-Dwelling Visitor Car Parking Guidelines.
- Three VCAT decisions were handed down during the period.

**Financial Impact**

Where a party seeks review of Council's decision at the Victorian Civil and Administrative Tribunal, Council will incur representation costs. Often, Council is represented by its officers and these costs are managed within Council's adopted budget. However where a matter is complex or involves legal issues, or where Council

**11.5 Statutory Planning Progress Report - November and December 2020****Executive Summary**

decides an application at variance with the officers recommendation, an external representative will be engaged. The type and cost of the representative engaged will vary depending on the nature of the application and issues in contention.

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

**Consultation**

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

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

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

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

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

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

Officer's Declaration of Interests

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

**Risk Mitigation**

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

**Conclusion**

This report provides Council with an overview of the activities and decisions made on planning applications in the months of November and December 2020.

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**ATTACHMENTS**

Attachment A:[↓](#) Statutory Planning Progress Report - November 2020

Attachment B:[↓](#) Statutory Planning Progress Report - December 2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
416/2020/P	North-East	Shop 2/230 Cranbourne-Frankston Road, Langwarrin 3910	To use the land for a restricted recreation facility (yoga studio) in an Commercial 1 Zone (C1Z)	2/11/2020
414/2020/P	North-East	36 O'Gradys Road, Carrum Downs 3201	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	4/11/2020
418/2018/P/C	North-East	586 Frankston-Dandenong Road Carrum Downs 3201	Section 72 - To use the land as an Indoor Recreation Facility (Indoor Play Facility) within the Commercial 2 Zone (C2Z) and display business identification and internally illuminated signage within a Category 1 area  Amendments: - Convert part of the cafe area to a childrens hairdresser. - Amend Condition 3 to allow thirty three (33) staff.	5/11/2020
424/2020/P	North-East	445 North Road, Langwarrin 3910	To construct an outbuilding in a Bushfire Management Overlay (BMO), Design and Development Overlay Schedule 4 (DDO4) and Environmental Significance Overlay Schedule 1 (ESO1) To undertake buildings and works within the tree protection zone of substantial trees in an Environmental Significance Overlay Schedule 1 (ESO1) and Significant Landscape Overlay Schedule 1 (SLO1)	5/11/2020
417/2020/P	North-East	6/389 McClelland Drive, Langwarrin 3910	To use the land for a restricted recreation facility (Personal and Group Training Studio) in an Industrial 1 Zone (IN1Z)	5/11/2020
543/2012/P/B	North-East	445 North Road, Langwarrin 3910	Section 72 - Four (4) lot subdivision, creation of an easement and removal of vegetation	6/11/2020
420/2020/P	North-East	4 Dion Drive, Carrum Downs 3201	To construct a Dependent Person Unit in a Bushfire Management Overlay (BMO)	6/11/2020
433/2020/P	North-East	2 Guava Court, Langwarrin 3910	To construct buildings and works to an existing dwelling in a Bushfire Management Overlay (BMO)	10/11/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
138/2020/P/VS	North-East	10 Warrandyte Road, Langwarrin 3910	To construct buildings and works associated with a Section 2 use (retirement village) in a General Residential Zone (GRZ)	11/11/2020
141/2020/P/VS	North-East	16 Hafey Way, Langwarrin 3910	To construct an outbuilding in a Rural Conservation Zone Schedule 4 (RCZ4)	16/11/2020
430/2020/P	North-East	23 Brilliante Circuit, Langwarrin 3910	To construct one (1) single storey dwelling on a lot in a Bushfire Management Overlay (BMO)	16/11/2020
142/2020/P/VS	North-East	11 Tuskar Place, Carrum Downs 3201	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	17/11/2020
58/2017/P/D	North-East	1 Luscombe Avenue, Carrum Downs 3201	Section 72 - To construct one (1) dwelling to the rear of the existing dwelling (two (2) dwellings)	23/11/2020
444/2020/P	North-East	66 Anthony Street, Langwarrin 3910	To construct six (6) double storey dwellings on a lot in a General Residential Zone (GRZ) and buildings and works in a Bushfire Management Overlay (BMO)	24/11/2020
146/2020/P/VS	North-East	5/285 North Road, Langwarrin 3910	To remove one (1) native tree in an Environmental Significance Overlay Schedule 1 (ESO1) and a Significant Landscape Overlay Schedule 1 (SLO1)	25/11/2020
149/2020/P/VS	North-East	30 Bellbird Court, Langwarrin 3910	To construct swimming pool and pergola	26/11/2020
448/2020/P	North-East	59 Lathams Road, Carrum Downs 3201	To subdivide the land into three (3) lots in a Industrial 1 Zone (IN1Z)	27/11/2020
<b>North-East Ward - 17</b>				
415/2020/P	North-West	15 Wynden Drive, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	4/11/2020
419/2020/P	North-West	47 Hunt Drive, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	5/11/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
91/2018/P/C	North-West	51 Keppler Circuit, Seaford 3198	Section 72 - To construct one (1) warehouse adjacent to an existing warehouse and to reduce the number of spaces requires under Clause 52.06-5 (Car Parking) of the Frankston Planning Scheme.	6/11/2020
425/2020/P	North-West	24 Armata Crescent, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	6/11/2020
423/2020/P	North-West	19 O'Grady Avenue, Frankston 3199	To construct six (6) triple storey dwellings on a lot in a Residential Growth Zone (RGZ) and to construct a building and carry out works in a Design and Development Overlay Schedule 12 (DDO12)	6/11/2020
434/2020/P	North-West	19 Inglis Avenue, Frankston 3199	To construct five (5) double storey dwellings on a lot in a Mixed Use Zone (MUZ), a Design and Development Overlay - Schedule 5 (DDO5) and a Special Building Overlay (SBO)	9/11/2020
426/2020/P	North-West	3 Nepean Highway, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct two dwellings on a lot and to construct a building and construct and carry out works over 7.0 metres in height in a Design and Development Overlay Schedule 6 (DDO6) and to create/alter access to a road in a Road Zone Category 1	11/11/2020
428/2020/P	North-West	82 Centenary Street, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ) and Bushfire Management Overlay Schedule 1 (BMO1)	12/11/2020
140/2020/P/VS	North-West	23 Bayside Grove, Seaford 3198	To construct a building and construct and carry out works for an outbuilding in a Special Building Overlay (SBO)	13/11/2020
431/2020/P	North-West	27 Ireland Street, Seaford 3198	To construct two (2) single storey dwellings on a lot in a General Residential Zone (GRZ)	13/11/2020

Progress Report – Planning Applications Received For The Application Date: From 1/11/2020 To 30/11/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
435/2020/P	North-West	48 Seaford Road, Seaford 3198	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct buildings and works in a Special Building Overlay (SBO) and to create/alter access to a road in a Road Zone Category 1	17/11/2020
436/2020/P	North-West	6 East Road, Seaford 3198	To construct four (4) dwellings (three (3) double storey and one (1) single storey) on a lot in a General Residential Zone (GRZ)	17/11/2020
438/2020/P	North-West	457 Frankston-Dandenong Road, Carrum Downs 3201	To construct and carry out works to an existing Convenience Restaurant in a General Residential Zone (GRZ), to erect and display internally illuminated signage and business identification signage	19/11/2020
145/2020/P/VS	North-West	59 Ashleigh Avenue, Frankston 3199	To construct buildings and works to an existing dwelling in a Special Building Overlay (SBO)	19/11/2020
355/2018/P/C	North-West	8 Anderson Street, Frankston 3199	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	20/11/2020
441/2020/P	North-West	4 Austin Road, Seaford 3198	To construct two (2) single storey dwellings on a lot in a General Residential Zone (GRZ) and to construct and building and construct and carry out works in a Special Building Overlay (SBO)	20/11/2020
443/2020/P	North-West	19 Martha Street, Seaford 3198	To use the land for a Restricted Recreation Facility (Personal Training and Wellness Studio) in an Industrial 1 Zone (IN1Z)	24/11/2020
449/2020/P	North-West	4 Punari Court, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct a building and construct and carry out works in a Special Building Overlay (SBO)	27/11/2020
264/2018/P/C	North-West	16 East Road, Seaford 3198	Section 72 - To construct four (4) double storey dwellings and four (4) lot subdivision	30/11/2020

<b>Progress Report – Planning Applications Received</b> <b>For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
450/2020/P	North-West	85 Rosemary Crescent, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	30/11/2020
451/2020/P	North-West	25 Boonong Avenue, Seaford 3198	To construct two (2) double storey dwellings to the rear of existing dwelling (three (3) dwellings on a lot) in a General Residential Zone (GRZ) and to construct a building and construct and carry out works in a Special Building Overlay (SBO)	30/11/2020
<b>North-West Ward - 21</b>				
134/2020/P/VS	South	1/145 Kars Street, Frankston South 3199	To construct buildings and works in the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 4 (SLO4), within 2.00 metres of a side boundary and 7.50 metres of the front boundary and to exceed the maximum 40% site coverage the in a Design and Development Overlay Schedule 9 (DDO9)	1/11/2020
135/2020/P/VS	South	11 Burramine Court, Frankston South 3199	To construct an outbuilding	2/11/2020
607/2014/P/A	South	616 Nepean Highway, Frankston South 3199	Subdivision of land under clause 32.08-3 of the General Residential Zone; Subdivision of land under clause 42.01-2 of the Environmental Significance Overlay; Subdivision of land under clause 43.02-3 of the Design and Development Overlay; and Subdivision of land under clause 44.01-4 of the Erosion Management Overlay.	4/11/2020
421/2020/P	South	92 Moorooduc Highway, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	5/11/2020

Progress Report – Planning Applications Received For The Application Date: From 1/11/2020 To 30/11/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
136/2020/P/VS	South	9 Mulgra Street, Frankston South 3199	To construct an outbuilding in a Design and Development Overlay Schedule 1 (DDO1)	6/11/2020
143/2020/P/VS	South	21 Sussex Road, Frankston South 3199	To construct an outbuilding in a Design and Development Overlay Schedule 1 (DDO1)	6/11/2020
137/2020/P/VS	South	31-33 Chetwyn Court, Frankston South 3199	To construct a verandah to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	7/11/2020
445/2020/P	South	39 Violet Street, Frankston South 3199	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	11/11/2020
429/2020/P	South	3 Baileyana Street, Frankston South 3199	To construct two (2) dwellings to the front of the existing dwelling (three (3) dwellings on a lot) and to subdivide the land into three (3) lots in a General Residential Zone (GRZ), to construct a building and construct and carry out works exceeding 40% site coverage and to construct a building and construct and carry out works within the Tree Protection Zone of substantial trees and to remove substantial trees in a Significant Landscape Overlay Schedule 6 (SLO6)	12/11/2020
427/2020/P	South	60 Overport Road, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and Bushfire Management Overlay Schedule 1 (BMO1)	12/11/2020
432/2020/P	South	5 Palmerston Crescent, Frankston South 3199	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct buildings and construct and carry out works in a Design and Development Overlay Schedule 9 (DDO9) and to remove and to construct a building and construct and carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	16/11/2020

Progress Report – Planning Applications Received				
For The Application Date: From 1/11/2020 To 30/11/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
417/2019/P/B	South	60 Overport Road, Frankston South 3199	Section 72 - To construct one (1) double storey dwelling to the front of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ) and to construct and carry out works in a Design and Development Overlay Schedule 9 (DDO9)	17/11/2020
439/2020/P	South	405 Baxter-Tooradin Road, Langwarrin South 3911	To construct a dwelling, outbuilding and construct and carry out works in a Rural Conservation Zone Schedule 1 (RCZ1)	18/11/2020
437/2020/P	South	35 Playne Street, Frankston 3199	To construct a nine (9) storey building and construct or carry out works in a Commercial 1 Zone (C1Z) and to reduce the number of car parking spaces required under the Parking Overlay Schedule 1 (PO1)	18/11/2020
144/2020/P/VS	South	5 Woolston Drive, Frankston South 3199	To remove one (1) substantial tree in a Significant Landscape Overlay Schedule 4 (SLO4)	19/11/2020
173/2019/P/A	South	439 Nepean Highway, Frankston 3199	Section 72 - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)	20/11/2020
147/2020/P/VS	South	3 Healsview Court, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4)	20/11/2020
442/2020/P	South	448 Nepean Highway, Frankston 3199	To construct a temporary car park within a Commercial 1 Zone (B1Z)	23/11/2020
442/2020/P	South	448A Nepean Highway, Frankston 3199	To construct a temporary car park within a Commercial 1 Zone (B1Z)	23/11/2020
446/2020/P	South	13 Spring Street, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ) and to undertake buildings and works that exceed seven (7) metres in height in a Design and Development Overlay Schedule 6 (DDO6)	25/11/2020
447/2020/P	South	25 Mountain Avenue, Frankston South 3199	To remove two (2) substantial trees and to undertake works within the Tree Protection Zones of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3)	25/11/2020

Progress Report – Planning Applications Received For The Application Date: From 1/11/2020 To 30/11/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
148/2020/P/VS	South	43A McComb Boulevard, Frankston South 3199	To construct a verandah	26/11/2020
8/2020/P/A	South	4 Fleetwood Crescent, Frankston South 3199	Section 72 - To construct one (1) double storey dwelling on a lot in a General Residential Zone (GRZ1), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9) and Significant Landscape Overlay (SLO4)	27/11/2020
452/2020/P	South	286 Frankston-Flinders Road, Frankston South 3199	To construct and carry out works to an existing take away food premises in an Mixed Use Zone (MUZ) and to erect and display business identification signage	30/11/2020
South Ward - 24				
Total - 62				

<b>Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
175/2009/P/B	East	85 O'Gradys Road, Carrum Downs 3201	Secondary Consent - Construction of fifteen (15) single storey dwellings	17/11/2020
<b>East Ward - 1</b>				
293/2018/P/C	North-East	2 Laurel Crescent, Carrum Downs 3201	Extension of time - To construct one (1) single storey dwelling to the rear of an existing dwelling (two (2) dwellings)	5/11/2020
240/2017/P/C	North-East	41 Potts Road, Langwarrin 3910	Extension of time - To construct six (6) dwellings (three (3) double storey and three (3) single storey dwellings).	12/11/2020
175/2009/P/B	North-East	1/91 O'Gradys Road, Carrum Downs 3201	Secondary Consent - Construction of fifteen (15) single storey dwellings	17/11/2020
<b>North-East Ward - 3</b>				
252/2017/P/B	North-West	33 Royle Street, Frankston 3199	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	4/11/2020
347/2018/P/C	North-West	34 Johnstone Street, Seaford 3198	Extension of time - To construct three (3) double storey dwellings	4/11/2020
349/2017/P/B	North-West	19 Ashleigh Avenue, Frankston 3199	Extension of time - To construct two (2) dwellings (one (1) single storey and one (1) double storey)	6/11/2020
121/2001/P/E	North-West	259 Nepean Highway, Seaford 3198	Secondary consent - Seventeen (17) dwellings	10/11/2020
342/2017/P/C	North-West	7 Sussex Crescent, Seaford 3198	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwellings (two (2) dwellings)	11/11/2020
218/2018/P/C	North-West	13 Centenary Street, Seaford 3198	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	12/11/2020
403/2018/P/A	North-West	5 Nabilla Avenue, Seaford 3198	Extension of time - Two (2) lot subdivision	19/11/2020
723/2015/P/C	North-West	1 Gladwyn Avenue, Frankston 3199	Extension of time - The construction of three (3) double storey dwellings	20/11/2020
502/2017/P/C	North-West	2/35 Longleaf Street, Frankston North 3200	Extension of time -To construct one (1) double storey dwelling and carport on a lot less than 300 square metres.	20/11/2020

Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/11/2020 To 30/11/2020				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
184/2019/P/C	North-West	19 Galway Street, Seaford 3198	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	25/11/2020
262/2016/P/J	North-West	5-7 Bragge Street, Frankston 3199	Extension of time - To use and construction of a four (4) storey building containing twenty six (26) apartments	27/11/2020
<b>North-West Ward - 11</b>				
387/2015/P/E	South	59 Culcairn Drive, Frankston South 3199	Extension of time - To construct three (3) double storey dwellings and one (1) single storey dwelling (four (4) dwellings)	5/11/2020
400/2018/P/B	South	13 Vera Street, Frankston 3199	Extension of time - To construct two (2) double storey dwellings	5/11/2020
130/2016/P/B	South	14 Villiers Street, Frankston South 3199	Secondary consent - The construction of an extension to the existing dwelling (works within 5m of a tree with a trunk circumference greater than 0.5m at 1 meter above ground level) and removal of three (3) trees.	6/11/2020
18/2018/P/A	South	19 Rosedale Grove, Frankston South 3199	Extension of time - To construct extensions to the existing dwelling, to remove significant trees and to construct a private tennis court and habitable outbuilding.	10/11/2020
501/2012/P/D	South	302-308 Nepean Highway, Frankston 3199	Extension of time - For construction of a four (4) storey building comprising a semi-basement, eighteen (18) dwellings, café and associated reduction of loading / unloading bay requirements, reduction of car spaces for the café use and alteration of access to a road in a Road Zone Category 1	12/11/2020
164/2020/P/B	South	79A Cranhaven Road, LANGWARRIN 3910	Secondary consent - To construct seven (7) single storey dwellings on a lot in a General Residential Zone (GRZ)	16/11/2020
533/2018/P/B	South	12 Coogee Avenue, Frankston 3199	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings).	20/11/2020
245/2020/P/B	South	4 Scenic Close, Frankston South 3199	Secondary consent - To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 1 (DDO1)	25/11/2020

South Ward - 8

Total - 23

<b>Progress Report – Planning Application Decisions            For The Application Date: From 1/11/2020 To 30/11/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
361/2018/P	North-East	81-83 Cranbourne-Frankston Road, Langwarrin 3910	The expansion of the use and development of an existing medical centre (new two storey building) and associated works.	Permit Approved	5/11/2020
105/2020/P/A	North-East	2/2 Brett Drive, Carrum Downs 3201	Section 72 - To subdivide the land into two (2) lots in an Industrial 1 Zone (IN1Z)	Permit Approved	9/11/2020
399/2020/P	North-East	20 Brilliante Circuit, Langwarrin 3910	To construct one (1) single storey dwelling within a Bushfire Management Overlay (BMO)	Application Withdrawn	9/11/2020
111/2020/P	North-East	105 Potts Road, Langwarrin 3910	Two (2) lot subdivision in a General Residential Zone (GRZ) and Bushfire Management Overlay (BMO) and removal of restrictive covenant in Instrument of Transfer as to part W599629H.	Permit Approved	9/11/2020
380/2020/P	North-East	32 Hafey Way, Langwarrin 3910	To construct and use the land for one (1) single storey dwelling in a Rural Conservation Zone Schedule 4 (RCZ4)	Permit Approved	13/11/2020
334/2018/P/B	North-East	3 Yarralumla Drive, Langwarrin 3910	Section 72 - To construct one (1) single storey dwelling to the rear of existing dwelling (two (2) dwellings)	Application Withdrawn	17/11/2020
232/2020/P	North-East	48 Barnett Avenue, Carrum Downs 3201	To construct one (1) single storey dwelling within the Tree Protection Zone of two (2) substantial trees in a Significant Landscape Overlay Schedule 5 (SLO5)	Permit Approved	19/11/2020
141/2020/P/VS	North-East	16 Hafey Way, Langwarrin 3910	To construct an outbuilding in a Rural Conservation Zone Schedule 4 (RCZ4)	Permit Approved	24/11/2020
676/2018/P/D	North-East	85 Boundary Road, Carrum Downs 3201	Section 72 - To construct ten (10) buildings for use as warehouses and one (1) building for use as industry and warehouse	Permit Approved	25/11/2020
220/2019/P	North-East	17-18 Pagett Road, Carrum Downs 3201	One hundred and eighty seven (187) lot subdivision and native vegetation Removal	Application Withdrawn	30/11/2020

<b>Progress Report – Planning Application Decisions            For The Application Date: From 1/11/2020 To 30/11/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
221/2019/P	North-East	17-18 Pagett Road, Carrum Downs 3201	To construct one hundred and eighty seven (187) double storey dwellings (in stages) and to remove native vegetation	Application Withdrawn	30/11/2020
<b>North-East Ward - 11</b>					
313/2020/P	North-West	10 Rosemary Crescent, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	4/11/2020
286/2018/P	North-West	21-23 Hickory Crescent, Frankston North 3200	To construct three (3) two-storey dwellings and two (2) three-storey dwellings (five (5) new dwellings)	Permit Approved	5/11/2020
317/2020/P	North-West	63 Rosemary Crescent, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	9/11/2020
103/2018/P/E	North-West	6-10 Govan Street, Seaford 3198	Section 72 - To use the land for a Child Care Centre in an Industrial 1 Zone (Section 2 Use) and construct buildings and works within an Industrial 1 Zone and Special Building Overlay  Amendment - 1.8m high fence within SBO	Permit Approved	12/11/2020
239/2020/P	North-West	9 Ashleigh Avenue, Frankston 3199	To construct two (2) double storey dwelling to the rear of the existing dwelling (three (3) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	13/11/2020
382/2020/P	North-West	407 Frankston-Dandenong Road, Frankston North 3200	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	13/11/2020
395/2020/P	North-West	34 Rosslyn Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and Special Building Overlay (SBO)	Permit Approved	13/11/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
140/2020/P/VS	North-West	23 Bayside Grove, Seaford 3198	To construct a building and construct and carry out works for an outbuilding in a Special Building Overlay (SBO)	Permit Approved	16/11/2020
99/2019/P	North-West	17 Railway Parade, Seaford 3198	To construct three (3) double storey dwellings on a lot	Permit Approved	18/11/2020
259/2020/P	North-West	11 Kelvin Avenue, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	Permit Approved	18/11/2020
356/2020/P	North-West	336-338 Cranbourne Road, Frankston 3199	To erect and display business identification signage in a Commercial 1 Zone (C1Z)	Permit Approved	24/11/2020
314/2020/P	North-West	40 Belvedere Road, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct a building and construct and carry out works in a Special Building Overlay (SBO)	Permit Approved	25/11/2020
391/2020/P	North-West	37 Airlie Grove, Seaford 3198	To construct buildings and works to an existing dwelling in a Land Subject to Inundation Overlay (LSIO)	Permit Approved	27/11/2020
325/2020/P	North-West	7 Chevron Court, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	27/11/2020
397/2020/P	North-West	14 Wells Road, Seaford 3198	To erect and display internally illuminated signage	Permit Approved	27/11/2020
<b>North-West Ward - 15</b>					
585/2012/P/B	South	112 Moorooduc Highway, Frankston South 3199	Section 72 - To construct one (1) dwelling in a Bushfire Management Overlay (BMO) and Design and Development Overlay Schedule 1 (DDO1), removal of one (1) tree and works within the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 3 (SLO3)	Permit Approved	5/11/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
322/2020/P	South	19 Violet Street, Frankston South 3199	To construct an extension to an existing dwelling in a Significant Landscape Overlay Schedule 6 (SLO6)	Permit Approved	5/11/2020
132/2020/P/VS	South	5 Idon Avenue, Frankston South 3199	To construct a domestic swimming pool in a Design and Development Overlay Schedule 9 (DDO9)	Permit Approved	6/11/2020
211/2020/P	South	117 Humphries Road, Frankston South 3199	To construct, use and illuminate a private tennis court within the Tree Protection Zone of substantial trees and to remove two (2) substantial trees and sections of Cypress hedge in a Significant Landscape Overlay Schedule 3 (SLO3)	Permit Approved	6/11/2020
260/2020/P	South	52 Margate Avenue, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	9/11/2020
59/2017/P/C	South	8 Idon Avenue, Frankston South 3199	Section 72 - To construct one double storey dwelling to the rear of an existing dwelling (two dwellings on a lot), to construct a front fence and to subdivide the land into two (2) lots	Permit Approved	16/11/2020
135/2020/P/VS	South	11 Burramine Court, Frankston South 3199	To construct an outbuilding	Application Withdrawn	16/11/2020
131/2020/P/VS	South	35 Casuarina Drive, Frankston South 3199	To construct buildings and works in the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 4 (SLO4), within 2.00 metres of a side boundary and 7.50 metres of the front boundary and to exceed the maximum 40% site coverage the in a Design and Development Overlay Schedule 9 (DDO9).	Permit Approved	17/11/2020

<b>Progress Report – Planning Application Decisions</b> <b>For The Application Date: From 1/11/2020 To 30/11/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
162/2020/P	South	174-176 Overport Road, Frankston South 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) and to resubdivide the boundary between two (2) lots in a General Residential Zone (GRZ) and Design and Development Overlay Schedule 1 (DDO1), to remove substantial trees and construct or carry out works within the Tree Protection Zone of substantial trees in Significant Landscape Overlay Schedule 3 (SLO3)	Permit Approved	17/11/2020
293/2020/P	South	122 Heatherhill Road, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	19/11/2020
1/2020/P	South	53 Woodlands Grove, Frankston 3199	To construct two (2) double storey dwellings in a General Residential Zone (GRZ)	Permit Approved	19/11/2020
166/2020/P	South	70 Donald Road, Langwarrin 3910	To subdivide the land into two (2) lots in a Low Density Residential Zone (LDRZ), Environmental Significance Overlay Schedule 1 (ESO1), Design and Development Overlay Schedule 4 (DDO4) and Bushfire Management Overlay (BMO). To remove native vegetation under Clause 52.17 and within the Significant Landscape Overlay Schedule 1 (SLO1) and Environmental Significance Overlay Schedule 1 (ESO1)	Permit Approved	19/11/2020
129/2020/P/VS	South	21 Barretts Road, Langwarrin South 3911	Construction of a verandah within 10 metres of a side boundary, and where the total area of outbuildings is greater than 100 square metres, in a Design and Development Overlay Schedule 4 (DDO4)	Permit Approved	20/11/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
226/2020/P	South	27 Baden Powell Drive, Frankston South 3199	To carry out buildings and works for an extension to an existing dwelling in a Design and Development Overlay - Schedule 9 (DDO9), Significant Landscape Overlay - Schedule 4 (SLO4) and Bushfire Management Overlay (BMO)	Permit Approved	20/11/2020
84/2018/P/H	South	10 Milne Court, Langwarrin 3910	Section 72 - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and subdivide the land into two (2) lots	Permit Approved	24/11/2020
224/2020/P	South	1 Harrow Street, Frankston 3199	To construct three (3) single storey dwellings on a lot in a General Residential Zone (GRZ)	Permit Approved	24/11/2020
335/2020/P	South	47 Mountain Avenue, Frankston South 3199	To remove eight (8) substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3)	Permit Approved	24/11/2020
389/2020/P	South	58-60 McMahons Road, Frankston 3199	To subdivide the land into eight (8) lots in a General Residential Zone	Permit Approved	24/11/2020
143/2020/P/VS	South	21 Sussex Road, Frankston South 3199	To construct an outbuilding in a Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	27/11/2020
296/2020/P	South	87 Kars Street, Frankston South 3199	To construct buildings and works for one (1) single storey dwelling within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 6 (SLO6)	Permit Approved	27/11/2020
134/2020/P/VS	South	1/145 Kars Street, Frankston South 3199	To construct buildings and works in the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 4 (SLO4), within 2.00 metres of a side boundary and 7.50 metres of the front boundary and to exceed the maximum 40% site coverage the in a Design and Development Overlay Schedule 9 (DDO9)	Permit Approved	27/11/2020

South Ward - 21

Total - 47

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
60/2019/P/F	North-East	71-77 Hall Road, Carrum Downs 3201	Secondary consent - Use and development of the land for a motel and extension to existing carpark	Secondary Consent Approved	9/11/2020
319/2019/P/C	North-East	9 Whimbrel Crescent, Carrum Downs 3201	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Secondary Consent Approved	16/11/2020
101/2018/P/C	North-East	19 Pardalote Avenue, Carrum Downs 3201	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	18/11/2020
20/2014/P/A	North-East	75 Quarry Road, Langwarrin 3910	Secondary Consent - To use the site for Refuse Disposal (landfill)	Secondary Consent Approved	26/11/2020
293/2018/P/C	North-East	2 Laurel Crescent, Carrum Downs 3201	Extension of time - To construct one (1) single storey dwelling to the rear of an existing dwelling (two (2) dwellings)	Extension of Time Approved	27/11/2020
521/2014/P/D	North-East	63 Sandhurst Boulevard, Sandhurst 3977	Secondary consent - To construct one (1) single storey building to be used as a Child Care Centre and associated carparking.	Secondary Consent Approved	27/11/2020
<b>North-East Ward - 6</b>					
261/2016/P/C	North-West	9 Seaford Road, Seaford 3198	Extension of time -To construct three (3) double storey dwellings (three (3) dwellings) and create access to a road in a Road Zone Category 1	Extension of Time Approved	4/11/2020
117/2018/P/B	North-West	73 Seaford Grove, Seaford 3198	Secondary consent - To construct three (3) double storey dwellings	Secondary Consent Approved	4/11/2020
262/2016/P/I	North-West	5-7 Bragge Street, Frankston 3199	Secondary Consent - To use and construction of a four (4) storey building containing twenty six (26) apartments	Secondary Consent Approved	6/11/2020
332/2016/P/C	North-West	20 Mahogany Avenue, Frankston North 3200	Extension of time - The construction of two (2) single storey dwellings	Extension of Time Approved	9/11/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
281/2018/P/C	North-West	5 Tyers Court, Frankston 3199	Extension of time - To construct three (3) double storey dwellings and construct buildings and works within a Special Building Overlay (SBO)	Extension of Time Approved	9/11/2020
124/2018/P/B	North-West	59 Moreton Street, Frankston North 3200	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Secondary Consent Approved	20/11/2020
483/2018/P/B	North-West	244 Seaford Road, Seaford 3198	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings), alter access to a road in a Road Zone Category 1 (RDZ1) and subdivide the land into two (2) lots	Extension of Time Approved	25/11/2020
396/2017/P/C	North-West	21 Inglis Avenue, Frankston 3199	Secondary consent - To construct and use the land for six (6) triple storey dwellings	Secondary Consent Approved	25/11/2020
347/2018/P/C	North-West	34 Johnstone Street, Seaford 3198	Extension of time - To construct three (3) double storey dwellings	Extension of Time Approved	26/11/2020
252/2017/P/B	North-West	33 Royle Street, Frankston 3199	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	27/11/2020
184/2019/P/C	North-West	19 Galway Street, Seaford 3198	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Secondary Consent Approved	27/11/2020
349/2017/P/B	North-West	19 Ashleigh Avenue, Frankston 3199	Extension of time - To construct two (2) dwellings (one (1) single storey and one (1) double storey)	Extension of Time Approved	30/11/2020
North-West Ward - 12					

<b>Progress Report – Amendments to Planning Application Decisions            For The Application Date: From 1/11/2020 To 30/11/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
518/2017/P/E	South	105 Humphries Road, Frankston South 3199	<p>Secondary consent - The use a of a child care centre under clause 32.08-2;</p> <p>The construction of the building or the construction or carrying out of works for the child care centre under clauses 32.08-8 and 43.02-2;</p> <p>To remove substantial trees under clause 42.03-2; and</p> <p>To undertake works within the tree protection zone under clause 42.03-2, in accordance with the endorsed plans.</p>	Secondary Consent Approved	1/11/2020
296/2015/P/B	South	34 Sibyl Avenue, Frankston South 3199	Extension of time - To construct extensions to an existing dwelling and an outbuilding	Extension of Time Approved	4/11/2020
381/2016/P/D	South	65 Barretts Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision	Extension of Time Approved	5/11/2020
435/2016/P/B	South	1 Vinnys Court, Langwarrin 3910	Extension of time - To construct fourteen (14) double storey dwellings	Extension of Time Approved	11/11/2020
130/2016/P/A	South	14 Villiers Street, Frankston South 3199	Extension of time - The construction of an extension to the existing dwelling (works within 5m of a tree with a trunk circumference greater than 0.5m at 1 meter above ground level) and removal of three (3) trees.	Extension of Time Approved	12/11/2020
205/2011/P/F	South	60-64 Wells Street, Frankston 3199	Extension of time - To construct three (3) additional levels to existing five (5) level building and waiver of carparking requirements.	Extension of Time Approved	19/11/2020
164/2020/P/B	South	79A Cranhaven Road, Langwarrin 3910	Secondary consent - To construct seven (7) single storey dwellings on a lot in a General Residential Zone (GRZ)	Secondary Consent Approved	26/11/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/11/2020 To 30/11/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
387/2015/P/E	South	59 Culcairn Drive, Frankston South 3199	Extension of time - To construct three (3) double storey dwellings and one (1) single storey dwelling (four (4) dwellings)	Extension of Time Approved	27/11/2020
245/2020/P/B	South	4 Scenic Close, Frankston South 3199	Secondary consent - To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 1 (DDO1)	Secondary Consent Approved	27/11/2020
South Ward - 9					
Total - 27					

<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/11/2020 To 30/11/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
142/2020/S	North-East	11 Tuskar Place, Carrum Downs 3201	Two (2) lot subdivision	17/11/2020
143/2020/S	North-East	59 Lathams Road, Carrum Downs 3201	Three (3) lot subdivision	27/11/2020
139/2020/S	North-West	47 Hunt Drive, Seaford 3198	Three (3) lot subdivision	5/11/2020
141/2020/S	North-West	82 Centenary Street, Seaford 3198	Three (3) lot subdivision	12/11/2020
140/2020/S	South	60 Overport Road, Frankston South 3199	Two (2) lot subdivision	12/11/2020
<b>Total – 5</b>				

<b>Progress Report – Subdivision Decisions</b>					
<b>For The Application Date: From 1/11/2020 To 30/11/2020</b>					
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Status</u></b>	<b><u>Date</u></b>
53/2020/S	North-East	75 Edward Street, Langwarrin 3910	12 lot subdivision with common property	Certification and SOC Issued	6/11/2020
68/2020/S	North-East	3/2 Access Way, Carrum Downs 3201	Two (2) lot subdivision	Certified	12/11/2020
49/2020/S	North-East	26 Thornbill Drive, Carrum Downs 3201	Two (2) lot subdivision	SOC Issued (M)	13/11/2020
138/2019/S	North-East	416 McClelland Drive, Langwarrin 3910	Three (3) lot subdivision	Certified	16/11/2020
91/2020/S	North-East	121 Cranbourne-Frankston Road, Langwarrin 3910	Three lot subdivision	Certification and SOC Issued	23/11/2020
153/2018/S	North-East	472 McClelland Drive, Langwarrin 3910	Two (2) Lot Subdivision	SOC Issued (M)	24/11/2020
56/2020/S	North-East	87B Clifton Grove, Carrum Downs 3201	Nine (9) lot subdivision	SOC Issued (M)	24/11/2020
95/2020/S	North-West	6 Hi-Tech Place, Seaford 3198	Two (2) lot subdivision	SOC Issued (M)	9/11/2020
126/2020/S	North-West	Shop 5A/366 Frankston-Dandenong Road, Seaford 3198	Two (2) lot subdivision	Certification and SOC Issued	13/11/2020
65/2019/S	North-West	29 Lorna Street, Seaford 3198	Three (3) Lot Subdivision	Certified	13/11/2020
64/2020/S	North-West	67 Wangarra Road, Frankston 3199	Two (2) lot subdivision	SOC Issued (M)	26/11/2020
42/2020/S	North-West	22 East Road, Seaford 3198	Eight (8) lot subdivision	Certified	30/11/2020
97/2016/S	North-West	21 Frank Street, Frankston 3199	Four (4) lot subdivision	Certified	30/11/2020
67/2019/S	South	81 Frankston-Flinders Road, Frankston 3199	Two (2) Lot subdivision	Certification and SOC Issued	5/11/2020
151/2019/S	South	46 Screen Street, Frankston 3199	Four (4) lot subdivision	SOC Issued (M)	9/11/2020
82/2020/S	South	153 North Road, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	10/11/2020
100/2020/S	South	9 John Street, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	13/11/2020
<b>Total - 17</b>					

Town Planning Applications – Direction To Advertise Issued November 2020				
Application No	Ward	Property Address	Application Description	Application Date
375/2020/P	North-East	26 Leah Grove, Carrum Downs 3201	To use the land for materials recycling in an Industrial 1 Zone (IN1Z)	1/10/2020
333/2020/P	North-West	4 Raymond Avenue, Frankston 3199	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/09/2020
376/2020/P	North-West	11 Portland Parade, Seaford 3198	To construct two (2) double storey dwellings and to subdivide the land into two (2) lots in a General Residential Zone (GRZ)	1/09/2020
373/2020/P	North-West	3 Gladwyn Avenue, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/10/2020
374/2020/P	North-West	383-389 Nepean Highway, Frankston 3199	To extend the red line area where liquor is allowed to be consumed	2/10/2020
358/2020/P	North-West	21 Armstrongs Road, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	11/09/2020
321/2020/P	North-West	1A Keppler Circuit, Seaford 3198	To use the land for a restricted recreation facility (specialist exercise facility) in an Industrial 1 Zone	20/08/2020
103/2018/P/F	North-West	6-10 Govan Street, Seaford 3198	Section 72 - To use the land for a Child Care Centre in an Industrial 1 Zone (Section 2 Use) and construct buildings and works within an Industrial 1 Zone and Special Building Overlay  Amendment is to vary Condition 8 to increase staff numbers from 15 to 21.	23/09/2020
283/2020/P	North-West	1 Redgdon Avenue, Frankston 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	28/07/2020

Town Planning Applications – Direction To Advertise Issued November 2020				
Application No	Ward	Property Address	Application Description	Application Date
250/2020/P	South	55 Sunnybank Road, Langwarrin 3910	Building and works within the TPZ of a substantial tree and within 5 metres of native vegetation in a Significant Landscape Overlay Schedule 1 (SLO1); Building and works within 10m of a boundary and where the area of outbuildings is greater than 100sqm in a Design and Development Overlay Schedule 4 (DDO4); Building and works greater than 100sqm, not used for accommodation and associated with a dwelling in a Bushfire Management Overlay (BMO)	9/07/2020
258/2020/P	South	60 Blaxland Avenue, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) in a General Residential Zone (GRZ), To construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9) and a Bushfire Management Overlay (BMO), To construct a front fence, remove substantial trees and undertake buildings and works within the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	10/07/2020
226/2020/P	South	27 Baden Powell Drive, Frankston South 3199	To carry out buildings and works for an extension to an existing dwelling in a Design and Development Overlay - Schedule 9 (DDO9), Significant Landscape Overlay - Schedule 4 (SLO4) and Bushfire Management Overlay (BMO)	22/06/2020

Town Planning Applications – Direction To Advertise Issued November 2020				
Application No	Ward	Property Address	Application Description	Application Date
641/2016/P/D	North-East	285 North Road, Langwarrin 3910	SECTION 72 AMENDMENT TO PERMIT for Subdivision of the land into seven (7) lots, removal of native vegetation and removal of drainage easement E-1 on LP24527 “ EXPANSION OF BUILDING ENVELOPE TO PROVIDE FOR SWIMMING POOL, EAVES AND OTHER BUILDING ELEMENTS AND DRIVEWAY WORKS AND ADDITIONAL VEGETATION REMOVAL ON LOT 6 (6/285/NORTH ROAD)	2/10/2020
416/2020/P	North-East	Shop 2/230 Cranbourne-Frankston Road, Langwarrin 3910	To use the land for a restricted recreation facility (yoga studio) in an Commercial 1 Zone (C1Z)	2/11/2020
318/2020/P	North-East	12 Athol Court, Langwarrin 3910	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	20/08/2020
379/2020/P	North-West	1/36 Wells Road, Seaford 3198	To use the land for a restricted retail premises (bicycle store) and a food and drink premises (cafe) in an Industrial 1 Zone (IN1Z), to display business identification signage and to reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	6/10/2020
308/2020/P	North-West	105 Fortescue Avenue, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct buildings and works in a Special Building Overlay (SBO) and to subdivide the land	17/08/2020
354/2020/P	North-West	3/12-16 Govan Street, Seaford 3198	To construct buildings and works in an Industrial 1 Zone (IN1Z), to use the land for a research and development centre, a warehouse and a caretakers house in an Industrial 1 Zone (IN1Z) and to reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	18/09/2020

Town Planning Applications – Direction To Advertise Issued November 2020				
Application No	Ward	Property Address	Application Description	Application Date
357/2020/P	North-West	19 Excelsior Drive, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	21/09/2020
229/2020/P	North-West	23 Ebdale Street, Frankston 3199	To construct six (6) triple storey dwellings on a lot in a Residential Growth Zone Schedule 1 (RGZ1), To construct buildings and works in a Special Building Overlay (SBO), To construct a building and carry out buildings and works in a Design and Development Overlay Schedule 12 (DDO12)	23/06/2020
72/2020/P	North-West	62 Skye Road, Frankston 3199	To construct two (2) double storey dwellings and retention of the existing single storey dwelling (three (3) dwellings) on a lot in a General Residential Zone	25/02/2020
175/2020/P	South	1A Liddesdale Avenue, Frankston South 3199	To construct one (1) double storey dwelling in a Erosion Management Overlay Schedule 3 (EMO3), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9)	4/05/2020
217/2020/P	South	21 Frome Avenue, Frankston 3199	To construct three (3) dwellings on a lot in a General Residential Zone (GRZ)	10/06/2020
304/2020/P	South	104 Highfield Drive, Langwarrin South 3911	Two lot subdivision and creation of a carriageway easement	12/08/2020
182/2020/P	South	86-88 Stotts Lane, Frankston South 3199	To subdivide the land into a maximum of Forty Five (45) residential lots (staged subdivision) in a General Residential Zone (GRZ)	13/05/2020
385/2020/P	South	4 Sanders Road, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	14/10/2020
270/2020/P	South	32 Harcourt Avenue, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 8 (DDO8), Erosion Management Overlay - Schedule 2 (EMO2) and to construct building and works within a Significant Landscape Overlay - Schedule 4 (SLO4)	16/07/2020

Town Planning Applications – Direction To Advertise Issued November 2020				
Application No	Ward	Property Address	Application Description	Application Date
353/2020/P	South	3A Shannon Street Mall, Frankston 3199	To use the land to sale and consumption of liquor (on-premise licence) and to reduce the number of car spaces required under Clause 52.06-5	17/09/2020
367/2020/P	South	40 Violet Street, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	25/09/2020
411/2020/P	South	49 Fleetwood Crescent, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 8 (DDO8) and Bushfire Management Overlay (BMO)	30/10/2020

**Legend**

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

Progress Report – Current VCAT Appeals November 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1934/2019	100/2019/P	137 Overport Road Frankston South	To use and develop the land for a child care centre in a General Residential Zone, to construct a building or construct or carry out works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 and to construct a building in a Design and Development Overlay Schedule 1	7/10/2019	Refusal	Refusal	14/09/2020 (4 days)	Affirmed	19/11/2020
P2190/2019	99/2019/P	17 Railway Parade Seaford	To construct three (3) double storey dwellings on a lot	20/11/2019	NOD	Objector	29/10/2020 -2 days	Varied - Permit Approval	13/11/2020
P1797/2019	41/2019/P	21 Barmah Court Frankston South	For the use and development of the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs.	1/10/2019	Refusal	Refusal	Originally 23/03/2020 new date 7/10/2020 (3 days)		

Progress Report – Current VCAT Appeals November 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P2316/2019	268/2019/P	414-414A and 416-422 Nepean Hwy Frankston	Use and development of the land for a service station, convenience store and convenience restaurant. To carry out works within a TPZ of significant tree 271, display of internally illuminated business identification signage, to create and alter access to a road in a Road Zone Category 1 and a reduction in the provision of bicycle facilities under Clause 52.34 of the Frankston Planning Scheme.	29/11/2019	Refusal	Refusal	15/03/2021		
P2327/2918	86/2019/P	11 Reservoir Road Frankston	To construct five (5) double-storey dwellings in General Residential Zone Schedule 1	3/12/2019	Refusal	Refusal	Originally 11/06/2020 new date 12/03/2021		
P2484/2019	537/2018/P	561 Nepean Highway Frankston	Construction of a dwelling over seven metres in height in a Design and Development Overlay Schedule 6 and Buildings and works associated with a dwelling and removal of vegetation in an Erosion Management Overlay Schedule 3	8/01/2020	Refusal	Refusal	Originally 1/07/2020 New date 19-20/11/2020		

Progress Report – Current VCAT Appeals November 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P248/2020	432/2019/P	159 Nepean Highway Seaford	To construct one (1) building containing ten (10) apartments in a General Residential Zone (GRZ), to construct a building or carry out works in the Design and Development Overlay Schedule 6 (DDO6), to alter the access to a Road Zone Category 1 (RDZ1)	13/02/2020	Not yet determined	Failure	8/07/2020 - 3 days		
P374/2020/P	71/2019/P	35 East Road Seaford	To construct five (5) dwelling (four double storey and one single storey ) in General Residential Zone Schedule 1	6/03/2020	NOD	Objector	5/02/2021 half day		
P681/2020	489/2019/P	53 Myrtle Street, Langwarrin	To construct two (2) double-storey dwellings to the rear of the existing dwelling (three (3) dwellings) on a lot in a General Residential Zone (GRZ)	28/04/2020	NOD	Objector	15/2/2021 half day		
P778/2020	229/2019/P	26 Brunnings Road Carrum Downs	To Amend the Outline Development Plan	26/05/2020	Not yet determined	Failure	9/03/2021		
P2152/2019	229/2019/P	26 Brunnings Road Carrum Downs	To construct two hundred and eleven (211) dwellings, a staged subdivision and removal of native vegetation	15/11/2019	Not yet determined	Failure	13/07/2020		
P610/2020	222/2019/P	60 Aqueduct Road Langwarrin	To use the land for a Child Care Centre (98 places) and to construct and carry out works in association with a Section 2 Use in the General Residential Zone (GRZ) and to remove substantial trees and for buildings and works within the TPZ in a Significant Landscape Overlay Schedule 1 (SLO1)	3/06/2020	Refusal	Refusal	17/03/2021 and 18/03/2021		

Progress Report – Current VCAT Appeals November 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1282/2020	394/2007/P/C	6 Leisureland Drive LANGWARRIN VIC 3910	<p>Alterations and additions to an existing building and The construction of building and works to the existing building as a Place of Worship and Community Centre (place of Assembly) and a Caretakers House, with associated car parking in accordance with the endorsed plans.</p> <p>The amendment sought approval as follows;</p> <ul style="list-style-type: none"> <li>- Amend the condition 4 to change/increase the existing operating hours from 8am to 8pm to 5am to 9.30pm Monday to Sunday;</li> <li>- and the patron numbers proposed for the above additional increased hours are as follows;</li> </ul> <p>Maximum of 40 patrons at any one time between 5am to 8am                      Maximum of 50 patrons at any one time between 8pm to 9.30pm.</p>	11/08/2020	Refusal	Refusal	18/05/2021		

Progress Report – Current VCAT Appeals November 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1183/2020	67/2020/P	193 Nepean Highway, SEAFORD VIC 3198	To construct two (2) double storey and two (2) three storey dwellings (four (4) dwellings) with height exceeding 7m in a Design and Development Overlay Schedule 6,(DDO6) to alter access to a road in a Road Zone Category 1 and four (4) lot subdivision in a General Residential Zone (GRZ)	10/08/2020	Refusal	Refusal	23/06/2021		
P1433/2020	86/2020/P	6 Boston Avenue Seaford Vic 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	18/09/2020	Refusal	Refusal	5/05/2021		
P1245/2020	573/2000/P/A	31 Wells Road Frankston	Section 72 - The operation of the existing brothel twenty-four (24) hours a day, seven (7) days a week for a period of twenty (20) years	5/10/2020	Not yet determined	Failure	15/12/2020		
P1711/2020	65/2020/P	49 Warringa Road, Frankston South	Extension to an existing dwelling within a Design and Development Overlay Schedule 9 (DDO9), Construct a building or construct or carry out works within a Heritage Overlay (HO)	21/10/2020	NOD	Objector	2/07/2021		

Progress Report – VCAT Determination – Policy Implications November 2020			
<u>Appeal No</u>	<u>Application No</u>	<u>Address</u>	<u>VCAT Determination – Policy Implications</u>
P1934/2019	100/2019/P	137 Overport Road Frankston South	<p>The applicant sought permission to develop and use a child care centre on the land with a maximum of 116 children. The application was advertised and 82 objections were received. Council resolved to refuse to grant a planning permit having regard to the size, level of prospective impact to neighbours, and inadequate response to neighbourhood character, of the proposal. Whilst the VCAT concluded that the site was appropriate in principle for the nature of use proposed, it agreed that the specific building design with limited areas for landscaping and setback to Fontayne Court including vehicle entrance ramps to a car park, were a satisfactory response to the more open residential character of the neighbourhood. The VCAT was not convinced that material traffic or residential amenity impacts would be presented, but rather based its decision on the inappropriate built form and landscape presentation of the proposal. VCAT affirmed Council's decision.</p>
P2190/2019	99/2019/P	17 Railway Parade Seaford	<p>The applicant sought permission to construct three (3) double storey dwellings on the land. The application was advertised and 5 objections were received. Council determined to grant a Notice of Decision to Grant a Planning Permit. Objector parties sought review of Council's decision. On review, the VCAT concluded that the proposed development was an appropriate response to the provisions of the planning scheme. It found that no unreasonable amenity impacts would occur to neighbours. In respect of contested vehicle access to the 3<sup>rd</sup> dwelling via a rear laneway, the VCAT concluded that this was a workable arrangement subject to conditions, and was not a reason to refuse to grant a planning permit. VCAT agreed with but varied Council's decision.</p>

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
459/2020/P	North-East	Tower 1/317 Ballarto Road, Carrum Downs 3201	To upgrade an existing Telecommunications Facility within a Commercial 1 Zone (CZ1)	3/12/2020
468/2020/P	North-East	91 Aqueduct Road, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	10/12/2020
14/2020/P	North-East	15 Castlereagh Street, Carrum Downs 3201	To construct a verandah outside the building envelope.	11/12/2020
469/2020/P	North-East	185 North Road, Langwarrin 3910	Use and development of the land for the purpose of a market in a General Residential Zone and a reduction of the car parking requirements of Clause 52.06 of the Frankston Planning Scheme	11/12/2020
156/2020/P/VS	North-East	28A Brett Drive, Carrum Downs 3201	To construct buildings and works (mezzanine) in an Industrial 1 Zone (IN1Z)	14/12/2020
481/2020/P	North-East	38 Colemans Road, Carrum Downs 3201 3 Buontempo Road, Carrum Downs 3201	Removal of drainage easement E-1 from Lot 1 and Lot 7 on PS711048E	15/12/2020
482/2020/P	North-East	91 Aqueduct Road, Langwarrin 3910	To create and remove partial easement	15/12/2020
480/2020/P	North-East	29 Athol Court, Langwarrin 3910	To subdivide the land into thirteen (13) lots in a General Residential Zone.	15/12/2020
159/2020/P/VS	North-East	52 Edward Street, Langwarrin 3910	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	17/12/2020
486/2020/P	North-East	240 Cranbourne-Frankston Road, Langwarrin 3910	To construct and carry out works to an existing Service Station in a Commercial 1 Zone (B1Z), to erect and display internally illuminated signage and to reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	18/12/2020
487/2020/P	North-East	75 Broderick Road, Carrum Downs 3201	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	21/12/2020
493/2020/P	North-East	6 Wilton Way, Carrum Downs 3201	To construct twelve (12) double storey dwellings on a lot in a General Residential Zone (GRZ)	22/12/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
493/2020/P	North-East	4 Wilton Way, Carrum Downs 3201	To construct twelve (12) double storey dwellings on a lot in a General Residential Zone (GRZ)	22/12/2020
<b>North-East Ward - 13</b>				
455/2020/P	North-West	14 Fellowes Street, Seaford 3198	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/12/2020
457/2020/P	North-West	19 Galway Street, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	2/12/2020
460/2020/P	North-West	12 Glen Alvie Street, Seaford 3198	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	4/12/2020
462/2020/P	North-West	16 Holroyd Street, Seaford 3198	To subdivide the land into four (4) lots in a General Residential Zone (GRZ) and Special Building Overlay (SBO)	4/12/2020
464/2020/P	North-West	362 Frankston-Dandenong Road, Seaford 3198	To construct a building and construct and carry out works for a use in Section 2 of Clause 32.08-2	7/12/2020
153/2020/P/VS	North-West	37 Mahoney Crescent, Seaford 3198	To construct extensions to the existing dwelling in a Special Building Overlay (SBO)	10/12/2020
155/2020/P/VS	North-West	30 Nepean Highway, Seaford 3198	Buildings and works associated with a second 2 use in a General Residential zone.	11/12/2020
470/2020/P	North-West	12 Levuka Street, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	11/12/2020
473/2020/P	North-West	37 McKenzie Street, Seaford 3198	To construct an outbuilding in a Land Subject to Inundation Overlay (LSIO)	14/12/2020
472/2020/P	North-West	9 Pine Street, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	14/12/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
478/2020/P	North-West	19 Windoo Street, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	14/12/2020
477/2020/P	North-West	2/27 East Road, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	14/12/2020
475/2020/P	North-West	73 Seaford Grove, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	15/12/2020
157/2020/P/VS	North-West	8 Anderson Street, Frankston 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	17/12/2020
484/2020/P	North-West	66 Excelsior Drive, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	18/12/2020
489/2020/P	North-West	3 Campbell Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	18/12/2020
490/2020/P	North-West	303 Nepean Highway, Frankston 3199	To construct a three (3) storey building and construct or carry out works in a Mixed Use Zone (MUZ) and to reduce the number of car parking spaces required under the Parking Overlay Schedule 1 (PO1)	21/12/2020
491/2020/P	North-West	11 Meerlu Avenue, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	21/12/2020
161/2020/P/VS	North-West	42 Fortescue Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and under an Environmental Significance Overlay, Schedule 4	22/12/2020
497/2020/P	North-West	4 Lindsay Street, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	23/12/2020
494/2020/P	North-West	197 Karingal Drive, Frankston 3199	To use the land to sell and consume liquor	23/12/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
<b>North-West Ward - 21</b>				
150/2020/P/VS	South	2 Smeaton Court, Frankston South 3199	To construct an extension to an existing garage in a Design and Development Overlay Schedule 9 (DDO9)	1/12/2020
454/2020/P	South	29 Sycamore Road, Frankston South 3199	To remove two (2) substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	1/12/2020
453/2020/P	South	10 Pratt Avenue, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	1/12/2020
456/2020/P	South	5A Wells Street, Frankston 3199	To use the land for the sale and consumption of liquor (Restaurant Liquor license)	2/12/2020

Progress Report – Planning Applications Received For The Application Date: From 1/12/2020 To 31/12/2020				
Application No	Ward	Property Address	Application Description	Date
151/2020/P/VS	South	93A Fleetwood Crescent, Frankston South 3199	<p>Proposal to build a double garage to the right hand side boundary, as shown in proposed plans (see attachment) The current proposed plans don't meet Schedule 8 Clause 43.02 DDO8 as the double garage is within 2m of the side boundary. Adding a double garage would still allow adequate space for tree planting, as the building is setback 7.5 metre from the street and no more than 40% of the land is covered by buildings. The proposed plans also fit within the endorsed building envelop, allowing for sufficient space for tree planting and vegetation in the front and backyard.</p> <p>We are currently unable to build 3m from the left side boundary due to the position of the endorsed building envelope. If we are also unable to build 2m from the right side boundary this will severely impact the overall design and look of the house and aesthetics of the street as it will appear disproportionate to the size of the land and current building envelope.</p> <p>The proposed plans (attached) meet the following requirements to schedule 8 clause 43.02 Design and Development Overlay and fit within the endorsed building envelope:</p> <ul style="list-style-type: none"> <li>- 7.5 metre set back from road frontage</li> <li>- Sunblinds, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating and cooling equipment or other services don't encroach more than 0.5 metres into these setback</li> <li>- Building does not exceed 8 metres in height</li> <li>- The area covered by buildings does not exceed 40% of the site</li> </ul>	2/12/2020

<b>Progress Report – Planning Applications Received</b> <b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
458/2020/P	South	3 Hoadley Avenue, Frankston South 3199	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	3/12/2020
461/2020/P	South	23 Peter Chance Crescent, Langwarrin 3910	To construct one (1) single storey dwelling on a lot in a Bushfire Management Overlay Schedule 1 (BMO1)	4/12/2020
463/2020/P	South	58 Baileyana Street, Frankston South 3199	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	7/12/2020
465/2020/P	South	57 Foot Street, Frankston 3199	To use the land to sell and consume liquor (Restaurant and Cafe Licence)	7/12/2020
466/2020/P	South	24 Lee Street, Frankston 3199	To subdivide the land into nine (9) lots in a General Residential Zone (GRZ)	9/12/2020
154/2020/P/VS	South	8 Mountain Avenue, Frankston South 3199	To construct a building (patio) in a Design and Development Overlay Schedule 1 (DDO1)	10/12/2020
467/2020/P	South	61 Overport Road, Frankston South 3199	To construct a swimming pool in a Design and Development Overlay Schedule 9 (DDO9) and a Significant Landscape Overlay Schedule 4 (SLO4)	10/12/2020
152/2020/P/VS	South	55 Gardeners Road, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4), To construct buildings and works within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1) and Environmental Significance Overlay Schedule 1 (ESO1)	10/12/2020
474/2020/P	South	608 Nepean Highway, Frankston South 3199	To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 2 (DDO2)	10/12/2020
471/2020/P	South	98 Beach Street, Frankston 3199	To construct a three (3) storey building containing nine (9) dwellings in a General Residential Zone (GRZ) and to construct a building and construct and carry out works in a Design and Development Overlay Schedule 12 (DDO12)	11/12/2020

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
476/2020/P	South	1 Bellary Lane, Langwarrin South 3911	To construct an outbuilding in a Bushfire Management Overlay (BMO) and Design and Development Overlay Schedule 4 (DDO4)	15/12/2020
479/2020/P	South	52 Margate Avenue, Frankston 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	15/12/2020
485/2020/P	South	18 Poinciana Street, Frankston South 3199	To construct a front fence in an Significant Landscape Overlay Schedule 4 (SLO4)	16/12/2020
158/2020/P/VS	South	2 Cornborough Court, Frankston South 3199	To construct a front fence in a Significant Landscape Overlay Schedule 4 (SLO4)	17/12/2020
483/2020/P	South	1 Bader Court, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and a Design and Development Overlay Schedule 9 (DDO9)	17/12/2020
160/2020/P/VS	South	2/21 Olympic Avenue, Frankston 3199	To extend an existing dwelling in a Special Building Overlay (SBO)	18/12/2020
488/2020/P	South	488 Nepean Highway, Frankston 3199	To use the land for a Medical Centre in a Comprehensive Development Zone Schedule 2 (CDZ2) and reduction in the number of car parking spaces under a Parking Overlay Schedule 1 (PO1)	18/12/2020
492/2020/P	South	7 Blair Avenue, Frankston South 3199	To construct buildings and works for one (1) double storey dwelling exceeding 40% site coverage and within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 6 (SLO6)	22/12/2020
495/2020/P	South	72 Heatherhill Road, Frankston 3199	To remove the covenant contained in Transfer 1218037 affecting the land in Volume 8572 Folio 856	23/12/2020
2/2021/P	South	268 Robinsons Road, Langwarrin South 3911	To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 4 (DDO4)	28/12/2020
163/2020/P/VS	South	10 Idon Avenue, Frankston South 3199	To remove one (1) tree in a Significant Landscape Overlay Schedule 6 (SLO6)	29/12/2020

South Ward - 26

Total - 60

<b>Progress Report – Amendments to Planning Permits Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
676/2018/P/E	North-East	85 Boundary Road, Carrum Downs 3201	Section 72 - To construct ten (10) buildings for use as warehouses and one (1) building for use as industry and warehouse	2/12/2020
170/2000/P/A	North-East	100 Hall Road, Carrum Downs 3201	Secondary Consent - Restaurant/food and drink premises and carparking	8/12/2020
275/2020/P/A	North-East	443 Ballarto Road, Skye 3977	Section 72 - To use and construct a dwelling within a Green Wedge Zone (GWZ) and to create access to a road in a Road Zone Category 1	11/12/2020
528/2004/P/K	North-East	52 Boundary Road, Carrum Downs 3201	Secondary consent - Buildings and Works (Cultural Centre) for Hindu Temple	14/12/2020
133/2017/P/C	North-East	1 Hall Road, Carrum Downs 3201	Secondary Consent - Use and develop the land for a 24 hour service station incorporating a convenience store, drive through Convenience Restaurant, two (2) Food and Drink Premises, associated car parking, variation to the crossover widths required by Clause 52.12, internally illuminated advertising signage, removal of vegetation and the creation of access to a road in a Road Zone Category 1 in accordance with the endorsed plans	14/12/2020
152/2018/P/C	North-East	57 McCormicks Road, Carrum Downs 3201	Extension of time - Use and development of a child care centre; associated business identification signage and access to a Road Zone 1.	21/12/2020
200/2016/P/F	North-East	115-119 Union Road, Langwarrin 3910	Section 72 - Five (5) lot subdivision	24/12/2020
<b>North-East Ward - 7</b>				
818/2002/P/A	North-West	39 Railway Parade, Seaford 3198	Secondary Consent - Construction of Three Dwellings	1/12/2020
577/2016/P/C	North-West	12 Mereweather Avenue, Frankston 3199	Extension of time - To use and develop the land for two (2) triple storey buildings containing six (6) dwellings	2/12/2020

<b>Progress Report – Amendments to Planning Permits Received            For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
576/2006/P/A	North-West	11 Airlie Grove, Seaford 3198	Section 72 - Proposed second dwelling at the rear of the existing dwelling (2 dwellings)	2/12/2020
386/2018/P/B	North-West	9 Corlett Street, Frankston 3199	Extension of time - To construct one (1) double storey dwelling at the rear of existing dwelling (two (2) dwellings)	3/12/2020
100/2017/P/C	North-West	6 Raymond Road, Seaford 3198	Extension of time - To construct two (2) double storey dwellings and one (1) single storey dwelling (three (3) dwellings)	3/12/2020
648/2018/P/C	North-West	2/24 Nepean Highway, Seaford 3198	Secondary consent - To construct one (1) double storey dwelling (with a roof top terrace) over 7.0 metres in height in a Design and Development Overlay Schedule 6 and alter access to a road in a Road Zone Category 1.	7/12/2020
569/2009/P/B	North-West	105 McMahons Road, Frankston 3199	Secondary Consent - To construct thirty-six (36) dwellings and remove native vegetation.	8/12/2020
582/2017/P/C	North-West	29 Rosemary Crescent, Frankston North 3200	Extension of time - The construction of one (1) dwelling to the rear of an existing dwelling (two (2) dwellings) and a two (2) lot subdivision	9/12/2020
374/2016/P/D	North-West	3 Victor Avenue, Seaford 3198	Secondary Consent - To construct one (1) double storey dwelling	11/12/2020
418/2016/P/E	North-West	85 Centenary Street, Seaford 3198	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings), alterations to the existing dwelling, two (2) lot subdivision, and removal of an easement	14/12/2020
342/2017/P/D	North-West	7 Sussex Crescent, Seaford 3198	Section 72 - To construct one (1) single storey dwelling to the rear of the existing dwellings (two (2) dwellings)	15/12/2020
401/2017/P/C	North-West	178/178A Seaford Road, Seaford 3198	Extension of time - To construct four (4) double storey dwellings	18/12/2020
431/2015/P/C	North-West	73 Hartnett Drive, Seaford 3198	Section 72 - To use the site for motor vehicle sales, vary the requirements of Clause 52.14 (Motor vehicle, boat or caravan sales), buildings and works, display of advertising signage and removal of Drainage and Way Easement E1 (SP25466J)	18/12/2020

Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/12/2020 To 31/12/2020				
Application No	Ward	Property Address	Application Description	Date
North-West Ward - 13				
197/2020/P/B	South	439 Nepean Highway, Frankston 3199	Section 72 - To use the site for the sale of packaged liquor Amendments: Amend licence type from Packaged Liquor Licence to General Licence. Extend hours for sale of packaged liquor. Allow consumption of liquor in store and kerbside during 11am-11pm Monday to Friday and 11am to 10pm Saturday and Sunday. Extend red line area to include the kerbside.	3/12/2020
691/2015/P/G	South	43 McComb Boulevard, Frankston South 3199	Secondary Consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and vegetation removal	4/12/2020
219/2014/P/F	South	31 Cliff Road, Frankston 3199	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	7/12/2020
300/2014/P/G	South	55 West Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and removal of vegetation	9/12/2020
533/2018/P/C	South	12 Coogee Avenue, Frankston 3199	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings).	9/12/2020
604/2012/P/G	South	95 Cranhaven Road, Langwarrin 3910	Extension of time - To subdivide the land into eleven (11) lots, in two stages, associated works and removal of native vegetation	16/12/2020
100/2020/P/VS	South	5 Leisureland Drive, Langwarrin 3910	Section 72 - To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4), to remove a substantial trees and to construct and carry out works in the Tree Protection Zone of substantial trees and within 5 metres of native vegetation in a Significant Landscape Overlay Schedule 1 (SLO1)	16/12/2020

<b>Progress Report – Amendments to Planning Permits Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
518/2017/P/F	South	105 Humphries Road, Frankston South 3199	Section 72 - The use of a child care centre under clause 32.08-2; The construction of the building or the construction or carrying out of works for the child care centre under clauses 32.08-8 and 43.02-2; To remove substantial trees under clause 42.03-2; and To undertake works within the tree protection zone under clause 42.03-2, in accordance with the endorsed plans.	17/12/2020
409/2018/P/A	South	5 Lardner Road, Frankston 3199	Extension of time - Four (4) lot subdivision	18/12/2020
736/2013/P/G	South	114 Gould Street, Frankston 3199	Secondary consent - To construct two (2) two storey dwellings and alterations to the existing three storey dwelling (three (3) dwellings)	18/12/2020
162/2020/P/VS	South	24 Marcus Road, Frankston South 3199	Extension to dwelling and outbuilding in a Design and Development Overlay Schedule 1 (DDO1).	25/12/2020
<b>South Ward - 11</b>				
<b>Total - 31</b>				

<b>Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
470/2019/P	North-East	24C Hall Road, Carrum Downs 3201	To construct a three (3) storey apartment building containing twenty (20) dwellings in a General Residential Zone (GRZ) and to alter access to a road in a Road Zone Category 1.	Permit Approved	1/12/2020
149/2020/P/VS	North-East	30 Bellbird Court, Langwarrin 3910	To construct swimming pool and pergola	Application Withdrawn	1/12/2020
181/2020/P	North-East	26 Union Road, Langwarrin 3910	To use and develop the land for a child care centre in a Commercial 1 Zone (B5Z), to construct a building or construct or carry out works in a Special Building Overlay (SBO) and to reduce the number of car parking spaces required under Clause 52.06-5	Permit Approved	1/12/2020
430/2020/P	North-East	23 Brilliante Circuit, Langwarrin 3910	To construct one (1) single storey dwelling on a lot in a Bushfire Management Overlay (BMO)	No Permit Required	4/12/2020
433/2020/P	North-East	2 Guava Court, Langwarrin 3910	To construct buildings and works to an existing dwelling in a Bushfire Management Overlay (BMO)	Application Withdrawn	7/12/2020
676/2018/P/E	North-East	85 Boundary Road, Carrum Downs 3201	Section 72 - To construct ten (10) buildings for use as warehouses and one (1) building for use as industry and warehouse	Permit Approved	8/12/2020
133/2020/P/VS	North-East	7 Cedebe Place, Carrum Downs 3201	To construct buildings and works for a mezzanine in an Industrial 1 Zone (IN1Z)	Permit Approved	8/12/2020
261/2020/P	North-East	23 Capital Place, Carrum Downs 3201	Re-subdivision	Permit Approved	9/12/2020
420/2020/P	North-East	4 Dion Drive, Carrum Downs 3201	To construct a Dependent Person Unit in a Bushfire Management Overlay (BMO)	Permit Approved	9/12/2020
138/2020/P/VS	North-East	10 Warrandyte Road, Langwarrin 3910	To construct buildings and works associated with a Section 2 use (retirement village) in a General Residential Zone (GRZ)	Permit Approved	11/12/2020
387/2020/P	North-East	100 Centre Road, Langwarrin 3910	To remove two (2) substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1)	Permit Approved	15/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
158/2020/P	North-East	70 Potts Road, Langwarrin 3910	To construct and use two (2) rooming houses on one lot in a General Residential Zone (GRZ)	Application Refused	16/12/2020
468/2020/P	North-East	91 Aqueduct Road, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	16/12/2020
375/2020/P	North-East	26 Leah Grove, Carrum Downs 3201	To use the land for materials recycling under Clause 33.01-1 of the Industrial 1 Zone (IN1Z) in accordance with the endorsed plans and subject to following conditions.	Permit Approved	16/12/2020
146/2020/P/VS	North-East	5/285 North Road, Langwarrin 3910	To remove one (1) native tree in an Environmental Significance Overlay Schedule 1 (ESO1) and a Significant Landscape Overlay Schedule 1 (SLO1)	Permit Approved	18/12/2020
403/2020/P	North-East	20 Insight Circuit, Carrum Downs 3201	To construct buildings and works (mezzanine) in an Industrial 1 Zone (IN1Z)	Permit Approved	22/12/2020
142/2020/P/VS	North-East	11 Tuskar Place, Carrum Downs 3201	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	22/12/2020
416/2020/P	North-East	Shop 2/230 Cranbourne-Frankston Road, Langwarrin 3910	To use the land for a restricted recreation facility (yoga/pilates studio) under clause 34.01-1 of the Commercial 1 Zone in accordance with the endorsed plans and subject to the following conditions.	Permit Approved	23/12/2020
369/2020/P	North-East	1/285 North Road, Langwarrin 3910	To construct buildings and works for one (1) dwelling within the tree protection zone of a substantial tree in the Significant Landscape Overlay Schedule 1 (SLO1)	Permit Approved	24/12/2020
<b>North-East Ward - 19</b>					
342/2020/P	North-West	17 Catron Street, Seaford 3198	To construct an extension to an existing dwelling and construction of a in ground domestic swimming pool in a Land Subject to Inundation Overlay (LSIO)	Permit Approved	1/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
410/2020/P	North-West	2/192 Nepean Highway, Seaford 3198	To construct buildings and works to an existing dwelling in a Land Subject to Inundation Overlay (LSIO)	Permit Approved	1/12/2020
16/2020/P	North-West	2-8 Ballarto Road, Frankston North 3200	To use and develop the land for a childcare centre in a General Residential Zone (GRZ) and to create/alter access to a road in a Road Zone Category 1.	Permit Approved	1/12/2020
287/2020/P	North-West	62 Orwil Street, Frankston 3199	To construct three (3) double storey dwellings and to subdivide the land into three (3) lots in a General Residential Zone (GRZ)	Permit Approved	2/12/2020
313/2020/P	North-West	10 Rosemary Crescent, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	3/12/2020
386/2020/P	North-West	185 Beach Street, Frankston 3199	To subdivide the land into four (4) lots in a General Residential Zone (GRZ)	Permit Approved	3/12/2020
419/2020/P	North-West	47 Hunt Drive, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	Permit Approved	8/12/2020
91/2018/P/C	North-West	51 Keppler Circuit, Seaford 3198	Section 72 - To construct one (1) warehouse adjacent to an existing warehouse and to reduce the number of spaces requires under Clause 52.06-5 (Car Parking) of the Frankston Planning Scheme.	Permit Approved	15/12/2020
285/2020/P	North-West	139 Kananook Avenue, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct buildings and works in a Special Building Overlay (SBO)	Application Lapsed	15/12/2020
428/2020/P	North-West	82 Centenary Street, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ) and Bushfire Management Overlay Schedule 1 (BMO1)	Permit Approved	15/12/2020

<b>Progress Report – Planning Application Decisions            For The Application Date: From 1/12/2020 To 31/12/2020</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
457/2020/P	North-West	19 Galway Street, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	15/12/2020
207/2020/P	North-West	15 Robinsons Road, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	17/12/2020
573/2000/P/A	North-West	31 Wells Road, Seaford 3198	Section 72 - The operation of the existing brothel twenty-four (24) hours a day, seven (7) days a week for a period of twenty (20) years	Permit Approved	18/12/2020
216/2020/P	North-West	11 Jolly Street, Frankston 3199	To construct five (5) double storey dwellings in a General Residential Zone (GRZ)	Permit Approved	18/12/2020
216/2020/P	North-West	9 Jolly Street, Frankston 3199	To construct five (5) double storey dwellings in a General Residential Zone (GRZ)	Permit Approved	18/12/2020
159/2020/P	North-West	41 Molesworth Street, Seaford 3198	To construct three (3) double storey and one (1) single storey dwelling (four (4) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	18/12/2020
210/2020/P	North-West	245 Frankston-Dandenong Road, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	22/12/2020
283/2020/P	North-West	1 Redgdon Avenue, Frankston 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	22/12/2020
333/2020/P	North-West	4 Raymond Avenue, Frankston 3199	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	Permit Approved	22/12/2020
394/2020/P	North-West	37 Longleaf Street, Frankston North 3200	Two (2) lot subdivision in a General Residential Zone (GRZ)	Permit Approved	22/12/2020
307/2020/P	North-West	Seaford RSL Club 17 Station Street, Seaford 3198	To construct or carry out works in a Commercial 1 Zone (C1Z)	Application Lapsed	24/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
North-West Ward - 21					
408/2020/P	South	65 Victoria Road, Langwarrin South 3911	To construct a building within 100 metres of a dwelling not in the same ownership In a Rural Conservation Zone Schedule 1 (RCZ1), and to construct buildings and works to an existing habitable out-building in an Bushfire Management Overlay (BMO)	Permit Approved	1/12/2020
137/2020/P/VS	South	31-33 Chetwyn Court, Frankston South 3199	To construct a verandah to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	1/12/2020
173/2019/P/A	South	439 Nepean Highway, Frankston 3199	Section 72 - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)	Application Withdrawn	3/12/2020
150/2020/P/VS	South	2 Smeaton Court, Frankston South 3199	To construct an extension to an existing garage in a Design and Development Overlay Schedule 9 (DDO9)	Permit Approved	3/12/2020
414/2019/P	South	9 Gould Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct or carry out buildings or works for any building that exceeds 7m in height in a Design and Development Overlay Schedule 6 (DDO6)	Permit Approved	3/12/2020
383/2020/P	South	9 Humphries Road, Frankston South 3199	To erect and display home based business identification signage in an General Residential Zone (GRZ)	Permit Approved	3/12/2020
148/2020/P/VS	South	43A McComb Boulevard, Frankston South 3199	To construct a verandah	Application Withdrawn	4/12/2020
427/2020/P	South	60 Overport Road, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and Bushfire Management Overlay Schedule 1 (BMO1)	Permit Approved	4/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
483/2019/P	South	10 Yamala Drive, Frankston South 3199	To construct two (2) double storey dwellings plus lower ground floor levels on a lot in a General Residential Zone (GRZ) and to construct buildings and works within the Erosion Management Overlay (EMO) and Design and Development Overlay - Schedule 2 (DDO2) and to construct carry out works and for the removal of vegetation in a Significant Landscape Overlay - Schedule 3 (SLO3)	Permit Approved	8/12/2020
402/2020/P	South	11 Black Wallaby Drive, Langwarrin 3910	To remove two (2) substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1)	Permit Approved	8/12/2020
453/2020/P	South	10 Pratt Avenue, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	9/12/2020
345/2020/P	South	55 Gardeners Road, Langwarrin South 3911	To construct an outbuilding in a Bushfire Management Overlay (BMO) and Design and Development Overlay Schedule 4 (DDO4), To construct buildings and works within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1) and Environmental Significance Overlay Schedule 1 (ESO1)	Application Withdrawn	10/12/2020
451/2017/P/D	South	35 Derinya Drive, Frankston South 3199	Section 72 - To construct extensions to an existing dwelling and to construct buildings and works within the Tree Protection Zone of substantial trees	Permit Approved	15/12/2020
154/2020/P/VS	South	8 Mountain Avenue, Frankston South 3199	To construct a building (patio) in a Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	15/12/2020
147/2020/P/VS	South	3 Healsview Court, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4)	Application Refused	15/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
258/2020/P	South	60 Blaxland Avenue, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) in a General Residential Zone (GRZ) and Bushfire Management Overlay (BMO), To construct a front fence and undertake buildings and works within the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	Application Refused	15/12/2020
461/2019/P	South	27 Overport Road, Frankston South 3199	To construct two (2) double storey dwellings to the rear of an existing dwelling (three (3) of dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	16/12/2020
4/2019/P	South	28 Beach Street, Frankston 3199	To erect and display an electronic major promotion signage on the pedestrian bridge across Beach Street	Application Refused	16/12/2020
254/2020/P	South	1 Bader Court, Frankston South 3199	To construct one (1) double storey dwellings to the rear of an existing dwelling (two (2) dwellings) on a lot in a General Residential Zone (GRZ), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9), to remove and undertake buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	Permit Approved	17/12/2020
460/2019/P	South	624 Nepean Highway, Frankston South 3199	To construct a dwelling in a Design and Development Overlay Schedule 2 (DDO2), to construct a building or construct or carry out works in an Erosion Management Overlay (EMO)	Application Withdrawn	18/12/2020
127/2020/P/VS	South	6 Hillside Grove, Frankston South 3199	Buildings and works in a Heritage Overlay (HO)	Permit Approved	22/12/2020

Progress Report – Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
158/2020/P/VS	South	2 Cornborough Court, Frankston South 3199	To construct a front fence in a Significant Landscape Overlay Schedule 4 (SLO4)	Permit Approved	22/12/2020
421/2020/P	South	92 Moorooduc Highway, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	Permit Approved	22/12/2020
251/2020/P	South	10 Victoria Road, Langwarrin South 3911	Two (2) Lot Subdivision (Resubdivision) and any associated native vegetation removal	Permit Approved	22/12/2020
304/2020/P	South	104 Highfield Drive, Langwarrin South 3911	Two lot subdivision and creation of a carriageway easement in a Low Density Residential Zone (LDRZ)	Permit Approved	22/12/2020
152/2020/P/VS	South	55 Gardeners Road, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4), To construct buildings and works within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1) and Environmental Significance Overlay Schedule 1 (ESO1)	Permit Approved	24/12/2020
405/2020/P	South	16 Watson Street, Frankston South 3199	To construct buildings and works to an existing dwelling in the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 6 (SLO6)	Permit Approved	24/12/2020
South Ward - 27					
Total - 67					

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
175/2009/P/B	East	85 O'Gradys Road, Carrum Downs 3201 1/91 O'Gradys Road, Carrum Downs 3201	Secondary Consent - Construction of fifteen (15) single storey dwellings	Secondary Consent Approved	21/12/2020
<b>East Ward - 1</b>					
240/2017/P/C	North-East	41 Potts Road, Langwarrin 3910	Extension of time - To construct six (6) dwellings (three (3) double storey and three (3) single storey dwellings).	Extension of Time Approved	7/12/2020
243/2017/P/D	North-East	23 Capital Place, Carrum Downs 3201	Secondary consent - The construction of six (6) warehouses and a reduction in car parking	Secondary Consent Approved	9/12/2020
170/2000/P/A	North-East	100 Hall Road, Carrum Downs 3201	Secondary Consent - Restaurant/food and drink premises and carparking	Secondary Consent Approved	23/12/2020
<b>North-East Ward - 3</b>					
218/2018/P/C	North-West	13 Centenary Street, Seaford 3198	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	4/12/2020
121/2001/P/E	North-West	259 Nepean Highway, Seaford 3198	Secondary consent - Seventeen (17) dwellings	Secondary Consent Approved	7/12/2020
403/2018/P/A	North-West	5 Nabilla Avenue, Seaford 3198	Extension of time - Two (2) lot subdivision	Extension of Time Approved	9/12/2020
723/2015/P/C	North-West	1 Gladwyn Avenue, Frankston 3199	Extension of time - The construction of three (3) double storey dwellings	Extension of Time Approved	11/12/2020
262/2016/P/J	North-West	5-7 Bragge Street, Frankston 3199	Extension of time - To use and construction of a four (4) storey building containing twenty six (26) apartments	Extension of Time Approved	14/12/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
502/2017/P/C	North-West	2/35 Longleaf Street, Frankston North 3200	Extension of time -To construct one (1) double storey dwelling and carport on a lot less than 300 square metres.	Extension of Time Approved	17/12/2020
386/2018/P/B	North-West	9 Corlett Street, Frankston 3199	Extension of time - To construct one (1) double storey dwelling at the rear of existing dwelling (two (2) dwellings)	Extension of Time Approved	18/12/2020
577/2016/P/C	North-West	12 Mereweather Avenue, Frankston 3199	Extension of time - To use and develop the land for two (2) triple storey buildings containing six (6) dwellings	Extension of Time Approved	18/12/2020
100/2017/P/C	North-West	6 Raymond Road, Seaford 3198	Extension of time - To construct two (2) double storey dwellings and one (1) single storey dwelling (three (3) dwellings)	Extension of Time Approved	21/12/2020
418/2016/P/E	North-West	85 Centenary Street, Seaford 3198	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings), alterations to the existing dwelling, two (2) lot subdivision, and removal of an easement	Extension of Time Approved	23/12/2020
North West Ward - 10					
130/2016/P/B	South	14 Villiers Street, Frankston South 3199	Secondary consent - The construction of an extension to the existing dwelling (works within 5m of a tree with a trunk circumference greater than 0.5m at 1 meter above ground level) and removal of three (3) trees.	Secondary Consent Approved	2/12/2020

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
501/2012/P/D	South	302-308 Nepean Highway, Frankston 3199	Extension of time - For construction of a four (4) storey building comprising a semi-basement, eighteen (18) dwellings, café and associated reduction of loading / unloading bay requirements, reduction of car spaces for the café use and alteration of access to a road in a Road Zone Category 1	Extension of Time Approved	3/12/2020
18/2018/P/A	South	19 Rosedale Grove, Frankston South 3199	Extension of time - To construct extensions to the existing dwelling, to remove significant trees and to construct a private tennis court and habitable outbuilding.	Extension of Time Approved	4/12/2020
300/2014/P/G	South	55 West Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and removal of vegetation	Extension of Time Approved	11/12/2020
691/2015/P/G	South	43 McComb Boulevard, Frankston South 3199	Secondary Consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and vegetation removal	Secondary Consent Approved	11/12/2020
South Ward - 5					
Total - 19					

<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/12/2020 To 31/12/2020</b>				
<b><u>Application No</u></b>	<b><u>Ward</u></b>	<b><u>Property Address</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
148/2020/S	North-East	91 Aqueduct Road, Langwarrin 3910	Two (2) lot subdivision	10/12/2020
152/2020/S	North-East	29 Athol Court, Langwarrin 3910	Thirteen (12) lot subdivision	15/12/2020
153/2020/S	North-East	3 Buontempo Road, Carrum Downs 3201	Removal of easement	15/12/2020
154/2020/S	North-East	91 Aqueduct Road, Langwarrin 3910	To create and remove an easement	15/12/2020
157/2020/S	North-East	52 Edward Street, Langwarrin 3910	Three (3) lot subdivision	17/12/2020
158/2020/S	North-East	75 Broderick Road, Carrum Downs 3201	Two (2) lot subdivision	21/12/2020
145/2020/S	North-West	19 Galway Street, Seaford 3198	Two (2) lot subdivision	2/12/2020
146/2020/S	North-West	16 Holroyd Street, Seaford 3198	Four (4) lot subdivision	4/12/2020
150/2020/S	North-West	73 Seaford Grove, Seaford 3198	Three (3) lot subdivision	15/12/2020
155/2020/S	North-West	8 Anderson Street, Frankston 3199	Two (2) Lot subdivision	17/12/2020
159/2020/S	North-West	42 Fortescue Avenue, Seaford 3198	Two (2) lot subdivision	22/12/2020
144/2020/S	South	10 Pratt Avenue, Frankston South 3199	Two (2) lot subdivision	1/12/2020
147/2020/S	South	24 Lee Street, Frankston 3199	Nine (9) lot subdivision	9/12/2020
149/2020/S	South	174 Overport Road, Frankston South 3199	Two (2) lot subdivision	11/12/2020
151/2020/S	South	52 Margate Avenue, Frankston 3199	Two (2) lot subdivision	15/12/2020
156/2020/S	South	1 Bader Court, Frankston South 3199	Two (2) lot subdivision	17/12/2020
160/2020/S	South	72 Heatherhill Road, Frankston 3199	Removal of Covenant	23/12/2020
<b>Total - 17</b>				

Progress Report – Subdivision Decisions					
For The Application Date: From 1/12/2020 To 31/12/2020					
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
13/2020/S	North-East	20 Paddington Avenue, Carrum Downs 3201	Two (2) lot subdivision	Certified	3/12/2020
202/2011/S	North-East	50 Aqueduct Road, Langwarrin 3910	Four (4) Lot Subdivision	Application Withdrawn (M)	10/12/2020
138/2020/S	North-East	2 Raven Close, Carrum Downs 3201	Two (2) Lot Subdivision	Certified	11/12/2020
56/2020/S	North-East	87B Clifton Grove, Carrum Downs 3201	Nine (9) lot subdivision	SOC Issued (M)	11/12/2020
89/2020/S	North-East	23 Capital Place, Carrum Downs 3201	Boundary Re-Alignment	SOC Issued (M)	11/12/2020
166/2019/S	North-East	3 Yarralumla Drive, Langwarrin 3910	Two (2) lot subdivision	Certification and SOC Issued	22/12/2020
90/2020/S	North-West	104 Austin Road, Seaford 3198	Two (2) Lot Subdivision	Certification and SOC Issued	3/12/2020
95/2020/S	North-West	6 Hi-Tech Place, Seaford 3198	Two (2) lot subdivision	SOC Issued (M)	4/12/2020
14/2019/S	North-West	25 Bouvardia Crescent, Frankston North 3200	Two (2) Lot Subdivision	Certified	11/12/2020
4/2020/S	North-West	9 Kirkwood Avenue, Seaford 3198	Two (2) lot subdivision	Certification and SOC Issued	11/12/2020
43/2020/S	North-West	21 Inglis Avenue, Frankston 3199	Six (6) lot subdivision	Certification and SOC Issued	11/12/2020
145/2018/S	North-West	39 Halifax Street, Seaford 3198	Two (2) lot subdivision	Certified	15/12/2020
65/2019/S	North-West	29 Lorna Street, Seaford 3198	Three (3) Lot Subdivision	SOC Issued (M)	22/12/2020
2/2019/S	South	8 Idon Avenue, Frankston South 3199	Two (2) Lot subdivision	SOC Issued (M)	15/12/2020
122/2018/S	South	181 Overport Road, Frankston South 3199	Three (3) lot subdivision	SOC Issued (M)	21/12/2020
<b>Total - 15</b>					

Town Planning Applications – Direction To Advertise Issued December 2020				
Application No	Ward	Property Address	Application Description	Application Date
339/2020/P	North-East	11 Paddington Avenue, Carrum Downs 3201	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	2/09/2020
641/2016/P/D	North-East	285 North Road, LANGWARRIN 3910	SECTION 72 AMENDMENT TO PERMIT for Subdivision of the land into seven (7) lots, removal of native vegetation and removal of drainage easement E-1 on LP24527 - EXPANSION OF BUILDING ENVELOPE TO PROVIDE FOR SWIMMING POOL, EAVES AND OTHER BUILDING ELEMENTS AND DRIVEWAY WORKS AND ADDITIONAL VEGETATION REMOVAL ON LOT 6 (6/285/NORTH ROAD)	2/10/2020
416/2020/P	North-East	Shop 2/230 Cranbourne-Frankston Road, Langwarrin 3910	To use the land for a restricted recreation facility (yoga studio) in an Commercial 1 Zone (C1Z)	2/11/2020
414/2020/P	North-East	36 O'Gradys Road, Carrum Downs 3201	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	4/11/2020
417/2020/P	North-East	6/389 McClelland Drive, Langwarrin 3910	To use the land for a restricted recreation facility (Personal and Group Training Studio) in an Industrial 1 Zone (IN1Z)	5/11/2020
340/2020/P	North-West	3/80 Bardia Avenue, Seaford 3198	To use the land for motor vehicle sales in an Industrial 1 Zone (IN1Z)	1/09/2020
373/2020/P	North-West	3 Gladwyn Avenue, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/10/2020
379/2020/P	North-West	1/36 Wells Road, Seaford 3198	To use the land for a restricted retail premises (bicycle store) and a food and drink premises (cafe) in an Industrial 1 Zone (IN1Z), to display business identification signage and to reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	6/10/2020
425/2020/P	North-West	24 Armata Crescent, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	6/11/2020

Town Planning Applications – Direction To Advertise Issued December 2020				
Application No	Ward	Property Address	Application Description	Application Date
381/2020/P	North-West	3 Barry Street, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	8/10/2020
308/2020/P	North-West	105 Fortescue Avenue, Seaford 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct buildings and works in a Special Building Overlay (SBO) and to subdivide the land	17/08/2020
354/2020/P	North-West	3/12-16 Govan Street, Seaford 3198	To construct buildings and works in an Industrial 1 Zone (IN1Z), to use the land for a research and development centre, a warehouse and a caretakers house in an Industrial 1 Zone (IN1Z) and to reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	18/09/2020
396/2020/P	North-West	43 Molesworth Street, Seaford 3198	To construct two (2) double storey dwellings to the rear of existing dwelling (three (3) dwellings on a lot) in a General Residential Zone (GRZ)	20/10/2020
471/2019/P	North-West	3 Anderson Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	20/11/2019
357/2020/P	North-West	19 Excelsior Drive, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	21/09/2020
229/2020/P	North-West	23 Ebdale Street, Frankston 3199	To construct six (6) triple storey dwellings on a lot in a Residential Growth Zone Schedule 1 (RGZ1), To construct buildings and works in a Special Building Overlay (SBO), To construct a building and carry out buildings and works in a Design and Development Overlay Schedule 12 (DDO12)	23/06/2020

Town Planning Applications – Direction To Advertise Issued December 2020				
Application No	Ward	Property Address	Application Description	Application Date
103/2018/P/F	North-West	6-10 Govan Street, Seaford 3198	Section 72 - To use the land for a Child Care Centre in an Industrial 1 Zone (Section 2 Use) and construct buildings and works within an Industrial 1 Zone and Special Building Overlay  Amendment is to vary Condition 8 to increase staff numbers from 15 to 21.	23/09/2020
443/2020/P	North-West	19 Martha Street, Seaford 3198	To use the land for a Restricted Recreation Facility (Personal Training and Wellness Studio) in an Industrial 1 Zone (IN1Z)	24/11/2020
72/2020/P	North-West	62 Skye Road, Frankston 3199	To construct two (2) double storey dwellings and retention of the existing single storey dwelling (three (3) dwellings) on a lot in a General Residential Zone	25/02/2020
331/2020/P	North-West	31-33 Milne Avenue, Seaford 3198	To construct eight (8) storage units, and to subdivide the land into eight (8) lots, in an Industrial 1 Zone (IN1Z) and in a Special Building Overlay (SBO)	28/08/2020
241/2020/P	South	459 Nepean Highway, Frankston 3199	To reduce the number of car parking spaces required under Parking Overlay Schedule 1 (PO1), To erect and display business identification signage in a Commercial 1 Zone (C1Z), To use the land to sell and consume liquor	1/07/2020
175/2020/P	South	1A Liddesdale Avenue, Frankston South 3199	To construct one (1) double storey dwelling in a Erosion Management Overlay Schedule 3 (EMO3), to construct a building and carry out buildings and works in a Design and Development Overlay Schedule 9 (DDO9)	4/05/2020
297/2020/P	South	128 Fleetwood Crescent, Frankston South 3199	To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 9 (DDO9) and on a lot less than 300 square metres in a General Residential Zone (GRZ)	6/08/2020

Town Planning Applications – Direction To Advertise Issued December 2020				
Application No	Ward	Property Address	Application Description	Application Date
250/2020/P	South	55 Sunnybank Road, Langwarrin 3910	Building and works within the TPZ of a substantial tree and within 5 metres of native vegetation in a Significant Landscape Overlay Schedule 1 (SLO1); Building and works within 10m of a boundary and where the area of outbuildings is greater than 100sqm in a Design and Development Overlay Schedule 4 (DDO4); Building and works greater than 100sqm, not used for accommodation and associated with a dwelling in a Bushfire Management Overlay (BMO)	9/07/2020
217/2020/P	South	21 Frome Avenue, Frankston 3199	To construct three (3) dwellings on a lot in a General Residential Zone (GRZ)	10/06/2020
304/2020/P	South	104 Highfield Drive, Langwarrin South 3911	Two lot subdivision and creation of a carriageway easement	12/08/2020
182/2020/P	South	86-88 Stotts Lane, Frankston South 3199	To subdivide the land into a maximum of Forty Five (45) residential lots (staged subdivision) in a General Residential Zone (GRZ)	13/05/2020
385/2020/P	South	4 Sanders Road, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	14/10/2020
309/2020/P	South	37 Alicudi Avenue, Frankston South 3199	To construct additions to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	17/08/2020
353/2020/P	South	3A Shannon Street Mall, Frankston 3199	To use the land to sale and consumption of liquor (on-premise licence) and to reduce the number of car spaces required under Clause 52.06-5	17/09/2020

Town Planning Applications – Direction To Advertise Issued December 2020				
Application No	Ward	Property Address	Application Description	Application Date
320/2020/P	South	22 St Ives Avenue, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ), to construct a building or to construct or carry out works in a Design and Development Overlay Schedule 1 (DDO1) and to remove and construct a building or construct or carry out works in the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3)	20/08/2020
330/2020/P	South	24 Willis Street, Frankston 3199	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ) and to construct a building and construct and carry out works in a Special Building Overlay (SBO)	24/08/2020
367/2020/P	South	40 Violet Street, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 9 (DDO9)	25/09/2020
411/2020/P	South	49 Fleetwood Crescent, Frankston South 3199	To construct an extension to an existing dwelling in a Design and Development Overlay Schedule 8 (DDO8) and Bushfire Management Overlay (BMO)	30/10/2020
35/2018/P/A	South	4 Scoble Street, Frankston South 3199	Section 72 - To construct additions and alterations to an existing single storey dwelling in a Design and Development Overlay Schedule 9.  Amendment to garage, shed and front fencing.	30/09/2020

**Legend**

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

Progress Report – Current VCAT Appeals December 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1245/2020	573/2000/P/A	31 Wells Road Frankston	Section 72 - The operation of the existing brothel twenty-four (24) hours a day, seven (7) days a week for a period of twenty (20) years	5/10/2020	Not yet determined	Failure	15/12/2020	Set Aside	15/12/2020
P1797/2019	41/2019/P	21 Barmah Court Frankston South	For the use and development of the land for a child care centre; to remove fifteen (15) substantial trees and construct and carry out works in the tree protection zone of substantial trees; and to construct and put up for display two (2) business identification signs.	1/10/2019	Refusal	Refusal	Originally 23/03/2020 new date 7/10/2020 (3 days)		
P2316/2019	268/2019/P	414-414A and 416-422 Nepean Hwy Frankston	Use and development of the land for a service station, convenience store and convenience restaurant. To carry out works within a TPZ of significant tree 271, display of internally illuminated business identification signage, to create and alter access to a road in a Road Zone Category 1 and a reduction in the provision of bicycle facilities under Clause 52.34 of the Frankston Planning Scheme.	29/11/2019	Refusal	Refusal	15/03/2021		
P2327/2918	86/2019/P	11 Reservoir Road Frankston	To construct five (5) double-storey dwellings in General Residential Zone Schedule 1	3/12/2019	Refusal	Refusal	Originally 11/06/2020 new date 12/03/2021		

Progress Report – Current VCAT Appeals December 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P2484/2019	537/2018/P	561 Nepean Highway Frankston	Construction of a dwelling over seven metres in height in a Design and Development Overlay Schedule 6 and Buildings and works associated with a dwelling and removal of vegetation in an Erosion Management Overlay Schedule 3	8/01/2020	Refusal	Refusal	Originally 1/07/2020 New date 19-20/11/2020		
P248/2020	432/2019/P	159 Nepean Highway Seaford	To construct one (1) building containing ten (10) apartments in a General Residential Zone (GRZ), to construct a building or carry out works in the Design and Development Overlay Schedule 6 (DDO6), to alter the access to a Road Zone Category 1 (RDZ1)	13/02/2020	Not yet determined	Failure	8/07/2020 - 3 days		
P374/2020/P	71/2019/P	35 East Road Seaford	To construct five (5) dwelling (four double storey and one single storey ) in General Residential Zone Schedule 1	6/03/2020	NOD	Objector	5/02/2021 half day		
P681/2020	489/2019/P	53 Myrtle Street, Langwarrin	To construct two (2) double-storey dwellings to the rear of the existing dwelling (three (3) dwellings) on a lot in a General Residential Zone (GRZ)	28/04/2020	NOD	Objector	15/2/2021 half day		
P778/2020	229/2019/P	26 Brunnings Road Carrum Downs	To Amend the Outline Development Plan	26/05/2020	Not yet determined	Failure	9/03/2021		
P2152/2019	229/2019/P	26 Brunnings Road Carrum Downs	To construct two hundred and eleven (211) dwellings, a staged subdivision and removal of native vegetation	15/11/2019	Not yet determined	Failure	13/07/2020		

Progress Report – Current VCAT Appeals December 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P610/2020	222/2019/P	60 Aqueduct Road Langwarrin	To use the land for a Child Care Centre (98 places) and to construct and carry out works in association with a Section 2 Use in the General Residential Zone (GRZ) and to remove substantial trees and for buildings and works within the TPZ in a Significant Landscape Overlay Schedule 1 (SLO1)	3/06/2020	Refusal	Refusal	17/03/2021 and 18/03/2021		
P1282/2020	394/2007/P/C	6 Leisureland Drive LANGWARRIN VIC 3910	Alterations and additions to an existing building and The construction of building and works to the existing building as a Place of Worship and Community Centre (place of Assembly) and a Caretakers House, with associated car parking in accordance with the endorsed plans. The amendment sought approval as follows; - Amend the condition 4 to change/increase the existing operating hours from 8am to 8pm to 5am to 9.30pm Monday to Sunday; - and the patron numbers proposed for the above additional increased hours are as follows; Maximum of 40 patrons at any one time between 5am to 8am Maximum of 50 patrons at any one time between 8pm to 9.30pm.	11/08/2020	Refusal	Refusal	18/05/2021		

Progress Report – Current VCAT Appeals December 2020									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1183/2020	67/2020/P	193 Nepean Highway, SEAFORD VIC 3198	To construct two (2) double storey and two (2) three storey dwellings (four (4) dwellings) with height exceeding 7m in a Design and Development Overlay Schedule 6,(DDO6) to alter access to a road in a Road Zone Category 1 and four (4) lot subdivision in a General Residential Zone (GRZ)	10/08/2020	Refusal	Refusal	23/06/2021		
P1433/2020	86/2020/P	6 Boston Avenue Seaford Vic 3198	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	18/09/2020	Refusal	Refusal	5/05/2021		
P1711/2020	65/2020/P	49 Warringa Road, Frankston South	Extension to an existing dwelling within a Design and Development Overlay Schedule 9 (DDO9), Construct a building or construct or carry out works within a Heritage Overlay (HO)	21/10/2020	NOD	Objector	2/07/2021		

<b>Progress Report – VCAT Determination – Policy Implications December 2020</b>			
<b><u>Appeal No</u></b>	<b><u>Application No</u></b>	<b><u>Address</u></b>	<b><u>VCAT Determination – Policy Implications</u></b>
P1245/2020	573/2000/P/A	31 Wells Road Frankston	An application was made to vary a condition limiting the duration of use of an existing brothel. Prior to hearing at the VCAT, an agreement was reached with the applicant providing for an increase in the duration of use for a period of twenty (20) years. The condition will allow Council to reconsider the appropriateness of the use upon the permits expiry should the nature of development in the surrounding area change during the time period.

**Executive Summary****12.1 Council Resolution Status Update for 27 January 2021**

Enquiries: (Brianna Alcock: Chief Financial Office)

**Council Plan**

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

**Purpose**

To update and brief Council on the current status of resolutions.

**Recommendation (Chief Financial Officer)**

That Council:

1. Receives the Notices of Motion Report for 27 January 2021;
2. Receives the Urgent Business Status Update for 27 January 2021;
3. Notes there is one Notices of Motion that have been reported as being complete:
  - 2019/NOM50 – Climate Emergency
4. Notes there is one report that will be delayed in their presentation back to Council:
  - Proposed Planning Scheme Amendment C144 – Frankston Gap Heritage Review 2020 – Include properties identified as having local heritage significance in the Heritage Overlay in the Frankston Planning Scheme
5. Notes, since the Council Meeting held on 14 December 2020, 46 resolutions have been completed, as listed in the body of the report; and
6. Resolves for Attachment D to remain confidential indefinitely as it contains information prescribed by the regulations to be confidential information and would, if prematurely released, breach the confidential provisions of the Local Government Act 2020.

**Key Points / Issues**

- At its meeting on 19 December 2016, Council resolved that:

*“That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council’s resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).”*
- Additionally, at its meeting on 22 July 2019, Council resolved that:

*“4. a) Includes in the attached monthly report (Notice of Motion Cost Summary), the number of Urgent business items per councillor*

*b) Includes the updates of the status of Urgent Business items in the attached monthly report (Notice of Motion Report)”*
- The Notices of Motion Report for 27 January 2021 is attached and will continue to be updated and reported at each Council Meeting. As there are Notices of Motion

**12.1 Council Resolution Status Update for 27 January 2021****Executive Summary**

that are continuing from the previous Council term, these will continue to be reported upon until they are completed. Note there are no items listed under confidential, as such this report has not been attached.

- The Urgent Business Status Update report is attached (Attachment C) for 27 January 2021, and will continue to be reported at each Council Meeting.
- There is one Notices of Motion actions that have been reported as complete.
  - 2019/NOM50 – Climate Emergency
- Due to various factors, it is sometimes not possible for reports to be brought back before Council in accordance with the time frames resolved. There is one report listed as being delayed for this meeting.
  - Proposed Planning Scheme Amendment C144 – Frankston Gap Heritage Review 2020 – Include properties identified as having local heritage significance in the Heritage Overlay in the Frankston Planning Scheme  
This report has been delayed to the 15 February 2021 Council Meeting in order to allow further discussion on the Heritage Study.
- Since 2020/OM16 on 14 December 2020, the following 46 resolution actions have been reported as 'complete'. A detailed report has been provided in Attachment D (*CONFIDENTIAL*).
  - Response to 2019/NOM12 - Legal Advice
  - Enclosed dog off lead area at Telopea Reserve, Frankston North
  - 2020 National General Assembly of Local Government from 14 - 17 June 2020
  - Re-appointment of a Senior Officer to the Board of Management for Frankston Football Club Incorporated
  - Peninsula Leisure P/L - Financial Sustainability of Company
  - Update on Coronavirus (COVID-19) - 10 August 2020
  - Award of Contract 2019/20 -106 - Road Renewal - In Situ Pavement Stabilisation and Associated Works
  - Update on Coronavirus (COVID-19) - 31 August 2020
  - Draft Conflict of Interest Policy (21 September 2020 Council Meeting)
  - Update on the South East Melbourne (SEM) group and SEM City Deal development
  - Letter under Seal for Outgoing Mayor and Deputy Mayor
  - Award of Contract - 2020-21-013 - The Esplanade Drainage Works
  - Award of Contract No. 2020/21-12 - Belvedere Bowls Club - Alterations and Extension
  - Award of Contract No 2019/20-53 - Frankston Civic Place - Roof Replacement
  - Response to 2019/NOM30 - Investigation of Major Projects
  - Planning Permit 396/2017/P - 21 Inglis Avenue Frankston - To amend the plans approved under the Planning Permit for retrospective works for a statement of compliance
  - Planning Application 287/2019/P - 59 Kareela Road, Frankston - To use the land for the sale and consumption of liquor and for a reduction in the number of car spaces required under Clause 52.06 of the Frankston Planning Scheme

**12.1 Council Resolution Status Update for 27 January 2021****Executive Summary**

- Council Resolution Status Update for 23 November 2020
- Update on Coronavirus (COVID-19) - 23 November 2020
- Record of Assemblies of Councillors
- Financial Quarterly Report - Q1 - July to September 2020
- Council Plan Quarterly Performance Report - Q1 - July to September 2020
- Frankston City Council Annual Report 2019–2020
- Audit and Risk Committee – Chairperson's report to Council on Financial Report and Performance Statement 2019-20
- Delegates to External/Internal Organisations for 2021
- Outcome of National General Assembly Motions 2020
- Event Services Panel 2020 21-007
- Presentation of Letter under Seal to outgoing Mayor and Deputy Mayor
- Petition regarding objection to proposed Colourbond structure at 435 Robinsons Road Langwarrin
- Update on Coronavirus (COVID-19) - 23 November 2020
- Peninsula Leisure Pty Ltd - Quarterly Performance reports for three months ended 30 June 2020 and 30 September 2020
- Outcomes of the Audit and Risk Committee meeting
- Land Acquisition and Offset Opportunities
- Chief Executive Officer's Quarterly Report (July, August and September 2020 period)
- Debrief of Ordinary Council Meeting (23 November 2020 Council Meeting)
- Council Resolution Status Update for 14 December 2020
- External Committee Minutes for the Executive Management Team
- Minutes of Committee meetings represented by a Councillor Delegate
- Adoption of Proposed Council Meeting Dates for 2021
- Appointment and Authorisation of Council Staff
- Re-appointment of a Senior Officer to the Board of Management for Frankston Football Club Incorporated
- Draft Conflict of Interest Policy (14 December 2020 Council Meeting)
- Update on Coronavirus (COVID-19) - 14 December 2020
- Peninsula Leisure Pty Ltd 2019/2020 Annual Report
- Further Response to 2019/NOM12 - Legal Advice Protocol
- Debrief of Ordinary Council Meeting (14 December 2020 Council Meeting)

**Financial Impact**

There are no financial implications associated with this report.

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

Nil.

**12.1 Council Resolution Status Update for 27 January 2021****Executive Summary****2. Other Stakeholders**

Nil.

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

Making the written records available may provide some confidence regarding transparency in decision making, and is in keeping with best practice advice from the Victorian Ombudsman.

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

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

Legal

There are no legal implications associated with this report.

Policy Impacts

There is no impact on Council policies.

Officer's Declaration of Interests

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

**Risk Mitigation**

There is no risk associated with this report.

**Conclusion**

The purpose of this report is to brief and update Council on the implementation and status of resolutions including Notices of Motion and Urgent Business items. Council Officers are continuously working to implement a range of Council resolutions and in addition to noting the work completed, it is recommended that the Notices of Motion as listed within this report now be archived.

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**ATTACHMENTS**

Attachment A:[↓](#) Notice of Motion - Cost Summary for 27 January 2021

Attachment B:[↓](#) Notice of Motion Status Update for 27 January 2021

Attachment C:[↓](#) Urgent Business Status Update for 27 January 2021

Attachment D: Completed Council Actions for 27 January 2021 -

**CONFIDENTIAL**

Notice of Motion Report - 2021 - CM1 - for the 27 January Council Meeting (A4377840).XLSX

**Notice of Motions Estimated Costs  
By Councillor  
2016 – 2020 Term**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost	2019/20 Budget Cost *	Urgent Business
Former Cr Cunial	12	\$0	\$128,800	\$257,500	\$35,000	2
Former Cr McCormack	19	\$18,990	\$11,300	\$258,000	\$140,000	4
Former Cr Toms	39	\$7,240	\$70,000	\$259,158	\$87,000	2
Former Cr Aitken	49	\$7,315	\$0	\$84,750	\$85,000	11
Cr Bolam	110	\$201,316	\$959,392	\$1,068,500	\$1,005,000	9
Former Cr O'Connor	18	\$2,600	\$4,000	\$25,163	\$80,000	1
Former Cr Mayer	4	\$200	\$66,000	\$0	-	6
Former Cr Hampton	30	\$10,725	\$4,200	\$208,749	\$190,000	4
Former Cr O'Reilly	4	\$0	\$0	\$0	-	1
<b>TOTAL</b>	<b>285</b>	<b>\$ 248,386</b>	<b>\$ 1,243,692</b>	<b>\$ 2,161,820</b>	<b>\$ 1,622,000</b>	<b>40</b>

NOTE: There may be occasions when the Ongoing Cost is ALSO reported under Outcome costs: this is on the occasions when the ongoing cost has a KNOWN FINITE total. This is to note for budgeting purposes (for eg: \$121,000 total over 11 years = \$11,000 budgeted per year). Notes/comments are provided in the report when this occurs

\* 2019/20 Budget Cost: these are totals reflective of costs associated with project requests that Councillors have submitted as part of the 2019/2020 Budget Process and not associated with the outcomes of Notices of Motion submissions.

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**Notice of Motions Estimated Costs  
 By Councillor  
 2020 - 2024 Term**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost	2019/20 Budget Cost *	Urgent Business
Cr David Asker	0	\$0	\$0	\$0	\$ -	0
Cr Sue Baker	0	\$0	\$0	\$0	\$ -	0
Cr Kris Bolam	0	\$0	\$0	\$0	\$ -	0
Cr Nathan Conroy	0	\$0	\$0	\$0	\$ -	0
Cr Claire Harvey	0	\$0	\$0	\$0	\$ -	0
Cr Brad Hill	0	\$0	\$0	\$0	\$ -	0
Cr Liam Hughes	0	\$0	\$0	\$0	\$ -	0
Cr Steven Hughes	0	\$0	\$0	\$0	\$ -	0
Cr Suzetter Tayler	0	\$0	\$0	\$0	\$ -	0
<b>TOTAL</b>	<b>0</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0</b>

NOTE: There may be occasions when the Ongoing Cost is ALSO reported under Outcome costs: this is on the occasions when the ongoing cost has a KNOWN FINITE total. This is to note for budgeting purposes (for eg: \$121,000 total over 11 years = \$11,000 budgeted per year). Notes/comments are provided in the report when this occurs

\* 2020/21 Budget Cost: these are totals reflective of costs associated with project requests that Councillors have submitted as part of the 2019/2020 Budget Process and not associated with the outcomes of Notices of Motion submissions.

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
23-Sep-19	14.1	2019/NOM39 - Lighting Frankston Cr Bolam	Council Decision That Council develops a strategy with respect to the implementation of a LED Lighting Program across the municipality, to ensure a strategic rationalised approach to installation. That such a strategy be brought before Council for adoption by April 2020. Carried	Suzane Becker	07 Dec 2020 - Target Date Revision: Target date changed from 21 September 2020 to 15 February 2021. The draft Lighting Strategy is complete and awaiting Council endorsement for further community consultation. The report will be submitted to the new Council at the earliest opportunity estimated before January 2021.	Note approx. \$30k required to develop the plan.
18-Nov-19	14.1	2019/NOM50 - Climate Emergency Cr Mayer	Council Decision Moved: Councillor Hampton Seconded: Councillor Cunial 1. That Frankston Council: a. Acknowledges that current levels of global warming and future warming already committed constitute nothing less than a climate emergency for most life on this planet, requiring an emergency response by all levels of government, including local government; b. Resolves to review and update Council's Climate Change Impact and Adaption Plan (2011) to guide the climate emergency response by Council, to be prepared by the Chief Executive Officer within 12 months of the date of this resolution; and c. Undertakes to work with the Frankston community to raise awareness of the climate emergency and support community action to mitigate greenhouse gas emissions and build resilience. 2. Council calls upon the Australian State and Federal Governments to: a. Declare a climate emergency; and b. Back this up with legislated programs to drive emergency action to reduce greenhouse gases and meet the lower target of the Paris Agreement to keep global warming below 1.5 degrees. Carried Unanimously	Luke Ure	14 Jan 2021 - At its Ordinary Meeting on 14 December 2020, Council resolved to close 2019/NOM50 as a result of the following work undertaken to date: a. The review and final report on the implementation of Council's Climate Change Impacts Action Plan (2011); b. The work undertaken by Council to raise community awareness of the climate emergency and support actions to mitigate greenhouse gas emissions and build resilience; c. Council's Climate Change Community Survey; and, d. That the previous Council wrote to the Federal Minister for the Environment, The Hon. Susan Ley MP, as well as State Minister for Energy, Environment and Climate Change, The Hon. Lily D'Ambrosio MP in April 2020, calling upon their government to also declare a climate emergency and back this up with legislated programs. Request this action is closed.	
18-Nov-19	14.4	2019/NOM53 - Councillors Code of Conduct Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Bolam That the Councillor Code of Conduct be reconsidered in respect of the wording and points laid out. This is to be undertaken in the first instance with individual councillors and any suggestions they may have. Then followed up by general discussion and finally resolved through a formal resolution if any changes are made. Carried Unanimously	Brianna Alcock	14 Jan 2021 - In progress. Councillors were briefed on the draft revised Code of Conduct on 30 November 2020. Councillors agreed to remove the duplicated content relating to various pieces of legislation and Council documents. The draft Code of Conduct was reviewed by Council lawyers who confirmed it met legislative requirements. Councillors have asked to provide input into the draft Code of Conduct. This will be presented to Council for formal adoption at the 15 February 2021 Council Meeting.	
20-Jul-20	14.2	2020/NOM15 - Rooming House Reform Advocacy Cr Aitken	Council Decision That Council: 1. Acknowledges the role rooming houses play to meet accommodation needs and that, while the majority of rooming house owners operate well managed and maintained premises, a few create distress within the neighbourhood as a consequence of poor building design and no management oversight of residents' behaviour; 2. Notes that Council regularly receives complaints from distressed community members about the inequality of requirements of the planning scheme and building regulations for the approval of rooming houses (compared with other forms of housing) and the management of them once they are operational; 3. Acknowledges that Frankston's badly run rooming houses can have a devastating impact upon adjoining or nearby residents, tearing their lives apart through repeated threats, highly offensive language, intimidation, violence and other associated problems. Parents with young children can face situations involving extreme behaviour and aged residents or single women feel particularly vulnerable and at risk, ultimately leading to selling the family home or otherwise relocating to escape a cycle of fear and abuse; 4. Believes Local Government is best placed to manage the issues but the current State Government policy and regulatory environment does not provide the means or powers to do so. At the very least Legislation should be amended to provide by law that a live-in manager or concierge be mandatory to assist in mitigating such circumstances; 5. Further advocates through its membership of the Frankston Strategic Housing and Homelessness Alliance for an increase in the quantum of affordable housing; 6. Acknowledges the overall intent of this formal motion of Council is to break the chain of events that lead to immeasurable community harm, as a direct result of a limited cohort of rooming house operators, who demonstrate unbridled pleasure nurturing the money flow from these operations with scant or no regard for the surrounding amenity or well-being of others living nearby; 7. Writes to the Premier, Opposition Leader and Local Members of Parliament to appeal to the Victorian State Government to review and amend the policies, legislation and regulations to make all necessary changes to empower Local Government to ensure: i. private building surveyors are required to notify Council and neighbours of a property whose owner has plans for a rooming house development ii. private building surveyors are required to advise Council and neighbours of an approval to build prior to works commencing or issuing of an Occupancy Permit 8. Writes to the Human Rights and Equal Opportunities Commission to seek support to redress the experienced inequalities of human rights resulting from the impact of poorly considered and managed rooming house developments; 9. Submits draft motion to the Municipal Association Victoria seeking legislative and regulatory reform to enable Local Government to better manage the impact of rooming houses; and 10. Notify all State MPs that represent the Frankston municipality, to inform them of Council's actions and seek their active support.	Suzane Becker	25 Nov 2020 - Action reassigned to Manager Policy, Planning and Environmental Strategies - NOM involves planning policy reform advocacy. I have passed on the background details to Officer as requested. 19 Oct 2020 - Letters seeking policy and regulatory changes have been sent to the Premier, Ministers and Human Rights Commission. A motion has also been drafted for the MAV. The number of people experiencing homelessness and the demand of housing is being addressed through the refresh of the Housing Strategy and the Housing & Homelessness Alliance Strategic Plan. The issue matter is a priority on constant review.	
10-Aug-20	14.2	2020/NOM18 - COVID-19 Recovery Initiatives Cr Bolam	Council Decision Moved: Councillor Bolam Seconded: Councillor Toms 1. Noting that financial hardship extends to ratepayers beyond those in receipt of the unemployment benefit, a report be prepared by no later than September 2020 to identify the feasibility of extending support and options to ratepayers who are experiencing financial hardship; 2. Support the extension of the current rate deferral provisions in Council's existing Rates Hardship Policy to place on hold: a. The raising of penalty interest on overdue rates payments until 30 June 2021; b. Legal costs relating to all new and existing debt recovery action until 30 June 2021. 3. That, in preparation for 2021/2022 Annual Budget and in recognition of the significant impact that COVID-19 is having on our local community, a report be prepared in February 2021 to consider the feasibility of the following initiatives: a. Extending the current rate relief of a one-off \$200 rate waiver for an owner occupied property, where one or more of the owners are in receipt of a Centrelink unemployment JobSeeker Payment in the 2021/2022 financial year; b. Waiving all food business registration fee renewals for 2021/2022; c. Waiving fees for not-for-profit organisations hiring/leasing council facilities for the upcoming financial year; d. Waiving fees for businesses that pay a-frame and general advertising signage fees for the upcoming financial year; e. The advantages and disadvantages of removing the differential rate applied to all Commercial and Industrial properties for 2021/2022; f. The benefits and implications of a freeze on Council rates for 2021/2022; g. Place a hold of penalty interest on overdue rates and any dishonour fees incurred if a ratepayer defaults on direct debit payments for 2021/2022; and 4. Advocacy to the State Government to suspend or freeze its levies (i.e. Hard Waste Landfill Levy etc.) and service charges (i.e. VicRoads vehicle registration etc.) for 2021/2022. Carried	Kim Jaensch	1. Completed: A report was presented to Council in August seeking approval to extend support and options to ratepayers who are experiencing financial hardship. A waiver of \$200 has been offered to owner occupiers experiencing financial hardship outside of those receiving JobSeeker. This was endorsed by Council. 2. Completed: Council at its meeting held on 31 August supported the extension of the current rate deferral provisions in Council's existing Rates Hardship Policy to place on hold: a. The raising of penalty interest on overdue rates payments until 30 June 2021; b. Legal costs relating to all new and existing debt recovery action until 30 June 2021. 3. In progress: In preparation for the 2021/2022 Annual Budget and in recognition of the significant impact that COVID-19 is having on our local community, a report will be prepared in March/April 2021 to consider the feasibility of a number of support initiatives and seek community feedback on their needs to address COVID-19 recovery support. 4. In progress: To be completed by Advocacy and Engagement Officer.	

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Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
31-Aug-20	14.1	2020/NOM19 - Public Toilet Action Plan Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Bolam That Council: 1. Reviews the priority of works identified in the public toilet action plan with a view to: a) Replacing the Mile Bridge public toilet with a new disability access toilet and beach shower adjacent to the Long Island Tennis Club and the access path between Gould Street and the Frankston beach; b) Investigate the development of a hard surface path (possibly timber) to the beach to replace the existing beach access track to assist with disability access to the beach; c) Seek consent from DELWP for these works to occur; d) Subject to DELWP consent, conduct community engagement and develop concept plans for the work in 2021-22, and refer funding for the planning and concept development as part of the FY2021/22 budget development; e) Subject to community engagement outcome, refer the design and delivery of the toilet facility, new disability beach access and beach shower for consideration as a part of the FY 2022-23 budget development; and 2. Approves repurposing the bluestone from the existing Mile Bridge public toilet into the design and build of the proposed new disabled toilet facility and /or fence between the beach access and the Long Island Tennis Club grounds. Carried	Suzane Becker	19 Oct 2020 - The refresh of the Public Toilet Action Plan/priorities has been referred to the 21/22 annual budget. Early discussions with DELWP on their position of the relocation of the Mile Bridge Toilet will be actioned as soon as possible.	
21-Sep-20	14.1	2020/NOM20 - Preservation of Frankston Signal Box Cr Aitken	Council Decision Moved: Councillor Aitken Seconded: Councillor Toms That Council: 1. Makes representation to Vic Track and the Department of Transport, highlighting the importance of the preservation of the Frankston Signal Box, which will soon celebrate its 100th year, emphasising the importance of its place in Frankston's cultural and transportation history; and 2. Notes this NOM is supported by the Heritage Assets and Promotion Committee and consideration be given to the preservation of the Frankston Signal	Suzane Becker	07 Dec 2020 Target Date Revision: Target date changed from 12 October 2020 to 18 January 2021 19 Oct 2020 - Exploration of the location of the proposed car park in juxtaposition to the signal box is being undertaken and discussed with Dept of Transport.	
21-Sep-20	14.2	2020/NOM21 - Investigation into Dome Acquisition Cr Toms	Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That Council: 1. Seeks a report on the heritage value of the coloured Dome inside the former Village Cinema's site situated at 444 Nepean Hwy; and 2. Notes the report is to come back to Council's 23 November 2020 meeting.	Suzane Becker	19 Oct 2020 - A report schedule for November Meeting will be deferred until February 2021 to accommodate briefings of the new Council and the holiday period. 19 Oct 2020 - Target date changed from 12 October 2020 to 22 February 2021	

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## Urgent Business

Meeting Date	NOM Title and Councillor	Council Resolution	Responsibility	Comments
31-Aug-20	Urgent Business - Voluntary Disclosures  Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Hampton That Council:</p> <ol style="list-style-type: none"> <li>1. Affirms its commitment to promoting greater transparency and public confidence in Council decision making post-election.</li> <li>2. Encourages all election candidates to undertake the following voluntary steps prior to the 2020 elections: <ol style="list-style-type: none"> <li>a. Decline to accept donations, either in cash or in-kind, from persons who personally own or hold controlling interests in companies that actively engage in the property development industry or the rooming house industry; or derive gambling income in Victoria or any entity trading in the tobacco or gambling industry sectors.</li> <li>b. Decline to accept donations from lobbyists, special interest groups or any other groups which the Councillor is likely to have dealings with if elected.</li> <li>c. Decline to accept donations from planning applicants (or their representatives) who have made an application to the Council in the twelve months prior to the election, or who are expected to make an application to the Council within twelve months after the election.</li> <li>d. Publically disclose any donation and / or in-kind gift within five business days of receipt, to counter the lack of transparency within the current legislation that mandates candidate donations are only disclosed 40 days after the election.</li> </ol> </li> <li>3. Recommends that candidates in the 2020 Frankston City Council elections voluntarily publically disclose the following information: <ol style="list-style-type: none"> <li>a. The name of any company or other body corporate or un-incorporated in which the candidate holds an office as a director or otherwise; and</li> <li>b. The name or description of any company or body in which the candidate holds a beneficial interest.</li> </ol> </li> <li>4. Writes to the Minister for Local Government and the Victorian Electoral Commission to suggest that the voluntary measures referred to in this resolution be introduced as new requirements to improve the transparency and the integrity of the election process in future local government elections.</li> </ol> <p>Carried</p>	Brianna Alcock	<p>14 Jan 2021 - 1,2 &amp; 3.Complete. Cr Bolam's urgent business item was accepted.</p> <p>4. In progress. Letters have been sent to the Minister for Local Government and the Victorian Electoral Commission suggesting that the voluntary measures referred to in the resolution be introduced as new requirements to improve the transparency and the integrity of the election process in future local government elections. A response from the VEC was received on 8 January 2021. VEC advised that the Minister for Local Government is the appropriate avenue for pursuing the changes.</p>
31-Aug-20	Urgent Business - Oliver's Hill Sea Wall Advocacy  Cr Toms	<p>Council Decision Moved: Councillor Toms Seconded: Councillor Aitken That Council write to the The Hon. Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change requesting that urgent funding be provided to scope and provide for repairs to the Oliver's Hill seawall to ensure its long term durability and safety for the Frankston community, in consultation with Council and key stakeholders.</p> <p>Carried</p>	Shweta Babbar	<p>23 Nov 2020 - A letter has been prepared and now ready for signing by the new Mayor, Cr Kris Bolam.</p>

**Executive Summary****12.2 Update on Coronavirus (COVID-19) - 27 January 2021**

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

**Council Plan**

Community Outcome:	2. Liveable City
Strategy:	2.1 Employment, education and economy
Priority Action	2.1.2 Develop a knowledge, creativity and skills based economy that generates employment opportunities

**Purpose**

To update Council on its response to the impacts of the Coronavirus (COVID-19).

**Recommendation (Chief Executive Officer)**

That Council:

1. Notes this report outlines its response to the impacts of the Coronavirus (COVID-19);
2. Notes an update will be provided to each Council meeting for the foreseeable future during this Pandemic;
3. Approves the Waterfront Festival be moved to March 2021, and the name changed to 'Live & Local @ the Waterfront' for the 2021 year only; and
4. Reallocate activities within the Relief and Recovery Package to the value of \$134,000. Total package value remains at \$7,321,153 by approving the financial adjustments proposed in this report:
  - Extend the fee relief for sporting clubs and outdoor fitness providers by waiving summer tenancy fees and ground hire fees (for personal trainers/educators) by \$134,000. This is to be funded from the reallocation from Activity 49 Fast Business Grants (\$75,000), Activity 14 Student Scholarship (\$29,000) and Activity 30 Increased Sanitisation (\$30,000).

**Background**

At its Ordinary Council meeting on 20 April 2020, Council resolved:

1. Receives this report that outlines its response to the impacts of the Coronavirus (COVID-19).
2. Receives that an update will be provided to each Council meeting for the foreseeable future during this Pandemic.

**Key Points / Issues**

- Reports have been submitted to each Ordinary meeting on this matter since 20 April 2020 noting the above resolution with the exception of the 15 June 2020 Ordinary Meeting, which was scheduled for the purpose of considering the guidelines of the COVID-19 grants application.

**12.2 Update on Coronavirus (COVID-19) - 27 January 2021****Executive Summary**

- The Municipal Emergency Coordination Centre (MECC) was stood down in October 2020 in response to the easing of restrictions. The Pandemic continues to be monitored and responded to as required. Despite some local exposure sites and minor outbreaks in other municipalities the situation remains below the threshold to re-activate the MECC, however the Community Recovery Committee, which has community representatives, continues to support the community to a 'return to normal'.
- Council's management team continues to work on a plan to return the workforce to the office in a COVID-safe way with 50% of staff now permitted at their place of work in an office environment through a roster/team bubble system in line with the State Government's Roadmap to Recovery restrictions.
- Council's front line services continue to be delivered in a COVID safe way.
- Council continues to implement the actions from the Relief and Recovery Package (Package). The Package contains 61 initiatives and is valued at \$7.321 million with focused support for individuals, community groups and businesses to help them recover in the short, medium and long term.
- Council's owned facilities including PARC and the Pines Pool Aquatic Centre operated by Peninsula Leisure continues to deliver its services to its members and the wider Community in a COVID-safe way. Members are still able to suspend their PARC memberships allowing flexibility.
- The Municipal Emergency Coordination Centre (MECC) was stood down in October 2020 in response to the easing of restrictions. The Pandemic continues to be monitored and responded to as required. Despite some local exposure sites and minor outbreaks in other municipalities the situation remains below the threshold to re-activate the MECC, however the Community Recovery Committee, which has community representatives, continues to support the community to a 'return to normal'.

**Key inclusions and actions update**

Some key inclusions with actions to date are listed below, with more detailed information provided in the attached COVID-19 Relief and Recovery Package Status Report (Attachment A).

A number of grants have been made available to individuals and groups. An outline of purpose and total value of the grants is available in the Grant's attachment (Attachment B), along with those people to whom grants have been awarded. Please note, where grants have been made available to young people, names may be withheld for privacy reasons.

The Relief and Recovery package was adopted at the 11 May 2020 Council meeting and together with subsequent Council meeting amendments provides \$7.321M noting it was recently increased by Council at its meeting on 14 December 2020 ensuring we support our community in this difficult time.

As at the end of December 2020, Council had delivered \$3.78M in support to the community and continue to ensure the ongoing activities are delivered in a timely manner.

The key areas of the Relief and Recovery package include supporting individuals, connecting communities and the longer term goals associated with economy and employment. Each of these areas have short, medium and long term elements.

*Council's relief and recovery efforts include:*

**12.2 Update on Coronavirus (COVID-19) - 27 January 2021****Executive Summary**

- Provision of a dedicated call centre referral service helping residents access and connect with the relevant services, as required.
- Operating the Meals on Wheels services in a COVID-safe way with two separate teams ensuring it keeps up with requirements and is sustainable.
- Focusing on finding techniques to understand and better support the community, providing food packages, meals, medical needs, transport and information to support rooming house residents.
- Collaborative approach to managing the roadmap and our City's recovery moving forward, ensuring Council works with external agencies.
- Roll out of the State Government's Outdoor Dining and Entertainment Program grant of \$500K going towards the installation of expanded for outdoor dining. The State Government also provided an additional \$150K towards revitalisation of the City Centre and Council is contributing \$220K overall, including \$70K for the waiver of kerbside dining permit fees.

**Council's workforce update**

As at 24 December 2020, over 44.54% of Council's staff were still working remotely noting from Monday 30 November 2020, the Victorian Government permitted 25% of workers to return to the office in a COVID-safe way. The total hours of redeployment is 31,995 hours of activity (since 11 May 2020).

Council's operational departments continue to support Community Support Frankston staff and volunteers with a number of departments redeploying staff to this Centre, ensuring our most disadvantaged and vulnerable residents are provided with additional resources and funding required during the COVID-19 crisis.

**Provision of Customer Service and Community Advice during COVID-19**

The period between 15 December 2020 and 10 January 2021 highlight the increased desire for the community to interact with Customer Service in a face to face capacity. This is evident due to 2340 customer visits to Langwarrin Service Centre and the Civic Centre. This has included following COVID-19 restrictions such as signing in QR codes and the reintroduction of masks.

Call volumes remained steady, and as anticipated, it was a typical month in terms of the type of phone enquires. Planning and rates continue to be the highest volume of call topics over this 3 week period.

Customer Services closed from 25 December 2020 and reopened 4 January 2021 (part of Council's shut-down period). It is important there was no direct interaction with Council's Customer Service during this time, subsequently Customer Service only received 249 digital Customer Requests. Specifically, during the closure period, Customer Service received an average of 25 digital Customer Requests per day; as opposed to November 2020 which saw an average of 40 digital Customer Requests per day.

In terms of Customer Requests for service resulting from phone calls, bin-related issues were most frequent. This was followed by requests for the Planning department, primarily for the customer to be called back regarding specialist advice, and drainage requests which were frequent following the wet weather pre-Christmas.

**Communication during COVID-19**

There remains an ongoing and dedicated effort to share COVID-19 related information through our channels, both as reminders to the community about COVID safe

**12.2 Update on Coronavirus (COVID-19) - 27 January 2021****Executive Summary**

behaviours and as updates as the situation continues to change as seen with the recent developments in NSW and Queensland.

Officers have continued positive promotion of the activities taking place in and around our municipality. The Frankston City News Facebook page has been well received, attracting more than 500 followers in the first two weeks since it was launched. This page complements the hard copy publication and allows us to further share positive and uplifting stories, while also encouraging greater engagement with our Community.

Through working closely with our stakeholders, during the summer period we are also pro-actively sharing Community advice relating to issues such as extreme heat, fires and water safety as needed. While many of these issues are not directly managed by Council, many of our community look to us as a trusted source for information.

The positive focus continues into the New Year, helping to further boost the morale of both our community and staff following some of the challenges faced during 2020.

**Council's major events update**

Events which could result in gatherings of people are now permissible within defined parameters, these events require State Government approval under the Public Events Framework.

- The 'Waterfront Festival' is currently scheduled to occur on Saturday 20 and Sunday 21 February 2021. Given the requirements of the State Government's Public Event framework and current COVID situation in Victoria it is unlikely the event will proceed on the planned February 2021 dates.
- It is recommended The Waterfront Festival be rescheduled to Saturday 20 and Sunday 21 March 2021 (with back up dates of Saturday 27 and Sunday 28 March 2021). The events team are recommending changing the name of the festival, for 2021 only to, Live and Local @ the WATERFRONT, to help guide community expectations of this year's festival.
- The events team submitted a COVID Safe Plan for approval/comment to the State Government on Friday 4 December. If the date change is approved by Council, the events team would notify the State Government of the change with other elements of the COVID safe plan remaining the same.
- Ventana 2021 will be presented in a hybrid model with some elements moving on line and smaller events occurring at Frankston Arts Centre and in outdoor locations.

**Increased Cleaning and Sanitisation during COVID-19**

Council continues to provide additional sanitisation and cleaning programme in Council owned buildings to mitigate against the transmission of COVID19. This includes:

- Supplying hand sanitising equipment and products throughout all Council facilities for staff use.
- Supporting 10 cleaning staff, employed through the Working for Victoria programme (commenced late October 2020), to clean touch points around council buildings, public toilets and parks and reserves. This programme will run for six months.
- Installing soap dispensers in toilet blocks across the municipality.

As our buildings slowly reopen to the public, cleaning regimes will return to normal.

**12.2 Update on Coronavirus (COVID-19) - 27 January 2021****Executive Summary****Financial Impact**

At the 11 May 2020 Ordinary Council Meeting the Relief and Recovery Package was adopted at \$6,434,000 incorporating \$4,754,000 in budget and \$1,680,000 in redeployment. Subsequent to that initial Council meeting there have been adjustments to the package resolved by Councillors. Since the Council meeting held on 14 December 2020, EMT have provisionally approved reallocations to the value of \$134,000 as referenced in Attachment C titled 'Relief and Recovery Package adjustments'. Council endorsed adjustments to the package at its Council meeting held on 14 December 2020 increasing the total package to \$7,321,153.

The key areas of the Relief and Recovery package include supporting individuals, connecting communities and the longer term goals associated with economy and employment. Each of these areas have short, medium and long term elements.

Some of the activities that have not yet commenced relate to longer term goals for example, the hard waste collection is not scheduled until May/June 2021, there are timing differences in reflecting actuals in our systems eg permits, delays in delivery on the activity due to Stage 4 restrictions and finally there are activities associated with the post lockdown period recovery.

**COVID-19 Community Support Grants**

A summary of the current grants relating to the COVID-19 Relief and Recovery package is listed at Attachment B. The assessment and approvals have been undertaken in compliance with the delegations approved by Council at its Ordinary meeting held on 15 June 2020.

Funding rounds commenced in July 2020 and September 2020 with 'round three' for the Recovery Grants commencing in February 2021. Applications received are subject to assessment and recommended allocations.

**Consultation**

See above sections.

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

Not applicable.

**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

See above sections.

Policy Impacts

See above sections.

Officer's Declaration of Interests

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

**Risk Mitigation**

See above sections.

**12.2 Update on Coronavirus (COVID-19) - 27 January 2021****Executive Summary****Conclusion**

That the report be received.

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**ATTACHMENTS**

- Attachment A: [↓](#) COVID-19 Relief and Recovery Package update
- Attachment B: [↓](#) COVID-19 Grants attachment - November to December 2020
- Attachment C: [↓](#) Relief and Recovery Package adjustments

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
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### Supported individuals

<b>1. Residential rates relief – Unemployed Owner/Occupier</b>	<p>Provide a one off \$200 rate waiver for an owner occupied property, where one or more of the owners are in receipt of a Centrelink unemployment JobSeeker Payment. The \$200 rate waiver will be applied to the 2020-2021 rates first quarter instalment payment. Applications for the waiver will open from 1 July and must be received no later than 30 September 2020.</p> <p><b>Update:</b> Provide a one off \$200 rate wavier for an owner occupied property, where the owner can demonstrate they are experiencing financial hardship relating to the pandemic during 2020-2021 (31 August 2020 Ordinary Meeting).</p>				1,200,000		Currently 2,051 waiver applications have been approved. The Jobseeker waiver came to an end at 30 June, as at this date 775 ratepayers had been approved. The hardship waiver will continue, with the number of applications increasing each month, to date 1,276 applications have been approved.
<b>2. Suspension of rates legal action</b>	<p>Temporarily cease all legal action to recover rates until end of September 2020 or to other timeframe otherwise determined by Council via the Emergency Hardship Policy (residential, commercial and industrial properties)</p> <p><b>Update:</b> Extension of the current rate deferral provisions in Council's existing Rates Hardship Policy to place on hold legal costs relating to all new debt recovery action until 30 June 2021. (31 August 2020 Ordinary Meeting)</p>				-	-	No new legal has been undertaken as per the Council Resolution.
<b>3. Penalty Rate Freeze</b>	<p>Not raise any penalty interest until 30 September 2020 or to other timeframe otherwise determined by Council via the Emergency Hardship Policy (residential, commercial and industrial properties) \$300K</p> <p><b>Update:</b> Extension of the current rate deferral provisions in Council's existing Rates Hardship Policy to place on hold the raising of penalty interest on overdue rates payments until 30 June 2021 (31 August 2020 Ordinary Meeting) additional \$140K</p>				440,000		Due to the extension of the current rate deferral provisions, Finance is currently reviewing the quantum required to ensure continuation of the hardship relief.
<b>4. Rooming house monitoring and support</b>	<p>Increase monitoring and support of rooming houses, with hygiene checks and delivery of hygiene packs</p>					63,000	Environmental Health Officers have attended weekly meetings with DHHS & Peninsula Health to prepare Round 3 of the Rooming House Project. All rooming houses in the municipality will receive health concierge engagement from Peninsula Health and infection control packs. In addition to this, a nurse will be available for opportunistic covid swabbing for residents showing symptoms. Round 3 will commence on 15 October and was finalised early November.
					-	14,306	

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
5. Homelessness Shower operations	<p>Ensure increased volunteer support for the Homelessness Shower as needed, as well as additional cleaning costs</p> <p><b>Update:</b> Discontinuation of redeployment of staff (\$20K) to Impact Volunteering as it is no longer required (10 August 2020 Ordinary Meeting)</p> <p><b>Update 2:</b> Discontinuation of Homeless Shower Operations (\$50K) with funds moved to Item 56 Think Tank Innovation Grants (10 August 2020 Ordinary Meeting)</p>				-	-	Funding required to undertake cleaning of the homeless shower has been accommodated within the existing operational budget. Funds associated with this initiative have been redistributed to Innovation Grants and support of the Think Tank project. The Think Tank has been completed with a report now in development. Outcomes from the Think tank will be utilized to support innovation grant opportunities.
6. Homeless breakfasts	Enable takeaway options for homeless breakfasts				3,000	-	Activity complete
7. Crisis support service to socially isolated and elderly individuals (outgoing)	<p>Delivery of care packages, supporting volunteer food services and provision of wellbeing phone checks for the elderly and lone person households.</p> <p><b>Update:</b> At the November 23 Council meeting, it was resolved to move redeployed staff component of \$8K to Activity 7 - Crisis support. Amount was deducted from Activity 32 - Gardens for Wildlife (G4W)</p>				20,000	278,000	<p>Meals on Wheels Volunteers continue to be replaced by re-deployed staff from Family Health Support Service (FHSS) and other Council Departments. Team A and B at Meals on Wheels (MOW) to ensure that the MOW Kitchen remains operational if staff become unwell and staff need to be sent home to socially isolate also continues and as do the increased costs associated with model. This arrangement will need to continue going forward. FHSS is planning the slow planned return of volunteers however this will be constantly monitored and influenced by government recommendations and restrictions</p> <p>Wellbeing calls to elderly and lone household continue to be conducted by redeployed FHSS staff and the Community Recovery Centre call staff.</p> <p>A review of the redeployment funding required is currently being undertaken</p>
8. Support triage call centre / health chat room (incoming)	To manage the flow of calls for help and advice during a time when the community is experiencing significant stress				-	300,000	Single Social Bubble commenced 14 September 2020 and so a reduction in contacts, however contacts for clarification around the State directions increased. Contacts include calls, texts and emails.
					-	171,291	

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
9. Donation Drop-Off	<p>Establish drop off donation points (non-perishables only for secure bins) and distribute using volunteers/redeployed staff</p> <p><b>Update:</b> At the November 23 Council meeting, it was resolved to reduce Activity 9 - Donation Drop Off by \$8,333, resulting in a new total of \$1,667. Saving Moved to Activity 38B - Miscellaneous Fee Waivers</p>				1,667	17,500	Arts centre staff have continued to assist with the food collections across 3 bin locations in the Frankston LGA. The estimated in-kind value of nonperishable foods delivered to Community Support Frankston during November was \$2,000.
					-	19,198	
10. Parent resources	Engaging activities for children (e.g. exercise videos, arts and craft activities, Lego challenges, seasonal ideas, scavenger hunts) and digital learning/tutoring tools and experiences to assist with at-home learning				38,000	214,000	Resources including Studiosity, the online study assistance, Transparent Language Online and Haynes manuals have all been launched in the last quarter and have all been well received by the community. New ways to engage the community were introduced including the first 'Frankston Foodies' cooking tutorial and new content continued to be added to Niche Academy, the libraries online tutorial platform to help support the community in accessing e-platforms and resources.
					- 20,489	158,844	
11. Virtual Exercise	Share PARC Your Way to help with the health and wellbeing of the community				-	-	The PARC Your Way up has, and continues to be promoted where appropriate across all Council channels.
12. Emergency backup and support for Community Support Frankston (CSF)	<p>Additional support for CSF required for operational continuity (including administrative support for teams) in order to extend their ability to respond to the needs of the most vulnerable members of the Frankston community.</p> <p><b>Update:</b> Council resolved at the 14 December meeting to approve additional redeployment funding.</p>					525,000	Staff redeployments continued during December with a number of Youth Services and Arts Centre staff still assisting with service delivery. A number of volunteers are yet to return to Community Support Frankston and this redeployment support is extremely important to meet the increasingly high community demand.
					-	393,659	
13. Financial support for Community Support Frankston (CSF)	Provision of a grant to CSF to support Frankston City residents. This could be stipulated for emergency food or equipment purchased through local suppliers and utilities.				300,000		Community Support Frankston has received all the \$300K grant and it is being spent in accordance with the grant requirements. This grant is significantly helping CSF to meet unprecedented community demand for emergency relief and material aid assistance from a growing number of financially disadvantaged community members.
					- 300,000	-	

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
14. Student Scholarship program	Provide support to Frankston City students to support the purchase of text books and other necessities for study at higher education institutes (e.g. via the Carolyn Chisholm Scholarship program )				30,000 - 750		Seven applications have been received for Student Scholarship Grants, three have been approved for a total of \$954.79. The other four applications were unfortunately ineligible.
57. Waive Library Fees	Adopts the recommendation to discontinue library fines for customers who have overdue items and authorise the write off of 7 year historic overdue fines (21 September 2020 Ordinary Meeting) Report 12.2				275,520 - 275,520		Fines have been 'turned off' in the Library Management System and a quote received from Civica to remove old fine debt in the system. Current policies and procedure are undergoing a review by the Project Team

### Connected communities

15. Live Chat – Corporate Customer Service	Provide tailored front line customer service through online discussions on Council's corporate website				75,000 - 16,801	59,000 - 28,721	A live chat service was introduced on 25 March 2020 to enable continued safe contact with Council's Customer Service Tea. To date, more than 12,000 residents have utilised this service, which continues to be heavily promoted.
16. Engaging with the Library /FAC	Live streamed events such as virtual story-time, author talks, basic craft activity sessions, book chats, lifestyle classes, live chat, online ordering, home delivery, writing and art competitions, local history online, social media and eNewsletters etc.					135,000 - 173,997	<p>The start of the quarter saw the School Holiday Program delivered online, with a range of events available. A well-known illustrator, cooking classes, science experiment demonstrations, craft activities and the ever popular story times saw 5300 views.</p> <p>The September holiday program is currently being undertaken, with The Australian Ballet and a magician included in the program. The Peppa Pig story time was viewed by 2249 in the first hour, with a peak view of 689. To say it went global, we had people engaged from across the US, UK, India, Taiwan, Malaysia, in addition to our regular viewers across Australia.</p> <p>FAC INVENTION FACTORY. The online offerings include 3 x fun and instructional videos and showcase the making of a Rube Goldberg 'chain reaction machine'. Kids from ages 7-12 encouraged to watch the video content and utilise the companion lists (of items to use), available free on the FAC website to create their own chain reaction mechanisms at home. Participants invited to take part in two facilitated online zoom sessions with artist/performer Jens at his home studio for a Q &amp; A to help create their own works. Workshop on 23 September garnered 160 participants and workshop on 30 September, 80 participants. Successfully trialled Pay-what you tickets for this event. Purchases varied from \$0 - \$20 per ticket for FAC invention factory live sessions</p>

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
17. Creative collective	Artists/writers to create stories, short films and photos in response to current crisis, which could be collated as a creative reflection referenced for the future etc.				20,000		<p>Approximately 140 submissions of writing were submitted that focussed on this moment in time and are currently being edited to be published in an anthology 'Stories at the End of the Line'. 12 local artists pitched their work for the front cover of the anthology, Frankston based artist, Helen Di Tomasso was selected.</p> <p>The Lockdown Short Film Competition was launched that seeks entries that depict the time in our lives we entered or emerged from shutdown and social isolation. Scott Major will judge the entries in late October. Scott has worked extensively in television, theatre and film around the world for the last 30 years</p> <p>A workshop 'How to make a short film on your smart phone' was delivered via Zoom by Angela Blake co-founder of SF3 Smartphone Flick Fest, over 50 people zoomed in to gain practical tips and expert advice.</p> <p>All the components of this project will merge to present an exhibition in 2021 'This Time, Last Year' .</p>
18. a) Creative Industries and Artists Grants	*Creative Industries Grants (X8 \$2,500ea) featuring a mentoring program for artists to build skills for creative practice (e.g.. a visual artist may want to gain skills on creating a website to generate online sales or learn how to effectively use social media).				52,000		<p>81 submissions have been included in the final anthology from over 130 submissions. Final proofing underway before it is published in November</p> <p>Funding agreements received from artists.</p>
18. b) Creative Industries and Artists Grants	*Local Artist Grants (X8 \$4,000ea) to develop new work that can be presented online or digitally or the development of a new work to be presented at Cube when FAC reopens.				- 12,048		<p>Information and networking session held with successful grant recipients plus a number of FAC staff. Artists shared their projects and FAC staff indicated that their expertise is available to artists throughout their period of development to delivery</p>
19. Adaption of FAC programs	Purchase of equipment to be able to have in-house capacity to live stream upcoming performances and events to audiences (e.g. Daytime Musicals)				20,000		<p>Working on purchasing camera tripods for the equipment already purchased and then finalizing final budget expenditure.</p>
					- 12,324		

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
20. Online 'Green Our Future' events	Environmental events held via webinars, with topics potentially including alternative energy generation, using up leftovers, food storage, DIY cleaning products, climate emergency engagement, household waste and recycling				-	-	Forty nine community members attended the 'Inviting Frogs to your Garden' free webinar on 21 September. A draft report on the findings of Council's community climate change survey was received by officers. The findings will inform future events and Council's climate actions.
21. #enjoyingmybackyard campaign	Competition encouraging residents to create and share a video of them enjoying their backyard to win vouchers to local businesses offering delivery/takeaway				-	-	Completed
22. Sports fee waivers	Full waiver of sports club tenancy and ground allocation fees (winter season - until 30 September 2020 - or to other timeframe otherwise determined by Council)				150,000 - 149,516	-	Completed
23. War memorial fee waiver	Waive RSL War Memorial maintenance fee for 12 months (works undertaken by FCC)				7,000 - 7,000	-	Completed
24. Hard Waste Collection – anticipated increase in collection	Understanding that much of the community have been at home due to social distancing restrictions, it is anticipated that there will be an increase in the amount of hard waste. While this will not be promoted, additional capacity has been added to the collection from each household in order to ensure residents are not penalised for the additional volume (within reason).				400,000 -	-	The hard waste collection begins in May 2021. No expenditure is planned until May-June 2021.

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
<b>25. Repurpose Community Grants Program</b>	<p>Expand the funding pool and review existing criteria of the Community Grants Program to support the efforts of groups and organisations that are responding to the impacts of COVID-19 (\$500K)</p> <p><b>Update:</b> Repurposed Grants added of \$14,665 - June Ordinary Meeting 2020</p>				514,665  - 263,365		<p>The Community Grants criteria was revised in June 2020 and have been repurposed as part of the COVID-19 Relief and Recovery Package. The Round 1 (July) and Round 2 (September) COVID-19 Recovery Grant applications have been assessed and allocated. A further \$121,491.44 (made up of 32 recipients) has been awarded for the period 1/9/20 to 30/11/2020 (payments are now being rolled out). The final Round (3) will be opened for the month of February.</p>
<b>26. Repurpose Miscellaneous Grants Program</b>	<p>Repurpose the remaining 2019-2020 Miscellaneous Grants of \$29,000, with the full year 2020-2021 grant pool (\$76,000) available. Eligibility and grant criteria to be revised to best respond to the community needs emerging from COVID-19 impacts.</p> <p><b>Update:</b> Repurpose grants of \$110,000 added - June Ordinary Meeting 2020</p>				110,000  - 2,000		<p>The Miscellaneous Grant criteria was reviewed and repurposed in June 2020. Applications have been open since July 2020. A further \$21,985.30 in Urgent Grants has been awarded for the period 1/9/20 to 30/11/20 (payments are currently being rolled out).</p>
<b>27. Online youth engagement</b>	Engagement through workshops, videos, and connections shared via social media platforms						<p>The Youth Services team have been successfully delivering a wide range of remote workshops and engagements.</p>
<b>28. Frankston Comeback Campaign</b>	A series of activities to encourage people to feel confident to explore the city, foreshore areas and parklands within social distancing restrictions					11,000	<p>Digital resources and promotion developed and implemented across Discover Frankston and FCC Corporate digital platforms and e-communications channels.</p>
<b>29. Digital Street Art Scavenger Hunt</b>	Encourages people to explore the city and support businesses (in Visit Frankston app)						<p>Street Art Explorers Program available now on Discover Frankston website.</p>

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
30. Increased sanitisation schedule	Increased spray cleansing/sanitizing of park furniture in high priority reserves to reduce risk from increased informal visitation to parks (unemployment program)				50,000	55,000	Due to the Pandemic and stage 4 restrictions across, picnic facilities across the municipality have been closed to the public. These restrictions have also impacted on the progress and engagement of the additional cleaning team through the Working For Victoria programme. The recruitment process commenced at the end of September. It is anticipated that the additional cleaners will be engaged and commence additional cleaning during October. In light of the above additional cleaning and sanitising of picnic furniture has not yet commenced.
31. Community tree planting programs and hand weeding	Engage community (unemployed) to plant more trees through vouchers from indigenous nursery, as well as supervised hand weeding in streetscapes and reserves. This could be part of a broader SEM region-wide project				50,000	49,000	Currently undergoing recruitment of the workforce through the Working For Victoria programme. Initial mulch supply for gardens will be delivered in first two weeks of October, native plants have been ordered and will be installed by Working for Victoria staff commencing late October.
					- 5,086	- 314	
32. Gardens for Wildlife (G4W)	Modified G4W program to support online engagement, possibly with a delivery service if Indigenous Nursery cannot open to public				7,000	-	Inviting Frogs to your Garden' webinar was held on 21st September. We had 120 registrations and 49 attendees. The recording was sent to the 120 registered and all Gardens for wildlife participants. Follow-up survey was emailed to all participants with 62 responses received, 12 participants have requested follow up visits, 7 people interested in becoming volunteer garden guides and 13 plant orders have been placed. We are also delivering free giveaways to 25 participants and 8 volunteers.
					- 3,120	-	
33. Children's environmental activities	Environmentally themed children's activity sheets e.g.. bush scavenger hunt (in backyard), home composting, waste and recycling						A 6th Activity sheet on Night Owls has been prepared.
34. Digital Walking Tours	Within the Visit Frankston mobile app - initial tours including the Coastal Arts Discovery Trail and Langwarrin Flora and Fauna Reserve Historical Trail which will support a reactivation of public places (contracted project – delayed by COVID-19)				40,000	-	Finalising content and formalising approvals to install ibeacons on buildings throughout city centre. Tour routes include inner city street art trail and coastal arts discovery trail. Expected to be released in early 2021. Delayed due to lockdown restrictions impacting filming.
35. Graffiti removal	Removal of graffiti on private buildings in the city centre and neighbourhood shopping strips and resident front fences to road reserves to provide an enhanced sense of safety and to support public activity (as requested)						Council's Graffiti management team removed graffiti from private buildings in the CAA, neighbourhood shopping strips and residents front fences as part of the COVID-19 Relief and Recovery Package. This short term programme has now been completed.
					-	-	

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
36. Council car parking relief	First two hours of parking in Council owned and managed city centre off street car parks is provided for free (2020-2021). (Please note this excludes on-street parking in the city centre which is already provided for free and has localised time-restrictions)				125,000 - 8,296	-	In October there were 475 two hour tickets issued at no fee to a value of \$1,900.00. This is lower than expected due to stage 4 stay at home orders.
37. Advocate for cheaper privately owned car parks	Advocate to Vicinity Centres to implement free two hour car parking within their centre to encourage customers for 12 months				-	-	A letter has been prepared for the Board of Vicinity to consider Council's position that Bayside Shopping Centre car parks offer 2 hour free car parking for 12 months to assist attracting people back to the city centre once restrictions have been lifted.
38. a) Miscellaneous fee waivers	Full waiver of the Council only component for the following fees for the 2020-2021 financial year: <ul style="list-style-type: none"> <li>- Waterfront – Commercial/Community Events, filming/ photography per week</li> <li>- Parks, beaches, reserves, commercial/community filming/ photography per week</li> <li>- CAA Minor event fee – Half Day</li> </ul> <b>Update:</b> At the November 23 Council meeting, it was resolved to increase Activity 38B - Miscellaneous Fee Waivers, resulting in a new total of \$27,333. Increased by saving in Activity 9 - Donation Drop Off.				8,333 -	-	No event or filming fees were waived for September as the COVID restrictions haven't permitted these activities to occur.  We have approximately an additional \$3,400 to be waived which has not already been accounted for. That is, they were notified about the fee waiver although haven't had their event yet.
38. b) Miscellaneous fee waivers	Full waiver of the Council only component for the following fees for the 2020-2021 financial year: <ul style="list-style-type: none"> <li>- Permit – Commercial Project up to \$15,000</li> <li>- Permit – Residential – Minor works - \$5,000 to \$15,000</li> <li>- Permit – Residential/Fences – Minor works less than \$5,000</li> </ul>				19,000 -	-	The number of Building Permit requests were much higher than other years. A total of \$40,110 in fees were waived until end of October. As the allocated value has been exceeded the waiver of these fees has ceased.
39. Establish ParkRun within Frankston City	Funding support for initial equipment purchase and volunteering expenses required to establish two Park Runs (Frankston and Seaford) within the City				14,000 -	-	This will be programmed for next year once Covid restrictions permit.

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
54. Waive license fees and charges for Karingal PLACE and Ebdale Hub tenants	The license fees and charges for Karingal PLACE and Ebdale Hub tenants to be waived for the period 17 March 2020 – 31 August 2020, along with a waiver of further monthly charges during the 2020-2021 financial year, until the premises resumes occupation, following a lifting of COVID-19 restrictions (10 August 2020 Ordinary Meeting).				47,462	-	Tenants at Ebdale Hub and Karingal Place have been advised of the fee waivers as per the following letters sent: 1st Letter - Fee Waiver A4297805 2nd Letter - Fee Waiver A4283374 This has been applied from 17 March - 30th September. The figure above is calculated for the Jun-Sep 2020 period (remains an estimate based on previous averages until utility accounts are received in due course).
55. Waive rent charges for Frankston District Basketball Association, Frankston District Netball Association and the Frankston Yacht Club	The waiving of rent for the Frankston District Basketball Association, Frankston District Netball Association and the Frankston Yacht Club from 1 April 2020 – 30 September 2020, along with a waiver of further monthly charges during the 2020-2021 financial year, until the premises resumes occupation, following a lifting of COVID-19 restrictions (31 August 2020 Ordinary Meeting).				22,108	-	October waivers to be offered as restrictions are still in place.
56. Think Tank Innovation Grants	Establish the Think Tank project and approves repurposing \$50K of the Community Care Package (currently allocated to sanitisation of the homeless shower) to establishing five \$10K innovation grants to support implementation of ideas arising from the Think Tank.				50,000	-	The Think Tank initiative has been completed with a report now in development. Outcomes from the Think tank will be utilized to support innovation grant opportunities.
58. Frankston Bowling Club Interest on loan waiver	24 month deferral on loan repayments for Frankston Bowling Club and the wavier of interest on the loan for the next 24 months (21 September 2020 Ordinary Meeting)..				2,200	-	A new loan agreement is being drafted to reflect the changes to the loan following Council approval of the deferral

## Economy and employment

40. Business Concierge (crisis package)	Continue provided tailored and personal support to local businesses through a central point of contact for all business specific enquiries				-	115,000	Council continues to provide a dedicated Business Concierge service. Two staff have now been redeployed to this service, ensuring Council is able to successfully respond to local business requests for assistance.
41. Business Support (crisis package)	Outreach support, information and tools to advice businesses how they can plan, prepare, adapt, upskill and communicate with their customers and supply chain				52,000	15,000	Several resources have been developed to support businesses such as the Step by Step Guide. Council continues to provide Business Mentoring services and opportunities to engage with free online business events and workshops.
42. Priority payment of supplier invoices	Commitment to pay invoice(s) promptly, with suspension of the 30 day payment terms for the foreseeable future. Over 2,600 suppliers advised				-	-	Commitment to pay invoice(s) promptly, with suspension of the 30 day payment terms for the foreseeable future. Over 2,600 suppliers advised

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
<b>43. Rent relief for tenants of Council owned buildings</b>	<p>Full rent relief until 30 September 2020 (Beach Café, Waves Restaurant, Crackerjack and Sofia's (targeting the relief to businesses rather than the head-tenant to the extent that is allowed by the recently released Mandatory Code for Leasing).</p> <p><b>Update:</b> Approves the extension of rent waivers for Council's commercial hospitality tenants, Beach Café, Crackerjack, Sofias and Waves for the period from 1 October 2020 – 31 December 2020 (21 September 2020 Ordinary Meeting). Additional \$54,698 added to Mid Year Budget Review.</p>				184,698		Rent relief has been provided to tenants of Council owned buildings. Tenants have expressed gratitude for Council's continued support.
					- 109,012	-	
<b>44. Loyalty and marketing campaigns</b>	Support the business community through social distancing restrictions and then the recovery period by developing loyalty programs that target local businesses and a range of campaigns to guide and encourage residents to explore locally rather than leave the municipality (includes Flavours of Frankston).				40,000	10,000	Discussions are underway between Tourism and Visitor Services and Economic Development on opportunities to combine with Council's Buy Local campaign. Christmas business buy local promotion currently under development. Graze Frankston City scheduled to take place in March 2021.
					-	-	
<b>45. Place Activation Resourcing</b>	Continuation of the Place Maker position beyond current grant funded period (formerly City Centre Place Manager, concludes Feb 2021) and a calendar of activations to reinvigorate our city during recovery.				64,000	66,000	A calendar of activation is currently being programmed as part of Council's response to the Outdoor Dining and Entertainment Project. Activation's will commence in November 2020.
					-	16,283	
<b>46. Annual Business Survey – focussing on impact of COVID-19</b>	Identify the immediate impact of COVID-19 on businesses and analysis on how the businesses were trading prior					6,000	Council has analysed the immediate impact of COVID-19 on the local business community. As the pandemic continues, Council will continue to analyse the ongoing impact of the pandemic.
					-	22,103	

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
47. Kerbside Trading Permit fees	<p>Waive Kerbside Trading fees for 2020-2021 (\$30K)</p> <p><b>Update:</b> At the November 23 Council meeting, it was resolved to increase budget by \$45K, resulting in new total of \$75K. Increase is funded by savings of \$45K to Activity 52 - Unemployment Support Program.</p>				75,000	-	A total of \$70,545.00 has been waived for businesses with kerbside trading permits for FY 2020/2021, this exceeded the budget by \$40,545.00. An additional \$45K was allocated from the Economic Development budget to correct the overspend and to allow for other new application this FY to also be waived.
48. Food Act Registration fees	<p>Provide free registration for operators applying for a permit within three months (encourages early resumption of business)</p> <p><b>Updated Description:</b> Provide relief to small business and clubs when renewing their business registration in October 2020 (20 July 2020 Ordinary Meeting)</p>				130,000	-	Council has not received any requests from closed businesses to re-open. All business that have closed have been provided with a pro-rata refund and have remained closed. All 'small businesses' that are currently registered will receive a reduction in their registration fees for 2021.
49. Expansion of Invest Frankston Business Grant funding pool	<p>Review criteria to create fast grant opportunities and expand funding pool to support investment attraction and activate commercial and industrial premises to stimulate all sectors of the economy – including local manufacturing (\$270K)</p> <p><b>Update:</b> \$180K of Business Grants were repurposed to this item (this brings total funding to \$450K in 2020-2021). Adopted Budget for Business Grants was \$160K, with \$20K added to Mid Year Review.</p>				450,000	-	Council launched the Fast Business Grants in July 2020. Guidelines have since been updated to ensure they reflect the ongoing nature of the pandemic.
50. Investment Attraction	<p>Re-ignite interest from existing leads to fast track new investments, including fast track permits and activation grants</p>				-	-	Council is currently preparing a range of prospectuses designed to attract investment back into Frankston City. Council's Economic Investment Lead continues to proactively attract small to large scale investment.
51. Localised expenditure data analysis	<p>Analysis track the impact of Council initiatives during the recovery phase by analysing total local expenditure (by industry, suburb, resident and time of day). Council will be able to measure (in dollar terms) the return on investment of these activities and ensure further Council interventions can be best designed and targeted using an evidence base.</p>				50,000	-	Council is currently identifying suitable analytic tools for implementation. Is anticipated that this new resource will be implemented within the 2nd quarter of 2020-2021.

## Relief and Recovery Package Monthly Financial Report for December, 2020

Activities	Description	Short-term	Medium-term	Long-term	Additional Budget (Actual) \$	Value of Redeployed staff (Actual) \$	Status update
52. Unemployment Support Program (previously known as Job seeker support)	Establish a local job-seeker support initiative that works in partnership with existing Federal Government funded service providers to deliver interventions that respond to the emerging needs and gaps within the local job-seeker system to support residents to gain/retain employment.				55,000 -	-	An employment provider survey has been developed and deployed to industry sector specific organisations. survey results are currently being analysed and emerging gaps identified.
53. Localised network for job-seeker organisations	Establish a local jobseeker support alliance that would bring together key local stakeholders within the job-seeker service system to deliver a collaborative approach to the provision of support, referrals and advocacy to assist local job-seekers				10,000 -	-	An employment provider survey has been developed and distributed to industry specific representatives. This survey is currently being analysed with the intent to inform the development of an 'alliance' guiding framework.
59. Peninsula Community Legal	Advocacy and legal services for family violence and tenant's rights to Peninsula Community Legal. (14 December 2020 Ordinary Meeting)				103,000 -	-	
60. Frankston Charitable Fund	Support grant allocations to the Frankston Charitable Fund. (14 December 2020 Ordinary Meeting)				47,000 -	-	
61. Long Term vacant shop fronts	'Top up' existing grants to attract businesses to operate long term vacant shop fronts in the municipality. (14 December 2020 Ordinary Meeting)				50,000 -	-	
<b>Total Relief and Recovery package</b>					<b>5,402,653</b> <b>- 2,417,582</b>	<b>1,918,500</b> <b>- 1,364,866</b>	<b>0</b>

### **COVID-19 COMMUNITY SUPPORT GRANTS**

As part of Council's COVID-19 Relief and Recovery Package, a funding pool close to \$1 million in grants have been made available to support individuals, community groups, local clubs, artists, students and businesses survive and recover from the impacts of COVID-19.

The categories of grants, their purpose and the total value of the grant category are outlined below:

**COVID-19 Recovery Grants \$514,665 (\$291,731.44 has been awarded for the period 1/7/20 to 31/12/20 capped at \$10,000):** A one-off funding designed to assist community groups and organisations that are responding to the impacts of COVID-19. This grant covers a broad range of items including equipment, rent, utilities and community recovery initiatives.

**Inclusion Support Grants \$25,000 (\$2,561.25 has been awarded for the period 1/7/20 to 31/12/20):** Grants up to 75% of club fees, capped at \$200 are available for school-aged children up to 18 years to cover fees associated with participation in local sporting clubs.

**COVID-19 Urgent Relief Grants \$50,000 (\$26,985.30 awarded for the period 1/7/20 to 31/12/20 capped at \$4,000):** This grant assists grassroots community groups to access urgent funding for a range of items including equipment, rent, utilities, training and materials. The category also enables organisations to provide emergency community care such as the provision of food, mental health and well-being initiatives, and activities that connect residents.

**Environmental Sustainability Grants \$5,000 (\$2,000 has been awarded to two recipients for the period 1/7/20 to 31/12/20):** This grant supports community groups and organisations fund environmental and sustainability projects that align with the strategic vision for Frankston City's future. The four key assessment themes are: protecting and enhancing natural assets, wise use of natural resources, minimising environmental impacts and educating and engaging the community.

**Arts Project Grants \$4,000 x 8 Projects (\$32,000 awarded. All recipients receive 50% on the return of the funding agreement in late September and the balance will be paid to the artist on the conclusion of projects. This is for the period 1/7/20 to 30/6/21):** The grant offers artists the chance to develop new work that can be presented digitally or in a site specific location or venue when social distancing restrictions allow. This grant is now closed.

**Creative Industries PD Grants \$2,500 x 8 Projects (\$20,000 has been awarded to eight recipients; three recipients were awarded grants in July, one recipient withdrew their application and a further six grants of \$15,000 were awarded in November, following a second funding round).** All recipients receive 50% on the return of the funding agreement and the balance will be paid to the artist on the conclusion of projects. This is for the period 1/7/20 to 30/6/21): The grant includes a mentoring program for artists to build skills for creative practice. For example, a visual artist may want to gain skills to create a website in order to facilitate online sales, or learn how to effectively market their work using social media. This grant is now closed.

**Youth Grants \$10,000 (\$9,733.53 has been awarded for the period 1/7/20 to 31/12/20):** Grants are up to \$500 to support young people aged 12 to 24 years to purchase education resources and materials, and gain qualifications and accreditations to further develop their skills and improve the likelihood of obtaining long term future employment. This grant is now closed.

**Student Scholarship Grants \$30,000 (\$2,454.79 has been awarded for the period 1/7/20 to 31/12/20):** Grants up to \$750 to provide support to students to purchase text books and other necessities for study at a higher education institution.

**Fast Business Grants \$270,000 (\$77,709.51) has been awarded for the period 1/7/20 to 31/12/20):** The grant assist the ongoing operations of small businesses highly impacted by COVID-19, including the purchase and maintenance of equipment, rent, rates and other essential needs.

Council would like to congratulate the following successful applicants who are listed in accordance with the relevant category of grant.

#### **SUCCESSFUL RECIPIENTS BY GRANT CATEGORY**

##### **COVID-19 Recovery Grants**

The next funding round will open in February 2021.

##### **Inclusion Support Grants**

14 grant applications received and awarded funding between the period of 23/11/20 and 31/12/20. Please note that the names of young people have not been included for privacy reasons.

Congratulations to the successful applicants:

ISG202131 - \$112.50  
ISG202132 - \$112.50  
ISG202138 - \$112.50  
ISG202137 - \$112.50  
ISG202140 - \$131.25  
ISG202145 - \$112.50  
ISG202147 - \$112.50  
ISG202148 - \$112.50  
ISG202146 - \$112.50  
ISG202139 - \$112.50  
ISG202151 - \$112.50  
ISG202152 - \$112.50  
ISG202153 - \$180.00  
ISG202154 - \$112.50

##### **COVID-19 Urgent Relief Grants**

Urgent Relief Grants applications are assessed fortnightly. For the period of 1/7/20 to 31/12/20, a total of nine grant applications were received and awarded funding. One grant application was received and successful between the period of 23/11/20 and 31/12/20.

Congratulations to the successful applicant:

Greek Elderly Women's Club of Frankston - \$1,000

##### **Environmental Sustainability Grants**

Environmental Sustainability Grants are closed until 2021, when a second funding round will be released.

##### **Arts Project Grants**

Arts Project Grants are now closed.

### **Creative Industries PD Grants**

11 grant applications were received in November 2020, with six awarded funding. Successful recipients will be notified after the Council meeting in January 2021.

Congratulations to the successful applicants:

Miss G Anson - \$2,500  
Miss H Does - \$2,500  
Ms F Haasz - \$2,500  
Ms K Kraskov - \$2,500  
Miss B Clarke - \$2,500  
Ms R Lennon - \$2,500

### **Youth Grants**

Youth Grants are now closed for FY 20/21.

### **Student Scholarship Grants**

A total of five eligible applications have been received and awarded funds during 1/11/20 and 31/12/20.

Congratulations to the successful applicants:

Student Scholarship Recipient for TAFE Fees - \$750.00  
Student Scholarship Recipient for Placement Equipment - \$119.79  
Student Scholarship Recipient for Textbooks - \$85.00  
Student Scholarship Recipient for Textbooks - \$750.00  
Student Scholarship Recipient for TAFE Fees - \$750.00

### **Fast Business Grants**

88 grant applications received, 52 approved and paid, 13 ineligible, 23 requiring further information or currently being assessed. There are also 135 applications that have not yet been submitted for assessment.

Congratulations to the successful applicants for the period of 1/7/20 to 31/12/20:

Escape  
Curves Frankston  
Simply Brazilian  
Munk Pty. Ltd.  
Little Spice Australia Pty. Ltd.  
Black Dragon Tattooing Pty. Ltd.  
Marrs Mission Pty. Ltd. – Eeny Meeny Café  
Trinity Moto Pty. Ltd. – Saxon Sports  
Conference Audio Visual Pty. Ltd.  
NSWROZZIS4 Pty. Ltd. – Rozzi's  
KPAZ Pty. Ltd. – Peter Oram Shoes  
Modus Edu Langwarrin Pty. Ltd.  
Bobcats Basketball Australia  
Dollface by Brooke Anita  
AJ Hospitality Group  
Trustee for the Lifestyle Industries Trust  
Gemtaurgo Pty. Ltd.

Sk8House Pty. Ltd.  
WalZed Pty. Ltd.  
Cuvee Australia Pty. Ltd.  
M HE & Q ZOU (Food Star)  
Ocean Fund Pty. Ltd.  
Avonmont Pty. Ltd.  
Viva Er Pty. Ltd.  
S Abed-Elgani and RA Abed-Elgani  
Abracadabra Fancy Dress Hire Pty. Ltd.  
Cosmic Sound and Lighting  
Event Essentials Pty. Ltd.  
Mr. Frankie Pty. Ltd.  
The Trustee for Karisha Trading Trust  
Rong Bian  
Eyevue Pty. Ltd.  
As Trustee for Mishka Family Trust  
Leading Edge Careers Pty. Ltd.  
The Trustee for YL and XYL Family Trust  
Hayes Plumbing  
RA Brow Beauty Bar  
Baba on Wells  
Beach Café Seaford (Halifax Trading)  
Cosnett Training  
Bella Shine Beauty (Organica Nails)  
Gluten Free 4 U  
Ristorante Villa Torri P/L  
Campus Hospitality Pty Ltd  
Bathroom Connections Pty Ltd  
Diyu da dhaba Pty Ltd (the Spice Club Brasserie)  
Dolphin Bayside Pty Ltd Trustee for the Sciarrone Family Trust  
Thakur Enterprises Pty Ltd  
PNL4WDriving  
Starnext Pty Ltd  
The Viva Family Trust  
Martini & Co. Bayside Pty Ltd

Relief and Recovery Package adjustments

Activity Number	Actual	Original Budget/ Redeployment	New Budget amount	Variation	Variation Breakdown		Council meeting
					Budget	Redeployment	
<b>Package adopted at 11 May Ordinary Meeting</b>	<b>1,926,500</b>			<b>6,434,000</b>	<b>4,754,000</b>	<b>1,680,000</b>	
<b>Council resolutions;</b>							
3. Penalty Rate Freeze	602,767	300,000	440,000	140,000	140,000		31 August Ordinary meeting
5. Homelessness Shower operations	103 184	20,000 50,000	0 0	-20,000 -50,000	-50,000	-20,000	10 August Ordinary meeting 10 August Ordinary meeting
25. Repurpose Community Grants Program	236,365	305,000	304,665	-90,335	-90,335		June ordinary meeting
54. Waive license fees and charges for Karingal PLACE and Ebdale Hub tenants	0	0	47,462	47,462	47,462		31 August Ordinary meeting
55. Waive rent charges for Frankston District Basketball Association, Frankston District Netball Association and	0	0	22,108	22,108	22,108		31 August Ordinary meeting
56. Think Tank Innovation Grants	0	0	50,000	50,000	50,000		10 August Ordinary meeting
58. Frankston Bowling Club interest on loan waiver	0	0	2,200	2,200	2,200		21 September Ordinary meeting
43. Rent relief for tenants of Council owned buildings	109,012	130,000	184,698	54,698	54,698		21 September Ordinary meeting
57. Waive Library Fees	275,520	0	275,520	275,520	275,520		21 September Ordinary meeting
47. Kerbside Trading Permit fees	0	30,000	75,000	45,000	45,000		23 November Ordinary meeting
52. Unemployment support program	0	55,000	10,000	-45,000	-45,000		23 November Ordinary meeting
38. a) Miscellaneous fee waivers	0	19,000	27,333	8,333	8,333		23 November Ordinary meeting
9. Donation Drop-Off	0	10,000	1,667	-8,333	-8,333		23 November Ordinary meeting
7. Crisis support service to socially isolated and elderly individuals (outgoing)	316,456	270,000	278,000	8,000		8,000	23 November Ordinary meeting
32. Gardens for Wildlife (G4W)	2,535	8000 10,000	0 7,000	-8,000 -3,000	-3,000	-8,000	23 November Ordinary meeting
12. Emergency backup and support for Community Support Frankston	296,018	270,000	525,000	255,000		255,000	Due to the ongoing increased demand at CSF this is a request for additional redeployment dollars. There is a concern the demand will increase as we near Christmas and then the start of the 2021 school year.  The estimated in kind value of the food donations has been an average of \$1,000 per week for the last 6 weeks. We are looking at continuing this activity until the end of the calendar year to assist with the CSF Christmas Appeal.
9. Donation Drop Off	16,988	14,000	17,500	3,500		3,500	Advocacy and legal services for family violence and tenant's rights to Peninsula Community Legal. (14 December 2020 Ordinary Meeting)
59. Peninsula Community Legal			103,000	103,000	103,000		Support grant allocations to the Frankston Charitable Fund. (14 December 2020 Ordinary Meeting)
60. Frankston Charitable Fund			47,000	47,000	47,000		"Top up" existing grants to attract businesses to operate long term vacant shop fronts in the municipality. (14 December 2020 Ordinary Meeting)
61. Long Term vacant shop fronts			50,000	50,000	50,000		
<b>Current Adjusted Package</b>				<b>7,321,153</b>			
<b>Pending adjustments (EMT provisional approved variations);</b>							
Fee relief for sporting clubs and outdoor fitness providers			134,000	134,000	134,000		Extend the waiving of summer tenancy fees and ground hire for sporting clubs and outdoor fitness providers due to limited patronage.
49. Fast Business Grants		450,000	375,000	-75,000	-75,000		Reallocation of under-utilised activity funding to apply to the extension of fee waivers for sporting clubs and outdoor fitness providers
14. Student Scholarship Program		30,000	1,000	-29,000	-29,000		Reallocation of under-utilised activity funding to apply to the extension of fee waivers for sporting clubs and outdoor fitness providers
90. Increased Sanitisation		50,000	20,000	-30,000	-30,000		Reallocation of under-utilised activity funding to apply to the extension of fee waivers for sporting clubs and outdoor fitness providers
<b>Revised Adjusted Package</b>	<b>3,782,448</b>			<b>7,321,153</b>	<b>5,402,653</b>	<b>1,918,500</b>	

**Executive Summary****12.3 Setting of Mayoral and Councillor Allowances 2020-2024**

*Enquiries: (Brianna Alcock: Chief Financial Office)*

**Council Plan**

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

**Purpose**

To finalise the statutory process for setting the Mayoral and Councillor allowances, in accordance with section 74 of the *Local Government Act 1989*.

**Recommendation (Chief Financial Officer)**

That Council:

1. Having given public notice of its intention to set the Mayoral and Councillor Allowances in accordance with section 223 of the Local Government Act 1989, and having not received any submissions, hereby resolves the Mayoral and Councillor Allowances for the 2020/2021 financial year, be set at the maximum levels for a Category 3 Council, as determined by the Minister for Local Government and published in the Victoria Government Gazette (currently \$31,444 for Councillors and \$100,434 for the Mayor);
2. Notes the Minister for Local Government had conducted a review under section 73B of the Local Government Act 1989 and confirmed no adjustment to allowances will be made in respect to all Councils for the 2020-2021 financial year, in line with the Victorian Premier's recent decision determining a zero percent adjustment to Victorian Public Service executive remuneration;
3. Sets the Mayoral and Councillor Allowances for the remainder of the Council term (i.e. until October 2024), at the maximum amount specified in the relevant Determination of the Victorian Independent Remuneration Tribunal or by the Minister for Local Government;
4. Notes the Mayor, Deputy Mayor and Councillors have determined to receive the entire allowance;
5. Notes the allowances will be paid monthly in advance, with the amounts being subject to any variations or adjustments made by the Victorian Independent Remuneration Tribunal during the four year Council term; and
6. Notes an amount equivalent to the superannuation guarantee contribution under Commonwealth taxation legislation (currently 9.5%) is payable in addition to the allowance amounts. This contribution, which increases in accordance with the Commonwealth taxation legislation, is to be paid into the approved fund nominated by the Mayor and each Councillor, on a quarterly in-arrears basis for the 2020/2021, 2021/2022, 2022/2023, 2023/2024 and 2024/2025 financial years.

**Key Points / Issues**

- At its meeting on 16 November 2020, Council resolved:
  - “3. Authorises the giving of public notice of its intention to set the Mayoral and Councillor allowances for this financial year at the maximum level, and invites public submissions in accordance with section 223 of the *Local Government Act 1989*;

**12.3 Setting of Mayoral and Councillor Allowances 2020-2024****Executive Summary**

4. Following completion of the section 223 consultation process (including the hearing of any submissions), a further report be presented to Council to finalise the statutory process for the setting of the Mayoral and Councillor allowances for the 2020/2021 financial year”
- Section 39 of the *Local Government Act 2020* (“the Act”) provides for Council to pay an allowance to the Mayor, Deputy Mayor and Councillors, at the amount specified in the relevant Determination of the Victorian Independent Remuneration Tribunal (VIRT).
  - The VIRT must review and determine the allowances of the Mayor, Deputy Mayor and Councillors within 6 months after receiving a request from the Minister administering the Local Government Act 2020 to make the first determination.
  - The Minister for Local Government has confirmed that no adjustment to allowances will be made in respect to all Councils for the 2020-2021 financial year, in line with the Victorian Premier’s recent decision determining a zero percent adjustment to Victorian Public Service executive remuneration.
  - The current range limits will apply for Council. Council is currently set as a “Category 3 Council” under the Local Government Act 1989, which means:
    - Councillors can receive: \$13,123 - \$31,444; and the
    - Mayor can receive: up to \$100,434.
  - The recommended wording for Council’s resolution is intended to fix the allowances at the amount specified in the relevant Determination of the Victorian Independent Remuneration Tribunal, encompassing all annual adjustments made throughout the remainder of the Council term.
  - The payment of Mayoral and Councillor Allowances may not exceed one month in advance. Accordingly, these allowances are paid monthly in advance.
  - New provisions in the Local Government Act 2020 provide for each Mayor, Deputy Mayor or Councillor to determine if they wish to receive the entire allowance, part of the allowance or no allowance. The Mayor, Deputy Mayor and Councillors have determined to receive the entire allowance.
  - In addition to the allowances, the Mayor and Councillors are entitled to an additional payment of 9.5% which is the equivalent to the superannuation guarantee contribution. This contribution increases in accordance with the Commonwealth taxation legislation. It is paid into the approved fund nominated by the Mayor and each Councillor, on a quarterly in-arrears basis.
  - Notice of Council’s intention to set the allowances at the maximum levels for the 2020/2021 financial year was published in the Herald Sun and on Councils website on Saturday 28 November 2020 for a period of six (6) weeks. Closing date for submissions is Monday 11 January 2021. At the time of writing this report, no written submissions have been received.
  - It is recommended that Council resolves to set the allowances at the maximum levels, consistent with past practice.

**Financial Impact**

Provision is made within Council’s budget to fund the Mayor and Councillors’ allowances, expense entitlements and equivalent superannuation guarantee contributions.

**12.3 Setting of Mayoral and Councillor Allowances 2020-2024****Executive Summary****Consultation****1. External Stakeholders**

Community consultation was undertaken as required by the *Local Government Act* 1989. Notice was given of Council's intention to set the allowances at the maximum range and limit, and public submissions were invited. Closing date for submissions was Monday 11 January 2021. No written submissions were received.

**2. Other Stakeholders**

Available guidance from Local Government Victoria has been incorporated into this report.

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

It is important that the Mayor and Councillors are appropriately compensated for their time and efforts in fulfilling their civic commitments, and that such compensation is in keeping with community expectations.

**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

Section 39 of the Act provides for Council to pay an allowance to the Mayor, Deputy Mayor and Councillors, at the amount specified in the relevant Determination of the VIRT.

Council has complied with the relevant provisions of the *Local Government Act* 1989 including the specific provisions about the procedure for reviewing and determining the level of the Mayoral and Councillor allowances (section 74) and the right to make submissions (section 223).

Policy Impacts

There are no 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**

The Minister for Local Government has confirmed that no adjustment to allowances will be made in respect to all Councils for the 2020-2021 financial year, in line with the Victorian Premier's recent decision determining a zero percent adjustment to Victorian Public Service executive remuneration.

Council's intention to set the allowances at the maximum level for the 2020/2021 financial year was advertised in the Herald Sun and on Council's website. No written submissions were received.

**12.3 Setting of Mayoral and Councillor Allowances 2020-2024****Executive Summary**

It is recommended that Council now resolve to set the Mayoral and Councillor Allowances for the 2020/2021 at the maximum levels for a Category 3 Council, as determined by the Minister for Local Government and published in the Victoria Government Gazette and for the remainder of the Council term (i.e. until October 2024), at the maximum amount specified in the relevant Determination of the Victorian Independent Remuneration Tribunal.

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**ATTACHMENTS**

Nil

## Executive Summary

### 12.4 Appointment and Authorisation of Council Staff

*Enquiries: (Brianna Alcock: Chief Financial 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 appoint Council officers for the purpose of enforcing the *Planning and Environment Act 1987* and the *Local Government Act 2020*.

#### Recommendation (Chief Financial Officer)

That Council:

1. Pursuant to the provisions of Section 147 (4) of the *Planning and Environment Act 1987* and Section 313 of the *Local Government Act 2020* (Act), appoints the officers listed in the Instrument of Appointment and Authorisations; and
2. Authorises for the updated Instruments of Appointment and Authorisation to be signed and sealed.

#### Key Points / Issues

- For proper administration of section 147(4) *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*, ('Act') planning officers must be formally appointed as 'authorised officers' for the purposes of enforcing the Act.
- The recently enacted Local Government Act 2020, has resulted in legislative changes. To ensure the appointment of authorised officers are in line with best practice principles and comply with current legislation, the Governance Unit, in consultation with Council's external Lawyers and relevant Department Managers are conducting a review of Council's Instruments of Appointment and Authorisation (Instruments).
- Council's Lawyers have reviewed the provisions of the Acts 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 and building officers must be authorised by resolution of Council.
- A review of the Policy, Planning and Environmental Strategies department has been completed, resulting in all Instruments made under the *Local Government Act 1989* being updated to reflect the newly enacted legislation.
- The updated Instruments for the relevant Council officers has been prepared which is to be signed and sealed. This has been provided to Councillors under separate cover.
- Existing Instruments by Council issued to Policy, Planning and Environmental Strategies Officers will be revoked on the sealing of the new Instruments.

**12.4 Appointment and Authorisation of Council Staff****Executive Summary**

- Note the updated Instruments of Appointment and Authorisation are required be a confidential attachment on the grounds that it contains confidential information for the purposes of Section 77 of the Local Government Act 1989. This is pursuant to Section 72 of the Local Government Act 1989, as confidential information under Section 3(1) of the Local Government Act 2020.

**Financial Impact**

The authorisation of officers has no financial implications.

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

Not applicable.

**2. Other Stakeholders**

The authorisation of the officer listed for consideration have been discussed with the relevant Manager.

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

There are no environmental or social implications associated with this report.

**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

Officers are required to be appointed as authorised officers under Section 147(4) the *Planning and Environment Act 1987* and under Section 313 of the *Local Government Act 2020* to legally enforce and administer the Act.

Policy Impacts

There are no Policies that impact the decision of this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

Failure to provide authorisations would result in officers not being able to enforce or administer the law.

A suite of authorisations have been developed by Maddocks and are used by most councils across Victoria. Authorisations for other officers in the same or similar roles have been in place for many years without undue issues.

There are a range of checks and balances undertaken to ensure these powers are exercised appropriately. When no longer required these powers are revoked to ensure good governance practices are being maintained and the risks associated with inappropriate use are reduced.

**12.4 Appointment and Authorisation of Council Staff****Executive Summary****Conclusion**

Adoption of the recommendation within this report will give effect to recent legislative changes and facilitate the effective ongoing administration of the provisions of the Act.

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**ATTACHMENTS**

Attachment A: [↓](#) Draft s11a Instrument of Appointment and Authorisation by Council for Policy Planning and Environmental Strategies Department Staff



## Frankston City Council

### Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "officer" means -

██████████

**By this instrument of appointment and authorisation Frankston City Council -**

under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act.

**It is declared that this instrument -**

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 21 March 2014 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City Council was affixed hereto in the presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

### Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "officer" means -

██████████

**By this instrument of appointment and authorisation Frankston City Council -**

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 2<sup>nd</sup> March 2015 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City  
Council was affixed hereto in the  
presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

### Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "officer" means -

██████████

By this instrument of appointment and authorisation Frankston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 17 July 2018 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City  
Council was affixed hereto in the  
presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

### **Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)**

In this instrument "officer" means -

██████████

**By this instrument of appointment and authorisation Frankston City Council -**

under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 10 November 2014 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City Council was affixed hereto in the presence of:

Councillor:

Chief Executive Officer:



**Frankston City Council**

**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987*)**

In this instrument "officer" means -

██████████

**By this instrument of appointment and authorisation Frankston City Council -**

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

**It is declared that this instrument -**

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 10 November 2014 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City  
Council was affixed hereto in the  
presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

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**It is declared that this instrument -**

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 7 June 2010 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City Council was affixed hereto in the presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

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In this instrument "officer" means -



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2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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- (c) revoked upon resignation or employment with Council ceases.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

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- (b) remains in force until varied or revoked; or
- (c) revoked upon resignation or employment with Council ceases.

The instrument previously issued to ██████████ and dated 10 September 2018 is revoked.

This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City  
Council was affixed hereto in the  
presence of:

Councillor:

Chief Executive Officer:



## Frankston City Council

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Councillor:

Chief Executive Officer:



**Frankston City Council**

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This instrument is authorised by a resolution of the Frankston City Council on XX XXXX XXXXX

The Common Seal of Frankston City  
Council was affixed hereto in the  
presence of:

Councillor:

Chief Executive Officer:

**Executive Summary****12.5 Adoption of Public Interest Disclosure Policy**

*Enquiries: (Brianna Alcock: Chief Financial Office)*

**Council Plan**

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

**Purpose**

To present the updated Public Interest Disclosure Policy to Council for adoption.

**Recommendation (Chief Financial Officer)**

That Council:

1. Notes the Public Interest Disclosure Policy (Policy) was adopted by Council at its meeting on 31 August 2020, after being placed on public exhibition for six weeks, with no written submissions received;
2. Notes the Policy has been updated to include an option for using an external hotline service to make disclosures;
3. Notes this an administrative update to the Policy, which will not be publicly exhibited further; and
4. Adopts the updated Policy.

**Key Points / Issues**

- At its meeting on 31 August 2020, Council resolved:  
*That Council:*
  1. *Notes the draft Public Interest Disclosure Policy (Policy) was placed on public exhibition for six weeks, and that no public submissions were received; and*
  2. *Adopts the Public Interest Disclosure Policy.*
- The draft Policy (Attachment A) was placed on public exhibition for six weeks and no written submissions were received. The Policy was adopted by Council on 31 August 2020.
- Since the Policy was adopted in August 2020, officers have investigated options to enable an external service provider to receive disclosures.
- Stopline are an external hotline service that work in accordance with Council's policies. This ensures that anyone can make an anonymous disclosure and further protects the identity and confidentiality of the discloser.
- Officers consulted with other organisations who already use an external hotline service for disclosures and with lawyers at the Independent Broad-based Anti-corruption Commission (IBAC) to determine the suitability of this option.
- Section 59 of the Public Interest Disclosure Act 2012 requires that any public bodies who can receive disclosures must document their procedures and make these available to the public.

**12.5 Adoption of Public Interest Disclosure Policy****Executive Summary**

- As a result the procedures, which are contained within the Policy, have been updated to include the external hotline service. This is a minor administrative update to the Policy.
- Once adopted by Council, the updated procedures and Policy will be promoted internally with staff and placed on Council's website, replacing the existing procedures.
- It is recommended that Council now resolves to adopt the Policy.

**Financial Impact**

There are no financial implications associated with this report.

**Consultation****External Stakeholders**

The previous Policy was advertised on Council's website and placed on public exhibition for a period of six weeks, inviting members of the public to make a written submission. No written submissions were received and subsequently, the Policy was adopted by Council at its meeting on 31 August 2020.

Since the Policy was adopted, officers consulted with other organisations who already use an external hotline service for disclosures and with lawyers at the Independent Broad-based Anti-corruption Commission (IBAC) to determine the suitability of this option.

**Other Stakeholders**

The Policy is closely based on guidance material and resources prepared by IBAC, for use by public sector agencies.

Council's Executive Management Team and Audit and Risk Committee were consulted on the Policy prior to its adoption.

Training and guidance was provided to Managers and Coordinators and the Policy was promoted internally to staff and on Council's website.

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

Having a clear policy to guide the making and handling of public interest disclosures is an important integrity requirement. It is critical for Council's Policy to accurately reflect the updated arrangements for making a public interest disclosure.

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

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

Legal

The attached updated Public Interest Disclosure Policy was prepared to replace the existing Protected Disclosure Procedures. It incorporates changes made to the Public Interest Disclosures Act 2012 (formerly known as the Protected Disclosure Act 2012) which allow disclosures to be made about a broader range of improper conduct.

Policy Impacts

**12.5 Adoption of Public Interest Disclosure Policy****Executive Summary**

The updated Policy proposes to include an external hotline service which will meet the requirement of section 59 under the Public Interest Disclosure Act 2012 once the procedures in the Policy are updated.

**Officer's Declaration of Interests**

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

**Risk Mitigation**

Having a clear policy to guide the making and handling of public interest disclosures will assist with mitigating the risks associated with a range of improper conduct.

**Conclusion**

The procedures within the attached Public Interest Disclosure Policy have been updated to include an external hotline service option for anyone to make a disclosure.

The Policy was placed on public exhibition for a period of six weeks, and no submissions were received when it was adopted in August 2020. The update to the Policy is a minor administrative change and thus the Policy does not require further public exhibition.

It is recommended that the Policy now be adopted. Once adopted, the new Policy will replace the existing procedures on Council's website.

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**ATTACHMENTS**

Attachment A:[↓](#) Revised Public Interest Disclosure Policy

# Public Interest Disclosure Policy



A4375157

*Lifestyle Capital of Victoria*

## 1. Purpose and Intent

This Policy details the process for making a disclosure about improper conduct by an employee of Council (including agency staff, contractors, labour hire or volunteers) or a Councillor.

This Policy takes into account the changes that have been made to the Public Interest Disclosures Act 2012 ('Act') (formerly known as the Protected Disclosure Act 2012) from 1 January 2020, allowing disclosures to be made about a broader range of improper conduct.

## 2. Scope

This Policy applies to Councillors and all employees of Council, including agency staff, contractors, labour hire and volunteers.

## 3. Definitions

<b>Council:</b>	means Frankston City Council
<b>Corrupt conduct:</b>	means conduct of a public officer or public body that constitutes: a criminal offence; serious professional misconduct; dishonest performance of public functions; an intentional or reckless breach of public trust; an intentional or reckless misuse of information or material acquired in the course of the performance of functions as a public officer or public body; a substantial mismanagement of public resources; a substantial risk to health or safety of one or more persons; a substantial risk to the environment; or the conduct of any person that adversely affects the honest performance by a public officer or public body of his or her or its functions as a public officer or public body.
<b>Detrimental action:</b>	includes action causing injury, loss or damage; intimidation or harassment; discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action;
<b>IBAC:</b>	means Independent Broad-based Anti-corruption Commission



- Improper conduct:** includes corrupt conduct; a criminal offence; serious professional misconduct; dishonest performance of public functions; intentional or reckless breach of public trust; intentional or reckless misuse of information; substantial mismanagement of public resources; substantial risk to health or safety of a person; substantial risk to the environment; conduct of any person that adversely affects the honest performance by a public officer of their functions; and conduct of any person that is intended to adversely affect the effective performance by a public officer of their functions for the benefit of the other person
- IOC:** means Integrity and Oversight Committee
- Public Interest Complaint:** means a public interest disclosure that has been determined by IBAC, the Victorian Inspectorate or IOC to be a Public Interest Complaint)
- Public Interest Disclosure:** means disclosure by a natural person of information that shows / tends to show or information that the person reasonably believes shows / tends to show improper conduct or detrimental action.

#### 4. Authorisation

This Policy is managed by the Governance and Information Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

-----  
Mayor, Frankston City

-----  
CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Council meeting of xx.

#### 5. Revision date

This Policy will be reviewed and presented to Council no later than April 2026 or earlier if deemed necessary by Council. The Policy will remain in force until it is revised or revoked by a resolution of Council.

#### 6. Policy

##### What is a public interest disclosure?

A public interest disclosure is a report about:

- Improper conduct of public bodies or public officers (eg. corrupt conduct)
- Detrimental action that a public officer or public body has taken against a person, in reprisal for the making of a public interest disclosure.

A disclosure can relate to conduct or action that may have already taken place, may be occurring now, or may happen in the future.

#### **Who can make a disclosure?**

Anyone can make a disclosure about improper conduct or detrimental action, verbally or in writing.

A disclosure can be made by an individual, or by a group of individuals making a joint disclosure together.

Council's Public Interest Disclosure Coordinator can only deal with disclosures that relate to an employee of Council. A disclosure about a Councillor or the Chief Executive Officer must be made directly to IBAC or the Victorian Ombudsman.

#### **How to make a public interest disclosure**

##### *Verbal disclosure*

You can make a verbal disclosure to Council in person, by telephone or by leaving a voicemail message. Refer to the following pages for information about who to approach.

A verbal disclosure must be made in private. This means that you must reasonably believe that only the following people are present or able to listen to the conversation:

- Yourself;
- Your lawyer (if any); and
- One or more people to whom a disclosure can be made under the Act or Regulations.

This does not preclude a group of individuals from making a joint disclosure at one time.

##### *Written disclosure*

A written disclosure can be provided to Council by personal delivery, by post or by email. Disclosures cannot be made by fax.

##### *Anonymous disclosure*

A disclosure can be made anonymously. However, this creates potential difficulties which may affect the outcome of the matter, and you will not be notified of the outcome.

All correspondence, phone calls and emails from internal or external disclosers will be referred to the Public Interest Disclosure Coordinator. The Public Interest Disclosure Coordinator has the authority to make enquiries of officers and employees within Council.

If you are contemplating making a disclosure and you are concerned about approaching the Public Interest Disclosure Coordinator (or the Deputy Public Interest Disclosure Coordinator, the Chief Executive Officer, or the relevant supervisor, manager or director), you can telephone or email the Public Interest Disclosure Coordinator (or the Deputy Public Interest Disclosure Coordinator, the Chief Executive Officer, or the relevant supervisor, manager or director) and request a meeting in a discreet location away from the workplace.

Alternatively, make a disclosure to Frankston City Council's Hotline. This is an independent service run by Stoptline that enables anyone to report, anonymously if requested, improper conduct issues.



Select any of the following methods for reporting a disclosure:

<p><b>Frankston City Council Hotline</b></p>	<p>Telephone: 1300 30 45 50 (in Australia)                  Email: <a href="mailto:frankston@stopline.com.au">frankston@stopline.com.au</a>                  On-line: <a href="https://frankston.stoplinereport.com">https://frankston.stoplinereport.com</a>                  Mail: Frankston City Council c/o Stopline, PO Box 403, Diamond Creek, VIC 3089                  APP: Smart phone APP (free download from the Apple iTunes store and Google Play)                  Frankston City Council Hotline is an independent disclosure management service run by Stopine.</p>
<p><b>Public Interest Disclosure Coordinator</b></p>	<p>Mrs Brianna Alcock                  Public Interest Disclosure Coordinator                  CONFIDENTIAL                  Frankston City Council                  PO Box 490                  FRANKSTON VIC 3199                  Email: <a href="mailto:brianna.alcock@frankston.vic.gov.au">brianna.alcock@frankston.vic.gov.au</a>                  Telephone: 03 9784 1751  <i>Please ensure all correspondence contains the wording "Confidential" either in the subject matter for email or on the envelope for mail or hand delivery. For mail or hand delivery, please ensure the letter is enclosed in a sealed envelope.</i></p>
<p><b>Deputy Public Interest Disclosure Coordinator</b></p>	<p>Mrs Fran Boyd                  Deputy Public Interest Disclosure Coordinator                  CONFIDENTIAL                  Frankston City Council                  PO Box 490                  FRANKSTON VIC 3199                  Email: <a href="mailto:fran.boyd@frankston.vic.gov.au">fran.boyd@frankston.vic.gov.au</a>                  Telephone: 03 9784 1774  <i>Please ensure all correspondence contains the wording "Confidential" either in the subject matter for email or on the envelope for mail or hand delivery. For mail or hand delivery, please ensure the letter is enclosed in a sealed envelope.</i></p>



<p><b>Chief Executive Officer</b></p>	<p>Mr Phil Cantillon                  Chief Executive Officer                  CONFIDENTIAL – PROTECTED DISCLOSURE                  Frankston City Council                  PO Box 490                  FRANKSTON VIC 3199</p> <p>Email: <a href="mailto:phil.cantillon@frankston.vic.gov.au">phil.cantillon@frankston.vic.gov.au</a></p> <p>Telephone: 03 9784 1800</p> <p><i>Please ensure all correspondence contains the wording “Confidential” either in the subject matter for email or on the envelope for mail or hand delivery. For mail or hand delivery, please ensure the letter is enclosed in a sealed envelope.</i></p>
<p><b>Director, Manager or Supervisor</b></p>	<p>A disclosure made to a Director, Manager or Supervisor will be referred to the Public Interest Disclosure Coordinator or Deputy Public Interest Disclosure Coordinator for actioning.</p> <p><i>Please ensure all correspondence contains the wording “Confidential” either in the subject matter for email or on the envelope for mail or hand delivery. For mail or hand delivery, please ensure the letter is enclosed in a sealed envelope.</i></p>

**What is the process when a disclosure is made?**

If a disclosure is reported to the Frankston City Council Hotline the concerns will be received confidentially, anonymously if requested, and the confidential information provided to the Public Interest Disclosure Coordinator. Then the procedural requirements to deal with the disclosure will be followed.

The Public Interest Disclosure Coordinator will immediately acknowledge the disclosure, make an assessment and determine if it qualifies as a public interest disclosure.

If the disclosure does not meet the requirements as a public interest disclosure, you will be notified within 28 days. If it does meet the requirements, it will be referred to IBAC who will deal with the matter and you will be notified immediately.

In some cases it may be necessary for the Public Interest Disclosure Coordinator to take immediate action and report criminal conduct to Victoria Police, without revealing the identity of the discloser.

As a discloser, you must not reveal when a public interest disclosure has been referred to IBAC for investigation.

If a disclosure has been made to Council which does not relate to an employee of Council or a Councillor, this will be referred to IBAC for assessment within 28 days.

### **How will I be protected?**

If you make a disclosure you will:

- not be subject to any civil, criminal or administrative liability for making a disclosure, unless the disclosure is knowingly false or misleading;
- not have anyone take detrimental action taken against you.

You are protected as soon as you make a disclosure, even if the matter is yet to be determined.

Whilst there are no consequences if you report something that does not qualify to be a public interest disclosure, it is an offence to deliberately make a false disclosure, and penalties may apply.

### **What reassurances are there to ensure disclosures remain confidential?**

The Act requires information about the identity of a discloser, including the content of the disclosure, to be kept confidential.

To minimise the risks of information inadvertently being revealed or being known by others within Council, the Public Interest Disclosure Coordinator will:

- remind staff that if they make a disclosure they must keep it confidential;
- limit the number of people who can be made aware of the discloser's identity;
- limit the number of people who can be made aware of information that could identify the discloser;
- ensure a secure electronic or paper filing system for the receipt, storage, assessment and notification of public disclosures are in place; and
- develop a risk management plan for every disclosure to manage the risk of confidentiality breaches.

### **What will Council do to manage my welfare?**

The Public Interest Disclosure Coordinator understands that a disclosure by any person takes courage. If you make a disclosure, Council will support you by:

- keeping you informed of the process and any actions taken;
- reiterating the legislative or administrative protections that are available to you;
- providing active support, and ensuring that all reasonable steps are taken to protect you;
- managing expectations by having an early discussion to determine what outcome you want, whether your expectations are realistic and what Council will be able to provide;
- developing a risk management plan to manage the welfare of those involved in every public interest disclosure; and
- maintaining confidentiality by ensuring as far as possible that other people cannot identify you as the discloser.

### **What are the limitations on protections?**

A person will not be protected if they make a false disclosure or provide false or deliberately misleading statements (these are criminal offences).

A person who makes a disclosure is not protected against legitimate management action and will be held liable for their own conduct that they disclose as part of the protected disclosure.

### **What are the protections for public officers?**

A public officer, being an employee of Council, is given specific protections under the Act. When a public officer acts in good faith and in accordance with the Act, Regulations and the IBAC's Guidelines, the public officer does not commit an offence under laws imposing a duty to maintain confidentiality or restricting the disclosure of information.

### **What is the penalty for making a false disclosure?**

It is an offence to make a false disclosure, or to deliberately provide false or misleading information that relates to a public interest disclosure. The penalty under the Act is 120 penalty units or 12 months imprisonment or both.

## **7. Roles and responsibilities**

### **Public Interest Disclosure Coordinator and Deputy Public Interest Disclosure Coordinator**

The role of the Public Interest Disclosure Coordinator is to:

- Receive all disclosures, including phone calls, emails and letters from members of the public or staff;
- Assess disclosures in accordance with the Act;
- Notify all assessable disclosures to IBAC within 28 days;
- Establish and manage a secure filing system and processes to ensure confidentiality;
- Manage the welfare of a discloser and advising them of protections that are available under the Act;
- Track the actions taken in relation to disclosures; and
- Collate and report statistics on disclosures via Council's Annual Report.

The Deputy Public Interest Disclosure Coordinator will perform the same duties and functions in the absence of the Public Interest Disclosure Coordinator or if the disclosure relates to the Public Interest Disclosure Coordinator.

### **Chief Executive Officer**

The Chief Executive Officer of Council will:

- receive disclosures directly from employees, Councillors and members of the public, if approached;
- appropriately document any verbal disclosure received;
- immediately refer any disclosure received to the Public Interest Disclosure Coordinator (or to the Deputy Public Interest Disclosure Coordinator, if the Protected Disclosure Coordinator is absent or if the disclosure relates to the Protected Disclosure Coordinator);
- take all necessary steps to ensure that information received or obtained in connection with a disclosure, including the identities of the discloser and the person or persons to whom the disclosure relates, are kept confidential, private and secure at all times.

### **Supervisors, managers and directors**

Supervisors, managers and directors will:

- receive a disclosure directly from an employee they are supervising, if approached;
- receive a disclosure directly from any person regarding an employee they are supervising, if approached;
- appropriately document any verbal disclosure received;
- immediately refer any disclosure received to the Protected Disclosure Coordinator (or to the Deputy Protected Disclosure Coordinator, if the Protected Disclosure Coordinator is absent or if the disclosure relates to the Protected Disclosure Coordinator);
- take all necessary steps to ensure that information received or obtained in connection with a disclosure, including the identities of the discloser and the person or persons to whom the disclosure relates, are kept confidential, private and secure at all times.

### **Employees, Councillors and members of the public**

Employees, Councillors and members of the public are encouraged to raise known or suspected incidences of improper conduct in relation to Council, in accordance with the Act and this Policy.

Employees, Councillors and members of the public must:

- refrain from any activity that it, or could be perceived to be, victimisation or harassment of a discloser;
- protect and maintain the confidentiality of a person they know or suspect to have made a disclosure.

### **Stopline**

Stopline are an independent service provider to Frankston City Council, whose role is to:

- Receive disclosures, including phone calls, emails and letters from members of the public or staff;
- appropriately document any verbal disclosure received;
- refer any disclosure received to the Public Interest Disclosure Coordinator (or to the Deputy Public Interest Disclosure Coordinator, if the Protected Disclosure Coordinator is absent or if the disclosure relates to the Protected Disclosure Coordinator);
- take all necessary steps to ensure that information received or obtained in connection with a disclosure, including the identities of the discloser and the person or persons to whom the disclosure relates, are kept confidential, private and secure at all times.

## **8. Policy non-compliance**

Failure to comply with this policy may constitute a breach of the Act, Councillor Code of Conduct or the Staff Code of Conduct.



## 9. Related documents

- Public Interest Disclosures Act 2012 (formerly known as the Protected Disclosure Act 2012)
- Public Interest Disclosures Regulations 2019
- Independent Broad-based Anti-corruption Commission Act 2011
- IBAC’s Guidelines for making and handling protected disclosures, [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)
- IBAC’s Guidelines for protected disclosure welfare management, [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

## 10. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be published on Council’s website and intranet.

## 11. Document History

Date approved	Change Type	Version	Next Review Date
31 August 2020	New	1	April 2026
27 January 2021	Further update to include additional method for reporting disclosures to Stopline, an external service provider.	2	April 2026

## Executive Summary

### 12.6 Sexual Harassment Policy and Procedure

*Enquiries: (Fran Boyd: Business Innovation and Culture)*

#### Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.2 Enhance a high performing culture

#### **Purpose**

To brief Council on the Sexual Harassment Policy and Procedure.

#### **Recommendation (Director Business Innovation and Culture)**

That Council:

1. Notes the Sexual Harassment Policy (Policy) and Procedure;
2. Endorses the Policy to be placed on public exhibition for a period of six (6) week; and
3. Seeks a report back no later than April 2021 to adopt the Policy, taking into account any submissions received.

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

The Victorian Auditor General's Office conducted an Audit into Sexual Harassment in Local Government in May 2020. In this Audit they examined whether councils provided their staff and councillors a workplace that is free from sexual harassment. In undertaking this audit they looked at:

- The prevalence and nature of sexual harassment in councils
- Councils policies, training and communication
- The effectiveness of councils' complaint handling

VAGO conducted a sector wide survey which received responses from 9,939 employees and councillors from 75 councils. In addition to the sector wide survey VAGO did an in-depth study into 5 Councils, Frankston City Council was selected for as one of the councils for this in-depth study.

VAGO made a number of recommendations, including that Council Introduce a standalone sexual harassment policy that:

- aligns with the Victorian Equal Opportunity and Human Rights Commission's Guideline: Preventing and responding to workplace sexual harassment, Complying with the Equal Opportunity Act 2010 and the Victorian Public Sector Commission's Sexual Harassment Model Policy;
- includes clear links to other relevant council policies and procedures;
- covers the applicability of council policies to different roles and workplace settings, including councillors, customer-facing staff and members of the public;
- is searchable on council intranet sites or cloud software, and available in hard copy to all staff.

In response to the VAGO recommendation Council have developed a Policy on Prevention of Sexual Harassment in the Workplace and a Procedure on Managing

**12.6 Sexual Harassment Policy and Procedure****Executive Summary**

Sexual Harassment in the Workplace. This policy and procedure are applicable to both staff and Councillors.

There are a number of additional initiatives, in line with the VAGO recommendations, that will be implemented from February 2021, including mandatory training for all staff and Councillors.

**Financial Impact**

There are financial costs, however, these costs can be accommodated within existing budgets.

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

Council has consulted with the relevant Union on the development of this policy.

**2. Other Stakeholders**

Council has consulted with staff on the development of this policy.

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

There are no environmental/economic/social impacts.

**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

This policy complies with the legislative requirements of the Victorian Equal Opportunity Act 2010 and the Sex Discrimination Act 1984.

Policy Impacts

Adoption of this policy may require minor amendments to existing Councils Policies and protocols such as the Employee Code of Conduct and the Councillor Code of Conduct. These Policies and protocols will be reviewed separately.

Officer's Declaration of Interests

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

**Risk Mitigation**

Adoption of this policy will mitigate risks of incidents of sexual harassment and minimise the psychological injuries and loss of productivity that can arise from sexual harassment by staff, Councillors, volunteers, contractors and members of the public.

**Conclusion**

This Policy and Procedure are requirements of VAGO and represent best practice in managing sexual harassment in organisations.

12.6 Sexual Harassment Policy and Procedure

**Executive Summary**

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**ATTACHMENTS**

Attachment A: [↓](#) FCC Sexual Harassment Policy

Attachment B: [↓](#) FCC Sexual Harassment Procedure

# Prevention of Sexual Harassment in the Workplace Policy



(REM number)

*Lifestyle Capital of Victoria*

## 1. Purpose and Intent

Sexual Harassment is unlawful and prohibited by both the *Equal Opportunity Act 2010* (Vic) and the *Sex Discrimination Act 1984* (Cth).

Frankston City Council is committed to providing a safe, flexible and respectful environment for workers and clients that is free from all forms of sexual harassment. This policy applies to councillors, staff, volunteers, contractors and clients of Council and sets out the legal responsibilities and obligations for Council and its workers.

## 2. Principles

The principles associated with this policy are that:

- sexual harassment is unlawful and will not be tolerated in the workplace;
- a single incident can constitute sexual harassment;
- Frankston City Council has a positive duty to ensure the health and safety of workers:
  - to eliminate risks to health and safety so far as is reasonably practicable; and
  - if it is not reasonably practicable, to eliminate risks to health and safety, to reduce those risks so far as is reasonably practicable.
- Council workers may be subject to internal disciplinary procedures and may be held personally liable if allegations of sexual harassment are substantiated against them;
- legal action (civil and/or criminal) may be taken against a person who has engaged in sexual harassment outside of council operations;
- Frankston City Council recognises that comments and behaviour that do not offend one person can offend another.

All Council workers are required to treat others with dignity, courtesy, respect and professionalism and must not engage in unlawful conduct, including sexual harassment.

## 3. Scope

This policy applies to circumstances (including but not limited to):

- all aspects of employment, including Council meetings.
- on-site, off-site, work-related social functions, conferences – wherever and whenever Council workers may be as a result of their working duties;

- out of work hours interaction where there is a strong connection to the employment relationship through personal or social media interaction; and
- Council workers treatment of other Council workers, clients and members of the public encountered in the course of their working duties.

Council acknowledges that whilst performing duties as Council workers, that workers may experience behaviour that constitutes sexual harassment outside of Council locations and/ or by an individual not connected with Council. Council will liaise with the responsible authority to ensure proper procedures are followed and will provide support services.

When managing reports of sexual harassment, Frankston City Council will also refer to relevant Codes of Conduct.

#### 4. Definitions

**Accommodations:** Actions that Council can take to support workers who have been subjected to sexual harassment to enable them to continue working and socialising at Council. These can be developed on a case by case basis and can for example involve:

- Implementing safe measures
- Change to rosters
- Changes to reporting lines
- Temporary or long term workplace re- assignment

Accommodations may be provided to a person regardless of whether the person who perpetrated the harassment is associated with Council. Accommodations can be made as a result of reporting an incident of Sexual Harassment, or a formal complaint. **Accommodations are focussed on ensuring a person's wellbeing.**

**Bystander:** includes a person who observes someone sexually harassing another person.

**Client** includes all persons to whom services are provided by Frankston City Council.

**Complaint:** a statement (verbal or written) containing allegations of sexual harassment.

**Complainant:** a person who has made allegations, whether orally or in writing, about sexual harassment

**Consent:** means the free and voluntary agreement to participate in an activity which may include an intimate or sexual relationship given by a person with the cognitive capacity to do so. Consent is not freely and voluntarily given if the person is:

- Under force
- Unconscious or asleep
- Under the influence of drugs or alcohol
- Under threat or intimidation
- In fear of bodily harm
- Subjected to the exercise of authority

- Under false or fraudulent representation about the nature or purpose of the act, or
- Under a mistaken belief that the offender was someone else (i.e their sexual partner)

Consent can be given and subsequently withdrawn at any point

**Duty of Care:** Council's Duty of Care requires all workers and clients to take reasonable care in order to avoid reasonably foreseeable harm that may arise. The safety and wellbeing of workers and clients is the first priority in any situation

**Incident Register:** is a confidential register that is maintained by People and Culture. All reports and complaints of sexual harassment are recorded on the Incident register to enable Council to identify patterns in behaviours, or high risk activities or workplace areas, and to monitor progress in eliminating sexual harassment.

**Natural Justice:** (also known as procedural fairness) is concerned with the rights and procedures used by a decision maker in making a decision, rather than the substance of the decision made. It requires a fair and transparent process. The complainant and respondent must both be afforded natural justice, which includes the respondent being sufficiently informed of the allegation to allow for a meaningful response.

Natural justice requires:

- The right to be notified of the allegations, including the particulars of the allegation
- The right to be heard
- The right to be treated without bias or conflict of interest, and
- A decision based on evidence

These rules involve complainants and respondents having a reasonable opportunity to prepare and present a case, and to have their case considered justly.

**Respondent:** the person identified by the complainant and /or investigator as having engaged in the alleged behaviour;

**Sexual Harassment:** is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature that is done to offend, humiliate or intimidate another person, or where it is reasonable to expect the person might feel that way.

Sexual harassment may include:

- Displays of graphic materials including posters, cartoons or messages left on noticeboards, desks, or common areas;
- Repeated invitations to develop closer or intimate relationship after prior refusal;
- Unwelcome or uncalled for remarks or insinuations about a person's sex or private life;
- Comments of a sexually suggestive nature about a person's appearance or body;
- Sexually offensive phone calls
- Offensive emails and text messages of a sexual nature
- Unwanted sexual attention using internet, social networking sites and mobile phones
- Sexually offensive screen savers or posters
- A publication, such as sexually offensive emails or graphics
- Threats online of a sexual nature
- Revenge porn
- Sexual propositions
- Indecent exposure
- Stalking
- Pressuring a staff member to engage in sexual behaviour for some employment benefit

- Making real or perceived threats that reject sexual behaviour will carry negative consequences for the staff member

Sexual harassment is unlawful when it falls within the relevant statutory definition under the Sex discrimination Act 1984(Cth). Indecent exposure and stalking are criminal behaviours.

**Support person/representative:** Any employee has the right to invite a support person into a meeting with their manager. A support person provides emotional or practical support to the employee, but does not act as an advocate for the employee.

A support person can be anyone who the employee thinks can provide them with support – a friend, partner, family member, lawyer, union representative or colleague

**Worker** includes employees of Frankston City Council as well as Councillors, persons seeking employment, contract workers, consultants, agency staff, students and volunteers. The legislation and instruments mentioned in this policy may apply to particular categories of staff. It is the term used to describe all members, at all levels of the Frankston City Council workforce.

**Vexatious:** A complaint is deemed to be vexatious if it is:

- Dishonest or contains intentionally misleading information
- Malicious; pursued with undue persistence
- Has the intent to harass or cause delay or detriment or
- Is pursued in a manner that threatens, menaces or harasses a member of Council or staff.

## 5. Authorisation

This Policy is managed by the People and Culture Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

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Mayor, Frankston City

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CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Council meeting of xx.

## 6. Policy

### 6.1 Commitment:

#### 6.1.1 Frankston City Council confirms that:

- Council is committed to the rights of all workers to work, live and socialise in an environment that is based on inclusivity and respect;
- All people have a right to an environment free from sexual harassment while engaged in activities undertaken as part of their work or other association with Council;
- Sexual harassment will not be tolerated under any circumstances;
- Sexual harassment in employment is unlawful under various legislative enactments as listed in the related documents and legislation sections of this policy;
- Council will use educative approaches for the prevention of sexual harassment, to inform all council workers of their rights and responsibilities, and to encourage the reporting of behaviour and practises that contravene this policy, and ensure that Councils systems and

processes are not discriminatory. These educative approaches include mandatory completion of Council's Sexual Harassment training module:

- All council workers must complete the module as part of their induction process;
  - All existing council workers are to complete the online module within 3 months of release of the online module
  - Ongoing workers must complete the module every two years;
  - Completion of the Sexual Harassment Awareness Module is a condition of ongoing employment as relevant;
- The wellbeing and needs of the person who has been subjected to sexual harassment are at the centre of Frankston City Council's response;
  - Frankston City council recognises that the alleged perpetrator of sexual harassment will require support and access to Council support resources and will proactively implement these to ensure ongoing health and wellbeing
  - Sexual harassment can also progress to sexual assault. Councils' response to sexual assault is integrated with specialist sexual assault services. Council has referral protocols in place with sexual assault services and works together with these services to meet the needs of our workers;
  - Natural justice principles apply to the implementation of this policy as well as the handling of reports and complaints under this policy;
  - Except to the extent that disclosure is required, or authorised by legislation, confidentiality will be maintained to the greatest possible extent, with communication limited to persons to whom disclosure is made (consistent with position and responsibility), or those with specific responsibility to assist in the resolution of the complaint;

#### 6.1.2 Council acknowledges that:

- Sexual harassment may be perpetrated or experienced by people of any sexual orientation or gender identity and may be a single incident or a persistent pattern of unwelcome behaviour;
- Sexual Harassment most often occurs in relationships of unequal power or authority, although it may also take place between peers. In providing a working environment free from harassment, it is important to recognise that certain groups may be particularly vulnerable, including:
  - Indigenous women
  - People from non- English speaking backgrounds
  - People with disabilities
  - People working in non- traditional areas
  - Women working in isolated areas;



**6.1.3 With respect to sexual harassment Council:**

- Encourages any person who has experienced or witnesses and sexual harassment by, or toward a Council worker, to report the incident. A report can be anonymous, and the person reporting is able to, but does not have to identify the other person/ people involved. Council can provide support to a person making a report ( if they have identified themselves) including accommodations and precautionary measures;
- Records all reports and complaints of sexual harassment on the Incident register to enable Council to identify patterns in behaviours, or areas of Council, and to monitor progress in eliminating sexual harassment;
- Will follow due process, and afford natural justice to all parties. Council will ensure that there are single points of contact wherever possible
- Will ensure that individual wellbeing and the reduction of harm are key drivers in any response to sexual harassment.

**7. Roles and responsibilities**

Every worker of Council has the following obligations to:

- Take reasonable care for their own health and safety
- Take reasonable care for the health and safety of others;
- Comply with any reasonable instruction from Council, and
- Comply with all applicable Council policies and procedures.

A Bystander who observes someone sexually harassing another person, should address the person offending at the time, if they are able to, and if it is safe to do so. Bystanders should let the person subjected to the offence know that they have noticed and ask what they can do to assist.

Some members of Council have further obligations in respect of their positions or delegated authority that is their responsibility to understand.

Staff group	Responsibilities
Councillors	All Councillors are to uphold the provisions within the Local government Act 2020 and: <ul style="list-style-type: none"> <li>• Demonstrate good governance and ethical behaviour in the provision of all services to the community and in the management of council;</li> <li>• Ensure management has the appropriate measures to detect and prevent sexual harassment within Council and the community;</li> <li>• Undertake mandatory induction within 6 months of taking the oath of office</li> </ul>



Staff group	Responsibilities
	<ul style="list-style-type: none"> <li>• Seek advice from CEO/Manager People &amp; Culture if an incident of sexual harassment or sexual assault is identified, reported or experienced;</li> <li>• Maintain the confidentiality required by this policy;</li> </ul>
<p>CEO, Directors, Managers, Supervisors, Coordinators, Team Leaders</p>	<p>All employees in Council in management or supervisory positions have the responsibility to ensure that, when an instance of sexual harassment is brought to their attention, they need to take appropriate action to address or remedy the situation <u>immediately</u>:</p> <ul style="list-style-type: none"> <li>• Ensure employees under their supervision, whether these be staff, volunteers, students are familiar with Councils policies and procedures regarding conduct , and undertake mandatory training where required;</li> <li>• Discuss Council’s sexual harassment policies, and related procedures with workers at designated team meetings and check for understanding;</li> <li>• Ensure all workers are aware of Councils Code of Conduct</li> <li>• Model exemplary behaviours in regards to themselves</li> <li>• Monitor workplace behaviours to ensure compliance</li> <li>• Remove inappropriate material, including sexually inappropriate material from the work and community environment</li> <li>• Take appropriate and early action using relevant procedures when they observe instances of potential sexual harassment, even without or prior to a report or complaint being made</li> <li>• Follow up promptly and undertake appropriate action when a sexual harassment matter is raised with them;</li> <li>• Advise and/or refer parties to relevant support services, policies and procedures;</li> <li>• Maintain the confidentiality required by this policy;</li> <li>• Seek the advice from People and Culture if an incident of sexual harassment is identified or reported</li> </ul>
<p>Manager People &amp; Culture</p>	<ul style="list-style-type: none"> <li>• In addition to other accountabilities and responsibilities identified in other council policies and procedures and EBA, will facilitate the provision of education and information to discourage sexual harassment for workers;</li> <li>• Will monitor the effectiveness of this policy</li> </ul>

## 8. Policy non-compliance

- 8.1 Breaches of this policy by a council worker, will constitute a breach of the Employee Code of Conduct, or in the case of a breach by a councillor, the Councillor Code of Conduct. Council may

instigate disciplinary proceedings for the alleged breach of code of conduct. Breaches of this policy by Councillors will be addressed through council's procedure prescribed for Council members through the Councillor Code of Conduct.

## 9. Related documents

Unreasonable Customer Conduct protocol  
Child Safe Policy and Standards  
Councillor and Staff interaction policy  
Councillor Code of Conduct  
Staff Code of Conduct  
Workplace Behaviours Procedure  
Occupational Health, Safety and Wellbeing Strategy  
Workplace Grievance and Complaints policy and procedure

### Legislation Commonwealth:

Occupational Health and Safety Act 2004  
Sex discrimination Act 1984  
Workplace Gender Equality Act 2012

### Legislation Victoria:

Equal Opportunity Act 2010

## 10. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be distributed throughout Council by the People and Culture team members utilising available communication channels.

Members of the People and Culture team will be available to support employees to gain clarity and subsequent engagement with this policy if required.

## 11. Document History

Date approved	Change Type	Version	Next Review Date

## Appendix 1 – Sexual Harassment Quick Reference

<b>Frankston City Council</b>	<b>Frankston City Council Security</b>	In an emergency call 000 Available 24/7 to report any incident or behaviour.
	<b>STOPLINE</b> <a href="http://www.stopline.com.au">www.stopline.com.au</a> Online chat service phone: 03 9882 4550 0487 333 099	24 hr access – Hotline service  Specialise in acting as the expert intermediary between disclosers and their organisation.  Caring, expert staff receive disclosures via a comprehensive range of channels, expertly assess and document these, inform the client organisation of the issue, followed by completing a formal report and follow-up. The process ensures people can safely and confidentially raise concerns about inappropriate workplace behaviour.
	<b>Centre Against Sexual Assault (CASA)</b>  South East metro ( main office) 11 Chester Street, Bentleigh PH: 9928 8741 <a href="http://www.secasa.org.au">www.secasa.org.au</a>  <b>Outreach offices:</b>  Cranbourne Community centre 156 Sladen Street, Cranbourne PH: 9928 8741  1 Hartnett Drive, SEAFORD PH: 9928 8741  Pakenham Health Centre Henty Way, Pakenham 3810 PH:9928 8741	Provides:-  <ul style="list-style-type: none"> <li>• Crisis Care,</li> <li>• Counselling and Advocacy</li> <li>• Support groups</li> <li>• Young people support</li> <li>• Education and Training</li> <li>• Men’s programs</li> <li>• Resources</li> <li>• Links</li> </ul>
	<b>Employee Assistance Program</b>  Employee Assistance program <a href="https://www.smghealth.com.au/">https://www.smghealth.com.au/</a>  EAP Helpline: 1800 273 865 Email: areuok@smghealth.com.au	Provides:-  <ul style="list-style-type: none"> <li>• Counselling</li> <li>• Support</li> <li>• Coaching</li> <li>• Manager Hotline</li> <li>• Trauma support</li> <li>• Wellbeing checks</li> </ul>



<p><b>Victorian Equal Opportunity and Human Rights Commission</b> <a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a> Phone: 1300 292 153 To make a complaint: <a href="https://makeacomplaint.humanrights.vic.gov.au">https://makeacomplaint.humanrights.vic.gov.au</a></p>	<p>Deals with complaints:</p> <ul style="list-style-type: none"><li>• Discrimination,</li><li>• Sexual harassment</li><li>• Victimization</li><li>• Racial or religious vilification</li></ul>
<p><b>Fair Work Commission</b> <a href="http://www.fwc.gov.au">www.fwc.gov.au</a> Phone: 1300 799 675 (9 – 5pm) Monday to Friday  Online lodgement: <a href="https://www.fwc.gov.au/disputes-at-work/how-the-commission-works/lodge-application/online-lodgment-service">https://www.fwc.gov.au/disputes-at-work/how-the-commission-works/lodge-application/online-lodgment-service</a></p>	<p>Provides information on:</p> <ul style="list-style-type: none"><li>• Workplace rights and obligations</li><li>• Bullying and harassment</li></ul>

# Managing Sexual Harassment In the Workplace Procedure



(REM number)

*Lifestyle Capital of Victoria*

## 1. Purpose

This procedure outlines how Frankston City Council will manage incidences of Sexual Harassment when it is reported by an employee, Councillor, volunteer, client or member of the public.

This procedure should be read in conjunction with the Sexual Harassment Policy. Sexual Harassment will not be tolerated under any circumstances. Frankston City Council is committed to the rights of all workers and clients to, work, live and socialise in an environment that is based on inclusivity and respect.

## 2. Scope

This procedure applies to all members of staff, Councillors and Volunteers. The scope of this policy includes but is not limited to:

- All council work areas
- Managed council work areas
- Managed digital environments
- Activities and situations related to Council business that are not concluded on Council premises including, but not limited to :
  - Conferences
  - Places of accommodation whilst travelling
  - Placements and secondments
  - Inter council events
  - Parties and other social functions
- 'Worker' is defined inclusively to include employees of Frankston City Council as well as Councillors, persons seeking employment, contract workers, consultants, agency staff, students and volunteers. The legislation and instruments mentioned in this policy may apply to particular categories of staff. It is the term used to describe all members, at all levels of the Frankston City Council workforce.
- 'Client' is defined inclusively to include all persons to whom services are provided by Frankston City Council.
- For the purpose of this procedure, a worker who has experienced an incident of Sexual Harassment is referred to as the Complainant.
- For the purpose of this procedure, a worker responding to an allegation (s) of sexual harassment is referred to as the Respondent.

Procedure:	Date approved:
Approved by:	Last revision:



### 3. Procedure

#### Obligations of Workers

Sexual Harassment is a serious example of harassment, and is prohibited under legislation. Every worker of Frankston City Council, regardless of their connection with Council, has the following obligations:

- Take reasonable care for their own health and safety,
- Take reasonable care for the health and safety of others,
- Comply with any reasonable instructions from Council, and
- Comply with all applicable Council policies and procedures
- Any worker may be a First Responder. A First Responder is a person who is confided in by another person who has experienced or is currently experiencing an incident/s of sexual harassment. First Responders need to listen with compassion, respect, privacy and confidentiality; and encourage the person to seek support.
- Any worker of Council may be a Bystander. A Bystander includes a person who observes someone sexually harassing another person, including sexual assault. A Bystander should call 000 in the case of observed sexual assault. A Bystander can address the person offending at the time, if they are able to do so, and it is safe to do so. Bystanders should let the person subjected to the harassment/ offence know they will do what they can to help.
- First Responders and Bystanders are encouraged to be mindful of their own capabilities in these circumstances and ensure that any action undertaken promotes safety.
- Some Council Officers have further obligations in respect of their positions or delegated authority identified in this procedure and which it is their responsibility to understand.
- Specifically in relation to Sexual Harassment, all workers are to:
  - Undertake mandated training for their position and/ or roles as specified;
  - Model exemplary behaviours in this regard themselves;
  - Monitor workplace behaviours to ensure compliance with policies;
  - Not place any inappropriate material, including sexually inappropriate material, in the work or community environment;
  - Report any incidences to People & Culture or their manager when they observe instances of potential Sexual Harassment;
  - Seek the advice of the Protected Disclosure Coordinator;
  - Seek advice from the Manager People & Culture if an incident of Sexual Harassment is identified;
  - Complete the Sexual Harassment Formal Complaint form if required.

#### Council Support

Council understands that if a council worker experiences Sexual Harassment they may require counselling support in addition to having the matter resolved. Workers are able to seek support from Council’s Employee assistance Program (EAP) which provides a confidential and free counselling service available to all Council staff and immediate family members.

Employee Assistance Program <a href="https://www.smghealth.com.au/">https://www.smghealth.com.au/</a>	EAP Helpline Phone 1800 273 865	Email <a href="mailto:areuok@smghealth.com.au">areuok@smghealth.com.au</a>
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Procedure:	Date approved:
Approved by:	Last revision:



## 4. Reporting an incident of Sexual Harassment

- 4.1 Anyone who has experienced an incident of Sexual Harassment should provide information to Council by speaking to the People & Culture team or their Manager. All workers, at any time, can pursue processes external to Council, including the police.
- 4.2 Alternatively, there is an anonymous reporting system set up by Council. **Stoptime** is available to anyone who has experienced or has witnessed an incident of Sexual Harassment. Contact information for **Stoptime** can be found in [Section 10: Related Information & Documents](#).
- 4.3 Councillors who experience an incident of Sexual Harassment or assault can provide information to the Mayor, CEO, Manager People and Culture.
- 4.4 Where an allegation of Sexual Harassment is made through a complaint against a Councillor it will be referred to the CEO for investigation under the Councillor Code of Conduct.
- 4.5 Where an allegation of Sexual Harassment is made through a complaint against a member of the public it will be referred to the Manager People & Culture and/or CEO for investigation referencing the Unreasonable Customer Conduct protocols.
- 4.6 Council have a duty of care to investigate the Sexual Harassment incident if there is a risk to the health and safety of the employee(s).
- 4.7 Any complaint received by Manager People & Culture (or delegate), CEO or Mayor (Councillors) will be assessed to check matters including:
  - a. That the appropriate support services of Council have been engaged
  - b. Any safety or other risks associated with the Complaint and any investigation requirement arising from the complaint;
  - c. That there is sufficient information to proceed;
  - d. That the individual has been made aware of and understands the complaint process and possible implications for them.
- 4.8 If Council commences an investigation and an external process (i.e. criminal charge) is also being pursued, Council may continue or suspend its investigation (after advising the complainant). Council will continue to provide support in all cases.
- 4.9 Results of any investigation carried out by People & Culture may include:
  - Behaviour counselling; or
  - Disciplinary proceedings including termination of employment.
- 4.10 A worker of council may have a representative present when attending any meetings relating to Sexual Harassment. If the Complainant or Respondent are unable to come to Council for the meeting, alternative methods of contact can be arranged.
- 4.11 All incidences of Sexual Harassment reported to Council are recorded in Council's Confidential Risk Register by the Manager People and Culture, and the CEO is notified. This will enable Council to identify patterns in behaviours and to monitor progress in eliminating sexual harassment.

Procedure:	Date approved:
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## 5. Bystander reporting

- 5.1 Any person who witnesses an incident of Sexual Harassment should report it to the People & Culture team, or their Manager.
- 5.2 Councillors who witness an incident of Sexual Harassment can provide information to the Mayor, CEO or Manager People & Culture
- 5.3 The report is received by the Manager People & Culture and is recorded in the Confidential Risk Register.
- 5.4 The Manager People & Culture (or delegate) will contact the person who has made the report (if they are identified) to explore options. Both can provide support, including facilitating access to Council's EAP provider if needed.
- 5.5 Making a Bystander report does not start an investigation, but it does mean that the Manager People & Culture (or delegate) can advise the person subjected to sexual harassment on their options to make a formal complaint.
- 5.6 Council recognises that persons subjected to sexual harassment can directly address the behaviour at the time that it happens if able to do so. Council has no expectation or suggestion however, that the person who is subjected to sexual harassment should have to address the behaviour directly with the person who is/ has harassed them.
- 5.7 Council seeks to be very clear on its expectations that Bystanders, particularly supervisors and managers, have a responsibility to also address the person/s who act inappropriately in the workplace following the outlines in this procedure and to the best of their abilities.
- 5.8 Potential outcomes may include:
  - Behaviour counselling;
  - The requirement for other person/ people to undertake internally provided training programs;
  - An apology being made by the other person/people to the person who has been subjected to sexual harassment; and/or
  - Disciplinary proceedings, including termination of employment.

## 6. Reports or complaints made by third parties

- 6.1 Anonymous, and third party, reports of Sexual Harassment may also be made.
- 6.2 Council may be unable to proceed with an investigation involving anonymous or third party reports due to a lack of evidence from the individual who was directly subjected to the sexual harassment.
- 6.3 The Manager People & Culture (or delegate) may take other steps, including an approach by a third party to see if the individual affected would consider making a formal complaint.

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Approved by:	Last revision:



- 6.4 On receipt of an anonymous or third party report, the Manager People & Culture (or delegate) will undertake an initial inquiry to determine whether sufficient evidence and standard of proof on the balance of probabilities exists.
- 6.5 Where sufficient evidence and standard of proof exists, Council may decide to proceed with investigating an allegation without a formal complaint, particularly where patterns of behaviour have become evident.
- 6.6 If Council is unable to proceed with an investigation involving anonymous or third party allegations, the reporting will be retained by Manager People & Culture and recorded on the Confidential Risk Register.
- 6.7 All parties subject to an investigation will be afforded natural Justice and have the right to have a support person/ representative with them.
- 6.8 Potential outcomes may include:
  - Behaviour counselling;
  - The requirement for other person/ people to undertake internally provided training programs;
  - An apology being made by the other person/people to the person who has been subjected to sexual harassment; and/or
  - Disciplinary proceedings, including termination of employment.

## 7 False allegations and/ or vexatious Complaints

- 7.1 Reports (whether oral or in writing) made in bad faith and/or including false information in the course of an investigation may lead to allegations of Harassment and result in disciplinary action against the person.
- 7.2 If the formal complaint is found to be vexatious, Council may take action against the Complainant under Council's disciplinary policy and contained within FCC Enterprise agreement.

## 8 Appealing Council decisions

A respondent who is not satisfied with Councils decision regarding a complaint of a sexual nature should refer the matter to an appropriate external party.

## 9 Definitions

Except as otherwise specified in this procedure, the meaning of terms used in the procedure are as the sexual harassment policy.

## 10 Related information and documents

### Commonwealth laws

Australia Human Rights and Equal Opportunity Commission Act 1986  
Sex Discrimination Act 1984  
Workplace Gender Equality Act 2012

Procedure:	Date approved:
Approved by:	Last revision:



**Victoria legislation**

Work Health and Safety Act 2004

Equal Opportunity Act 2010

Charter of Human Rights and Responsibilities Act 2006

**Council Policies/procedures**

Councillors Code of Conduct

Staff Code of Conduct

Child Safe Policy and Standards

Workplace Behaviours procedure

Disciplinary procedure

Staff Grievance and Complaints policy and procedure

OHS and wellbeing policy

Unreasonable Customer Conduct protocol

**Stoptline**

The Frankston City Council email is: [frankston@stoptline.com.au](mailto:frankston@stoptline.com.au)

The Frankston City Council microsite: <http://frankston.stoptlinereport.com>

The Frankston City Council SharePoint site:

<https://stoptlineptyltd.sharepoint.com/sites/FrankstonCityCouncilPortal>

Procedure:	Date approved:
Approved by:	Last revision:

## Executive Summary

### 12.7 Draft Community Engagement Policy

*Enquiries: (Elizabeth Holley: Business Innovation and Culture)*

#### Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.2 Enhance a high performing culture

#### Purpose

To brief Council on the Draft Community Engagement Policy (Policy) required under the new Local Government Act, and to seek endorsement of the Policy subject to a community consultation process.

#### Recommendation (Director Business Innovation and Culture)

That Council:

1. Notes the Draft Community Engagement Policy (Policy);
2. Notes the Community Engagement Plan;
3. Endorses the Policy to be publicly exhibited for a period of 2 weeks;
4. Notes the legislative requirement for the Policy to be adopted on or before 1 March 2021;
5. Seeks a report back no later than 1 March 2021, to adopt the Policy, taking into account any submissions received; and
6. Notes a strategic community engagement framework will be brought to Council for endorsement at 28 June 2021 Council meeting.

#### Key Points / Issues

- At its meeting on 21 September 2020, Council adopted an Interim Community Engagement Policy. Council resolved:  
*That Council:*
  1. *Notes the Interim Community Engagement Policy (the policy) was publicly exhibited for a period of 4 weeks and no written submissions were received;*
  2. *Adopts the Policy; and*
  3. *Receives a further report by February 2021, detailing any further community engagement requirements of the new Local Government Act.*
- Under the new Local Government Act 2020 (the Act) there is a statutory requirement for Council to have a Community Engagement Policy in place on or before 1 March 2021. Section 55 of the Act requires Council to develop the Policy 'in consultation with the municipal community.
- Council currently has an Interim Community Engagement Policy in place. Since the establishment of the new Community Engagement function within the Business Innovation and Culture Directorate, the new Draft Community Engagement Policy (Policy) has been developed. To ensure compliance with the legislation by 1 March 2021, the Policy is now presented to Council for endorsement, subject to and prior to a process of community consultation.

**12.7 Draft Community Engagement Policy****Executive Summary**

- The community consultation process to be used for the Draft Policy will follow current Council practices of public exhibition, with a parallel process of engaging the municipality as widely as possible in a two week period (28 January -12 February 2021), using existing engagement methods. At a minimum, this will include the use of the Social Pinpoint Engagement Platform; accessing the ~130 community members who have registered to be contacted for future engagement activities, plus the ~40 people from the Community Panel, if consent is given by them for this. It will also include the targeted use of social media and relevant print media.
- Once the Draft Policy has been finalised post community consultation, a comprehensive Framework and Toolkit will be developed. A more targeted and thorough engagement process, using both deliberative and consultative methods, will be undertaken with both community and Council during that time.
- The Act requires Councils to apply deliberative engagement practices. The Act does not prescribe the deliberative engagement practices to be used, however the key characteristics of deliberative engagement include:
  - authentic engagement with the community;
  - good representation of the community in engagement activities;
  - clear demonstration of how all views have been considered;
  - accessible and relevant information available to the community to ensure the decision-making process and the community's level of influence is clear in each instance and that participants are fully informed.
- The new function of Community Engagement within the Business Innovation and Culture Directorate has been implemented to ensure Council has a best practice approach in this space. It will ensure that Council meets all legislative requirements, that Council understands the needs of the community, there is increased trust between the community and Council, and increased focus on advocacy and actions that are valued and needed by the community.

**Financial Impact**

There are financial costs, however, these costs can be accommodated within existing budgets.

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

The Draft Policy and the Community consultation process responds to a legislative and statutory requirement under the Act.

**2. Other Stakeholders**

The Executive Management Team has been consulted and endorse the Draft Policy to come to Council.

**12.7 Draft Community Engagement Policy****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

There are positive social implications in the community from being engaged in this process.

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

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

Legal

Council has a statutory and legislative obligation to implement a Community Engagement Policy in accordance with Section 55 of the Act, including community consultation, on or before 1 March 2021.

Policy Impacts

This Draft Policy will replace the Interim Community Engagement Policy adopted at the 21 September 2020 Council Meeting. It is also consistent with Council's Privacy Policy.

Officer's Declaration of Interests

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

**Risk Mitigation**

Current standard operating procedures are robust and effective enough to ensure that risks in this process are able to be managed to within acceptable levels.

**Conclusion**

Council is required to implement a Community Engagement Policy on or before 1 March 2021, to meet the legislative requirements of the Act. The process and timeline proposed to achieve this should be sufficient. Once the new Policy is in place, a comprehensive process to develop the Framework and Toolkit will be established. Significant engagement and consultation will form part of that process at that time.

It is recommended that Council endorse the Draft Policy for public exhibition.

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**ATTACHMENTS**

Attachment A:[↓](#) DRAFT Community Engagement Policy

Attachment B:[↓](#) Community Engagement Plan

# Draft Community Engagement Policy



(REM number)

*Lifestyle Capital of Victoria*

## 1. Purpose and intent

Council is driven by the privilege of serving our community, and providing leadership and visionary thinking to ensure Frankston City is recognised as the Lifestyle Capital of Victoria.

Council recognises that good community engagement is an essential foundation of a strong community and promotes active citizenship, participation and a healthy democracy.

Good community engagement enables a close and respectful relationship between Council and its community through an active exchange of information and ideas. This promotes shared understanding, innovation and sustainable decisions that represent the interests of the broader community.

Importantly, good community engagement underpins strong governance, and ensures transparency, integrity and trust in Council decision-making and processes.

This Policy is a formal expression of Council's commitment to engaging and collaborating with our diverse local communities, to understand and incorporate their different views, experiences and expertise.

Council's approach to community engagement is consistent with the Act, and this Policy outlines Council's commitment, principles and values to ensuring community engagement is integrated into all Council activities.

The Policy sets the vision for a consistent and coordinated approach to Council's engagement with its community.

## 2. Scope

This Policy applies to the planning, design, implementation and evaluation of community engagement activities as directed by Council, recommended by staff, or legislated by the Act.

The Policy also outlines the role that community members can reasonably expect to play in our planning and decision-making processes.

For the purpose of this Policy, Council identifies the community as anyone affected by Council's decisions. The Frankston community can be defined as individuals or groups who live, work, play, visit, study, invest in or pass through Frankston.

They could share a geographical location; characteristic or interest. Each person within our community has the potential to be a stakeholder in Council's engagement activities.



The Policy will be supported by a comprehensive Community Engagement Framework and Toolkit, designed to guide Council officers in the effective planning, implementation, reporting and evaluation of community engagement activities.

### 3. Definitions

<b>Community members</b>	means people who live in the municipal district of the Council; people and bodies who are ratepayers of the Council; traditional owners of land in the municipal district of the Council; and people and bodies who conduct activities in the municipal district of the Council.
<b>Council</b>	means Frankston City Council.
<b>Deliberative Engagement</b>	means the deliberative engagement practices included in this Policy.
<b>The Act</b>	means the <i>Local Government Act 2020</i> .

### 4. Authorisation

This Policy is governed by the Manager Community Relations and is approved by Frankston City's Council's Mayor and Chief Executive Officer (CEO):

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Mayor, Frankston City

-----  
CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Council Meeting of xxxx.

### 5. Policy

#### 5.1 Engagement principles:

- 5.1.1 Council's approach to community and stakeholder engagement is guided by the community engagement principles set out under Section 56 of the Act, as follows:
- A community engagement process must have a clearly defined objective and scope;
  - Participants in community engagement must have access to objective, relevant and timely information to inform their participation;
  - Participants in community engagement must be diverse and representative of the persons and groups affected by the matter that is the subject of the community engagement;
  - Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement; and

- Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

## 5.2 What is community engagement?

### 5.2.1 Community engagement:

- Offers opportunities for residents and key stakeholders to contribute to and influence decisions that directly affect their community;
- Enables Council to strengthen relationships with our community;
- Ensures that Council can make better, more informed decisions;
- Builds greater trust and shared ownership between Council and the community for implementation of decisions;
- Enhances accountability by creating direct links between Council, residents and key stakeholders;
- Assists Council to deliver better services and deliver more value to the public; and
- Helps form our advocacy agenda.

5.2.2 Community engagement can also involve Council learning more about issues that are important to groups within the community, so that Council can advocate to State and Federal governments and other bodies that have influence, and can apply funding, in our area.

5.2.3 It is essential that Council-reports back to the community after engagement in a timely way, and continue to keep the community updated about its programs and services, to maintain transparency and an open dialogue.

## 5.3 Why do we engage?

5.3.1 Community engagement provides decision makers with better opportunities to make informed decisions. By engaging the expertise and experience of the community, Council is better able to understand local issues and needs.

5.3.2 Community engagement can help Council to:

- Gather information, meaningful feedback and diverse points of view prior to making decisions;
- Foster community partnerships;
- Increase trust and community confidence;
- Gather inputs from stakeholders who are impacted by Council decisions;
- Identify risks and gather workable ways to manage the risks;
- Meet its legislative requirements, and ensure the community's right to assist with democratic processes;

- Build understanding of, and commitment to, projects and strategic decisions;
  - Provide valuable input into Council's future planning and service delivery activities; and
  - Improve accountability and transparency through open and genuine feedback on public participation outcomes.
- 5.3.3 The community also benefit from participating in engagement activities. Participating in engagement can:
- Create a sense of belonging and connection;
  - Increase community involvement;
  - Unite and empower individuals and communities; and
  - Lead to a greater community ownership and resilience.

#### 5.4 Who do we engage with?

- 5.4.1 Community engagement is a planned process with the specific purpose of working with identified groups of people.
- 5.4.2 Council will engage with a broad range of people, all with differing interests, and inclusion and accessibility needs.
- 5.4.3 This includes individuals or groups identified but not limited to residents, ratepayers, business owners, customers, visitors, community groups, sporting groups, youth, agencies, funding bodies, developers, internal stakeholders, and culturally and linguistically diverse groups.
- 5.4.4 When Council is planning an engagement process, Council will first identify the people and groups likely to be affected by the relevant decision, and we reach out to involve them in the process. Council recognises that some groups face barriers to engaging with us and Council commits to using methods that best enable and encourage their participation. Identifying who is impacted or interested in a decision, best methods of outreach and any barriers to participation will be guided by our internal stakeholder identification process.

#### 5.5 When will we engage?

Council will:

- 5.5.1 Engage the community on most decisions that will impact and affect our community and other key stakeholders.
- 5.5.2 Commit to being transparent about the decisions that are negotiable, and to ensure the community has the opportunity to provide meaningful input on these decisions.

**Circumstances that trigger engagement:**

- 5.5.3 Engagement will be undertaken to ensure Council meets its statutory obligations, including the engagement requirements set out under the Act and other relevant Acts as listed in the supporting documents section of this policy.
- 5.5.4 Examples of the processes that Council will promote opportunities for the community to actively participate in include:
- Key issues of interest;
  - Proposed new or amendments to policy and strategy;
  - Infrastructure and capital works projects;
  - Service delivery; and
  - Service delivery standards.

**Circumstances when engagement will be limited:**

- 5.5.5 There are times when Council's level of engagement with the community and key stakeholders will be limited. In certain circumstances, Council may only be able to inform the community and stakeholders of Council's decisions and actions.
- 5.5.6 Examples include when:
- Council is not the lead agency;
  - An immediate resolution is required;
  - Specialist or technical expertise is required;
  - An initiative involves confidential or commercial information;
  - There are clear and defined legislative responsibilities that must be met;
  - Developing or reviewing internal policies and procedures; and
  - There is a risk to public safety.

**Engagement timelines and processes:**

- 5.5.7 Council is committed to informing the community and key stakeholders during the early stages of project development to provide genuine opportunities for the community to influence decisions and enable Council to properly understand opportunities and constraints early in the planning process.
- 5.5.8 To provide the community with sufficient time on an overall issue/strategy/policy, Council will provide a minimum of 4 to 6 weeks to engage with the community.

What constitutes sufficient time will depend on the nature of the matter, and the number of people who will participate in the engagement activity.

## 5.6 How will we engage?

### Engagement planning:

- 5.6.1 When planning engagement methods, we will reference our internal Community Engagement Framework and Toolkit, and the International Association of Public Participation (IAP2) Spectrum that supports this Policy. Council are also careful to adhere to our engagement principles, set clear engagement objectives, and to consider statutory processes, community interest, political sensitivity, time, resources and budget constraints.
- 5.6.2 Successful community engagement is well planned, inclusive and accessible to those people that may be affected by the decision. Effective engagement relies on Council being clear about the purpose of the engagement, key stages and timelines and the respective roles, responsibilities and expectations throughout the engagement process.

### Engagement evaluation and reporting:

- 5.6.3 Council will undertake evaluation processes to continually improve our approach to community engagement. Evaluation of the engagement process is planned at the beginning of the project, so we are aware of what the outcome will be measured against.
- 5.6.4 The evaluation process will be tailored to the scale and complexity of the engagement and will consider a number of elements including:
- Engagement outcomes and objectives were met;
  - Participants were representative of the stakeholders identified based on impact/interest; and
  - Communications and engagement methods were appropriate.
- 5.6.5 Council will report back to our community in a timely manner about how their input was considered and influenced the final outcome.
- 5.6.6 Where consent is provided, we will also use information provided by community engagement to advocate on behalf of our community to relevant parties.
- 5.6.7 Council will also report monthly Council on the number of engagement activities undertaken by Council, and how effective they have been.

## 5.7 Types of community engagement

- 5.7.1 Council commits to ensuring that those who are affected by a decision will be given the opportunity to inform that decision.
- 5.7.2 Council determines the level of involvement in the decision and the methods based on the International Association of Public Participation (IAP2) Spectrum.

- 5.7.3 The IAP2 Spectrum identifies and defines each of the five levels of engagement, from ‘inform’ to ‘empower’. It details our promise to the public for each level of engagement ensuring that both Council and the community have shared expectations. Decisions on the level of engagement will be made according to the scale and importance of projects.
- 5.7.4 Many projects will involve more than one level of engagement. This is because the community can have different levels of influence at different stages of the project and different groups within the community may be more directly impacted than others. Table 1 below describes the five levels of the spectrum and the roles of Council and community.
- 5.7.5 Council will support Council officers in using the IAP2 spectrum and in making decisions on the level of engagement with our internal Community Engagement Framework and Toolkit.

Table 1: IAP2’s Public Participation Spectrum  
 (IAP2 International Association for Public Participation)

Increasing level of public participation					
	Inform	Consult	Involve	Collaborate	Empower
					
<b>Goal</b>	To provide balanced and objective information to make our community aware of something that has happened or will happen.	To listen to our community’s feedback on options or a potential decision and take their input into account.	To seek input to identify issues, concerns and aspirations to inform decision making and show how that input has informed the decision.	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process.	To build the capacity of our community to identify solutions and/or lead change.
<b>Commitment to community</b>	We will keep you informed.	We will listen to and acknowledge your concerns.	We will work with you to exchange information, ideas and concerns.	We will seek advice and innovation from amongst the various stakeholder groups.	We will work with you to implement agreed decisions.
<b>Community role</b>	Listen	Contribute	Participate	Partner	Partner or Lead
<b>Example method</b>	<ul style="list-style-type: none"> <li>- Fact sheets</li> <li>- Websites</li> <li>- Open houses</li> </ul>	<ul style="list-style-type: none"> <li>- Public comment</li> <li>- Focus groups</li> <li>- Surveys</li> <li>- Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Workshops</li> <li>- Deliberative polling</li> </ul>	<ul style="list-style-type: none"> <li>- Community advisory committees</li> <li>- Consensus-building</li> <li>- Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>- Community panels</li> <li>- Ballots</li> <li>- Delegated decision</li> </ul>
<b>Engagement Type</b>	Consultative		Deliberative		

**Consultative engagement:**

- 5.7.6 Occurs when views, opinions or ideas are invited on a particular project, draft policy, plan or document. Participation at this level can encompass a broad range of community members and stakeholders.
- 5.7.7 Examples of consultative engagement include:
  - Community meetings and/or forums, including on-line;
  - Community information meetings;
  - Resident discussion meetings
  - Submitter information sessions
  - Face to face questionnaires

- 
- Community panel (including deliberative engagement)
  - Social media
  - Showcase events
  - Face to face workshops
  - Public exhibitions of documentation

**Deliberative engagement:**

- 5.7.8 Council's approach to deliberative engagement is consistent with the Act.
- 5.7.9 Deliberative engagement is an approach which encourages community members to critically test, weigh up and consider a range of information, perspectives, inputs and evidence to reach a consensus or make recommendations.
- 5.7.10 Deliberation can be scaled to suit a project based on its scope, complexity or impact and may require independent facilitation to ensure a fair and equitable process.
- 5.7.11 Section 55 (2(g)) in the Act specifies that a Community Engagement Policy is required to give effect to deliberative engagement practices capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan.
- 5.7.12 The key characteristics of deliberative engagement include:
  - Authentic engagement with the community;
  - Good representation of the community in engagement activities;
  - Clear demonstration of how all views have been considered; and
  - Accessible and relevant information available to the community to ensure the decision-making process and the community's level of influence is clear in each instance and that participants are fully informed.

## 6. Roles and responsibilities

Community engagement is the responsibility of Councillors, Council officers, contractors and consultants undertaking work on behalf of Council.

## 7. Policy non-compliance

Failure to comply with this Policy could result in legislative non-compliance, adverse impacts on the reputation of Council, and poorer outcomes for the community.

## 8. Related documents

- Charter of Human Rights and Responsibilities Act 2006
- Local Government Act 2020
- Subordinate Legislation Act 1994
- Policy and Planning Framework

- 
- Community Engagement Framework
  - Public Administration Act 2004
  - Equal Opportunity Act 2010
  - Planning and Environment Act 1987

## 9. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be implemented and monitored following adoption of this Policy, and following adoption of a subsequent Community Engagement Framework and Toolkit.

## 10. Document History

Date approved	Change Type	Version	Next Review Date
TBC	Revised	2	xx

# Community Engagement Plan

**Project name:** Community Engagement Policy

**Approved by:** Shweta Babbar

**Date:** 14 January 2021

<b>The project has been endorsed by EMT</b>	YES	<b>The project has been approved by Council</b>	YES
<b>Are planning permit approvals required</b>	NO	<b>Are building permit approvals required</b>	NO
<p><b>Key Risks:</b></p> <ol style="list-style-type: none"> <li>1. The Local Government Act 2020 requires Council to have a Community Engagement Policy in place on or before 1 March 2021. The Act requires Council to develop the Policy ‘in consultation with the municipal community’ (s.55(2)(a)). The current timelines only permit a 2 weeks period for this community engagement.</li> <li>2. Implementation of the Community Engagement Policy will depend on engagement with the community. COVID19 has impacted on the way Council would normally engage with the community, so innovation and understanding is required from all parties through engagement processes.</li> </ol>		<p><b>Risk Mitigation:</b></p> <ol style="list-style-type: none"> <li>1. Prior engagement has been undertaken on the former Community Engagement Policy and Interim Community Engagement Policy, all within the past 18 months, which can be incorporated into this process. A Community Panel has also recently been established, and a broader group of ~130 community members have registered to be contacted to participate in engagement activities, as part of the Frankston City 2040 engagement processes, meaning that we have faster access to an already engaged, accessible community cohort. There is also only limited genuine engagement opportunities under this Community Engagement Policy, as its purpose is largely to explain the legislated engagement principles and commitments, which are non-negotiable. We will ensure that the 2-week engagement period is targeted to particular questions that the community can easily respond to in the limited time, and that more extensive engagement is delivered as part of the forthcoming Community Engagement Framework and Toolkit.</li> <li>2. Engagement has been designed within the IAP2 framework and tailored towards specific stakeholders, expectations and client needs during the COVID19 pandemic. The engagement process will involve:                     <ul style="list-style-type: none"> <li>- Thorough planning</li> <li>- Respectful communication</li> <li>- Thoughtful analysis; and</li> <li>- Realistic expectations.</li> </ul> </li> </ol>	

**Purpose of the engagement is to:**

- Inform the community about the Draft Community Engagement Plan.
- Consult on 'negotiable' aspects of Community Engagement Policy that community can genuinely influence
- To gather data (by consent) from the community, external organisations and internal stakeholders
- To gather feedback on opportunities and issues
- Seek comments and feedback from the key stakeholders on the Draft Community Engagement Plan

**Key messages:**

The intention of the development of the Draft Community Engagement Plan is to:

- Provide a formal expression of Council's commitment to engaging with our community, and to understanding and collaborating on the different views, experiences and expertise our community has to offer.
- Ensure Council's approach to community engagement is consistent with the Local Government Act 2020, and outline Council's commitment, principles and values to ensuring community engagement is integrated into all Council activities.
- Provide, along with a future proposed Community Engagement Framework and Toolkit, a consistent and coordinated approach to Council's engagement with its community.
- Outline the role that community members can reasonably expect to play in our planning and decision-making processes.
- Be supported by a comprehensive Community Engagement Framework and Toolkit, designed to guide Council officers in the effective planning, implementation, reporting and evaluation of community engagement activities.

**Item 12.7 Attachment B: Community Engagement Plan**

What are the requirements for the project?	Project step /phase and engagement activity	What is your engagement activity objective?*(tick the relevant objective)					Who is involved?	Timeframes	Who is responsible?	Method of Engagement:
		To Inform	To Consult	To Involve	To Collaborate	To Empower	Stakeholders			
<b>3. Councillor Input</b>	Update on Draft document to Councillors	X	X	X			Councillors EMT	18 January 2021	Council Project team	Council Report
<b>4. Public Exhibition of Draft Policy</b>	Distribute draft to inform and seek input on specific questions to inform future engagement activities	X	X				Community Council Departments	28 January - 12 February 2021	Council Project team	Social Pinpoint Engagement Platform  Community engagement list (~130 members, possibly plus Community Panel)  Website  Social Media  Newspapers
<b>6. Consideration of Public Submissions</b>		X	X				Members of the public who wish to make a formal submission or address Council at the Ordinary Council Meeting	1 March 2021	Manager Community Relations	Council Meeting

**Item 12.7 Attachment B: Community Engagement Plan**

What are the requirements for the project?		What is your engagement activity objective?*(tick the relevant objective)					Who is involved?	Timeframes	Who is responsible?	Method of Engagement:
		To Inform	To Consult	To Involve	To Collaborate	To Empower				
<i>Project step /phase and engagement activity</i>	<i>Complete details across the plan for each project step /phase</i>						Stakeholders			
<b>7. Release of adopted Strategies</b>		X					Public Council Departments	March 2021	Coordinator Community Engagement and Participation	Media Articles Email Website Video

**Executive Summary****12.8 Legislated changes to the Emergency Management Act**

*Enquiries: (Jarred Stevens: Communities)*

**Council Plan**

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.2 Enhance a high performing culture

**Purpose**

To brief Council on the legislated changes to the Emergency Management Act and the impact on the Municipal Emergency Management Planning Committee

**Recommendation (Director Communities)**

That Council:

1. Authorises dissolving the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, which have been superseded;
2. Authorises the CEO to facilitate the establishment of a new MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020); and
3. Notes, under the MEMPC Terms of Reference provided and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), it is Council's role to establish the Committee. Once established, the Committee exists separately to Council and is not a committee of Council.

**Key Points / Issues**

- The legislated changes to the Emergency Management Act strengthen the alignment of planning activities in accordance with legislative changes contained in the Emergency Management Legislation Amendment Act 2018 (EMLA Act). The EMLA Act amends the Emergency Management Act 2013 (EM Act 2013) to provide greater cohesion through new integrated arrangements for emergency management planning in Victoria at the State, regional and municipal levels.
- The principal focus of the amendments is on efficiency and effectiveness, interoperability and integration, the local needs of communities, promoting community resilience and the importance of collaborative emergency management planning.
- At the last Municipal Emergency Management Planning Committee Meeting (MEMPC) the below motion was passed (subject to Council authorisation):  
*That the current Frankston MEMPC be dissolved with a new MEMPC for Frankston established in accordance with the Emergency Management Act 2013, which was amended by the Emergency Management Legislation Amendment Act 2018 on 1 December 2020.*

**12.8 Legislated changes to the Emergency Management Act****Executive Summary**

- Subject to Council approval, the new core MEMPC will meet in February 2021 to establish and form the Committee in accordance with the *Emergency Management Legislation Amendment Act 2018 (EMLA Act)*. In order for this committee to form, the Act requires a resolution of Council.

**Financial Impact**

There are no financial implications associated with this report.

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

Consultation is required for emergency management plans produced at state, regional and municipal levels. MEMPC's are required to consult the community in developing their MEMPs and this will continue with any future updates of the Municipal Emergency Management Plan (MEMP)

**2. Other Stakeholders**

Core membership for MEMPCs from 1 December 2020 include a council officer being the Coordinator Compliance & Safety (as chair), Victoria Police, Country Fire Authority and Fire Rescue Victoria, Ambulance Victoria, Victoria State Emergency Service, Australian Red Cross and the Department of Health and Human Services. The MEMPCs also require at least one additional recovery representative, one community representative, and one other representative.

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

The MEMPC operates strategically to ensure comprehensive, collaborative and integrated planning occurs at all levels.

With a focus on preparedness and resilience, municipal planning applies risk-based analysis to mitigate or reduce the consequences of emergencies on the built, economic, social and natural environments and improve community outcomes.

Planning considerations include the full spectrum of prevention, preparedness, response and recovery and apply to all hazards and all communities.

The MEMPC maintains an awareness of existing municipal capability and capacity to support the effective conduct of mitigation, response and recovery activities. Where appropriate the committee may facilitate or assist with activities that support capability and capacity uplift. This may include, but is not limited to, community engagement activities or multi-agency exercises and training that provide for continuous learning and improvement.

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

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

Legal

Under section 59F of the EMLA Act, the municipal council establishes a MEMPC which transfers responsibility for municipal emergency management planning from the council to the multi-agency MEMPC. This shift of responsibility highlights the intent of the reform which supports emergency management planning as an integrated, multi-agency

**12.8 Legislated changes to the Emergency Management Act****Executive Summary**

and collaborative effort. This means that all participating agencies are required to contribute their expertise and resource to municipal emergency management planning. As per section 59E of the EM Act 2013, the MEMPC can regulate its own procedure.

**Officer's Declaration of Interests**

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

**Conclusion**

The emergency management legislation amendments, establishes a new emergency management planning framework. Key features of this changes include new governance arrangements for municipal emergency management planning. It is envisaged that these new arrangements will allow for better collaboration and share responsibilities across all agencies.

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**ATTACHMENTS**

Nil

**Executive Summary****12.9 Authorisation of Use of Council Seal for Years of Service Certificates**

*Enquiries: (Fran Boyd: Business Innovation and Culture)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.4 People
Priority Action	4.4.2 Enhance a high performing culture

**Purpose**

To seek Council approval to use the Council Seal for Years of Service Certificates.

**Recommendation (Director Business Innovation and Culture)**

That Council approves the Common Seal to be affixed for all years of service certificates from this date onwards, for Council employees who achieve the service milestone of 25 years or more.

**Key Points / Issues**

- Council's Governance Local Law 2020 requires every document to which the Common Seal is to be affixed, to be authorised by Council.
- As part of Council's Recognition procedure, all employees who have reached the milestone of 25 years of service and above will receive a years of service certificate affixed with the Council Seal.
- This report is recommending that Council approves the use of the Common Seal for all years of service certificates from this date onwards, for Council employees who achieve the service milestone of 25 years or more.

**Financial Impact**

There are no financial implications associated with this report.

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

No consultation is required.

**2. Other Stakeholders**

There are no other stakeholders.

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

There are no Environmental/Economic or Social implications arising from this 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

Part Two of Council's Governance Local Law, Use of the Common Seal, makes provision for Council to authorise the Common Seal to be affixed to any document. It also requires the CEO to maintain a register of all sealed documents.

**12.9 Authorisation of Use of Council Seal for Years of Service Certificates****Executive Summary**Policy Impacts

There are no 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 identified as a result of this report

**Conclusion**

As part of Council's Recognition Procedure, employees who reach a significant service milestone, 25 years or more service are entitled to receive a years of service certificate affixed with the Council Seal.

This report is recommending that Council approves the Common Seal to be affixed for all years of service certificates from this date onwards, for Council employees who achieve the service milestone of 25 years or more.

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**ATTACHMENTS**

Nil

**Executive Summary****12.10 2020-2021 Mid-Year Budget Review**

*Enquiries: (Simone Wickes: Chief Financial Office)*

Council Plan

Community Outcome:	4. A Well Managed City
Strategy:	4.3 Resources
Priority Action	4.3.1 Continue to maintain a financially sustainable Council by advocating for operational grant funding from other tiers of Government to deliver services required by the community, ensure funding decisions are based on Council's priorities, seek alternative revenue sources and ensure the operations of Frankston Regional Recycling and Recovery Centre are financially sustainable

**Purpose**

To brief Council on the financial position against the 2020-2021 Annual Budget with regard to the operational financial position and the delivery of the Capital Works Program.

**Recommendation (Chief Financial Officer)**

That Council:

1. Endorses the proposed amendments to the 2020-2021 Adopted Budget resulting in a cash deficit of \$641,000;
2. Endorses the allocation of funding for Councillor referred items;
  - Nat's Track \$87,000; and
  - Urban Forest Action Plan \$60,000
3. Endorses the funding of the cash deficit as follows;
  - \$358,000 contingency savings to be found across the capital works program in the remainder of the financial year;
  - \$283,000 funded from reallocations within the Relief and Recovery Package activities as follows;
    - a) Activity 3 Penalty interest freeze on overdue rates increase of \$140,000 funded from Activity 1 Residential rates relief waiver; and
    - b) Activity 49 Expansion of invest Frankston Business Grant funding pool reduced by \$143,000 and applied to fund lease and rental waivers (Activities 55, 54, and 43) valued at \$124,000 and \$19,000 returned to be reallocated across other activities requiring funding.
4. Notes the key dates for the 2021-2022 Annual Budget process.

**Key Points / Issues**

- While Council maintains a relatively healthy financial position, its main source of income (rates) is capped by the Victorian Government. Any decisions in relation to expenditure need to be considered within this context. As part of Council's approach to managing its finances to ensure it remains within original budgetary parameters, Council annually considers a Mid-Year Budget Review. Council's financial statements comparing the adopted budget and the adjusted mid-year budget reflect a financial outcome for the 2020-2021 financial year which has been negatively impacted by COVID-19 (**Attachment A**).

## 12.102020-2021 Mid-Year Budget Review

**Executive Summary**

- The impact of COVID-19 and subsequent Government directives have had a negative effect on Council's financial position. Closure and restrictions on income generating services such as the Frankston Arts Centre and charged car parking & parking infringements have led to a reduced level of income expected to be received for the year. From the 2020-2021 adopted budget, expectations are that COVID-19 impacts will result in reduced income of \$4.909 million. This reduction has been partly offset by a decrease in expenditure of \$1.707 million relating to COVID-19 events. Therefore the impact of COVID-19 on Council's budget is a net cost of \$3.202 million (**Attachment B**).
- In terms of the accumulated outcome as at the end of 2019-2020, Council had an accumulated cash surplus result of \$2.835 million. After the allocation of the following adjustments that have occurred since the adoption of the 2020-2021 Annual Budget, Council has a remaining cash deficit of \$0.641 million:
  - COVID net financial loss \$3.202 million (**Attachment B**)
  - Capital carry forwards from 2019-2020 \$3.181 million less cash adjustments \$2.823 million (**Attachment C**)
  - Operating and Capital works Council resolutions (committed) \$0.636 million (**Attachment D**)
  - Operating and Capital works Council resolutions (referred) \$0.147 million (**Attachment D**)
  - Operating adjustments reduction of \$1.366 million (**Attachment E**).

**Table 1**

Cash Position MYBR 2020/21	\$'000
Accumulated Cash Surplus outcome 30 June 2020	2,835
	2,835
<b><u>Add/(Less) Cash movements</u></b>	
Operating adjustments	1,366
Capital Works carry forwards and adjustments	(358)
COVID losses	(3,201)
Council Resolutions- operating and capital committed	(636)
<b>Sub Total Cash (Deficit)</b>	<b>6</b>
Cash contingency	(500)
Council Resolutions- operating and capital referred	(147)
<b>Residual Cash Position (Deficit)</b>	<b>(641)</b>

- The Capital Works Program as listed in the adopted budget may vary during the course of the financial year for the following reasons:
  - Changes to the funding profile based on approved or unsuccessful grant applications
  - Variances in project scope to provide improved outcomes from the project
  - Extenuating circumstances which may cause creation of additional projects or delays to the delivery / cessation of adopted projects
  - Savings or over expenditure on projects to deliver the agreed scope
  - Carryover of funding from 2019-2020 projects for multi-year projects at the start of the financial year.

**12.102020-2021 Mid-Year Budget Review****Executive Summary**

This financial year, Council has faced COVID restrictions which has reduced resources on the ground to deliver some major projects and has had a significant impact on our ability to engage with the community and key stakeholders on projects. As a result, project cash flows on seven (7) projects have been revised and a total of \$6.720 million out of an \$8.770 million expenditure reduction has been deferred to 2021-2022.

Projects that have deferred to 2021-2022 include:

- Jubilee Park Indoor Multipurpose Netball Complex – \$3.600 million
- Frankston Yacht Club Fit-out & Accommodation of the Frankston Coast Guard – \$1.000 million
- Monterey Reserve - Soccer Pavilion – \$1.000 million
- Redevelopment of the Frankston BMX Track - \$0.400 million
- Kananook Creek Arboretum - \$0.400 million
- New Kevin Collopy Pavilion at Jubilee Park - \$0.157 million
- Plant & Equipment Acquisition – New Tree Management Crew - \$0.155 million

The adjustments to the Program has resulted in a Revised Capital Works Budget of \$54.120 million (**Attachment C**).

- Since the adoption of the 2020-2021 Annual Budget, Council referred items to the Mid-Year Budget Review for consideration totalling \$0.147 million. During the Mid-Year Budget process Councillors considered these items and this report recommends their inclusion (**Attachment D**).
- Council is only six months into the financial year, unforeseen events of the past year and continued potential for changes to Government restrictions effecting Council's ability to complete 2020-2021 in line with expectations. Therefore it is recommended that Council continue to make available a cash contingency of \$500,000.
- It is recommended that Council endorse the proposed amendments resulting in a cash deficit position of \$0.641 million and fund the deficit as follows;
  - \$0.358 million contingency savings to be found across the capital works program in the remainder of the financial year.
  - \$0.283 million funded from reallocations within the Relief and Recovery Package activities as follows;
    - a. Activity 3 Penalty rate freeze on overdue rates increase of \$140,000 funded from Activity 1 Residential rates relief waiver.
    - b. Activity 49 Expansion of invest Frankston Business Grant funding pool reduced by \$143,000 and applied to fund Lease and Rental waivers (Activities 55, 54, and 43) valued at \$124,000 and \$19,000 returned to be reallocated across other activities requiring funding.
- This report and associated attachments provides Council with information in respect of the 2020-2021 Mid-Year Budget. These figures become the base for the preparation of the 2021-2022 Annual Budget, key dates for the Annual Budget process are highlighted in the table below:

## 12.102020-2021 Mid-Year Budget Review

**Executive Summary**

Table 2

Key dates for the 2021-2022 Annual Budget	Timing
Adoption of Mid-year Budget review	January 2021
Community Engagement	February 2021
Councillor Session –Council Plan, Operating and Capital budget	March & April 2021
Endorse Proposed Annual Budget for advertising	May 2021
Hear Public submissions on Proposed Budget	June 2021
Briefing - Post Hearing public submissions on proposed Annual Budget	June 2021
Adopt Budget, Long Term Financial Plan	June 2021

**Financial Impact**

There are no financial implications associated with this proposal other than those already highlighted.

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

This report does not require community consultation. The *Local Government Act 1989* indicates that where changes to the 2020-2021 Annual Budget are not material or do not involve any alteration to the rating structure or Council borrowings, public notice of the 2020-2021 Mid-Year Budget Review is not required.

**2. Other Stakeholders**

The Executive Management Team has reviewed and endorsed the financial results. A final report once adopted by Council on 27 January will be provided to Council's Audit and Risk Committee at its next meeting.

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

Council is six months into the financial year and further unforeseen events continue to potentially negatively impact on Council's ability to complete 2020-2021 in line with expectations. Given the extensive financial challenges and pressures placed on Council during this period, Council has managed its financial position very well to maintain a break-even cash position.

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

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

Legal

The Local Government Act requires that where changes to the 2020-2021 Annual Budget are not material or do not involve any alteration to the rating structure of Council Borrowings, public notice of the 2020-2021 Mid-Year Budget Review is not required. All Capital Works Project Managers are required to review their project status on a monthly basis and reports are provided to EMT and Council on a quarterly basis.

**12.102020-2021 Mid-Year Budget Review****Executive Summary**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. Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

**Risk Mitigation**

Council needs to be mindful that with such a large portion of the financial year remaining the chance of unforeseen financial events occurring is more significant. A sense of conservatism should be exercised in this regard.

Council has implemented a number of risk mitigation processes including:

- Development of a Long Term Financial Plan which assists in determining Council's financial viability into the future.
- Quarterly financial reporting including variance analysis that is reviewed by EMT and all managers.
- Council is subject to an annual external audit process and also has its own internal audit function which reviews critical processes from time to time.
- Council also has an "Instrument of Delegation" which clearly defines each person's level of financial authority.

Council has numerous policies and internal checking processes to assist with ensuring that Council's processes and source data is accurate.

**Conclusion**

The Mid-Year Budget Review allows Council to assess its mid-year financial position and amend the 2020-2021 Annual Budget that was adopted on 1 June 2020 to reflect known variations that have occurred since that point. The Mid-Year Budget Review is an important component in the financial management process to ensure that Council completes the financial year in accordance with the original budget parameters and objectives.

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**ATTACHMENTS**

- Attachment A: [↓](#) Financial Statements
- Attachment B: [↓](#) COVID-19 Financial Impacts
- Attachment C: [↓](#) Capital Carry Forwards and Adjustments
- Attachment D: [↓](#) MYBR Council Decisions (Resolutions)
- Attachment E: [↓](#) Operating Adjustments



## Frankston City Council (Unconsolidated) Comprehensive Income Statement

For the year ended 30 June 2021

	Adopted Budget 2020/21 \$'000	Revised Budget 2020/21 \$'000
<b>Income</b>		
Rates and charges	129,876	129,876
Statutory fees and fines	5,725	4,644
User fees	13,258	9,299
Grants - operating	18,574	20,224
Grants - capital	7,054	9,471
Contributions - monetary	2,449	1,992
Contributions - non-monetary	800	800
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	589	589
Other income	2,466	2,212
<b>Total income</b>	<b>180,791</b>	<b>179,107</b>
<b>Expenses</b>		
Employee costs	72,283	72,677
Materials and services	60,297	59,606
Bad and doubtful debts	220	220
Depreciation	30,682	31,333
Amortisation - intangible assets	850	850
Amortisation - right of use assets	330	330
Finance Costs- leasing	40	40
Borrowing costs	1,487	1,487
Other expenses	4,007	4,044
<b>Total expenses</b>	<b>170,196</b>	<b>170,587</b>
<b>Surplus/(deficit) for the year</b>	<b>10,595</b>	<b>8,520</b>
<b>Other comprehensive income</b>		
Net asset revaluation increment /(decrement)	0	0
<b>Total comprehensive result</b>	<b>10,595</b>	<b>8,520</b>



## Conversion to Cash Result

	Adopted Budget 2020/21 \$'000	Revised Budget 2020/21 \$'000
<b>Surplus/(deficit) for the year</b>	<b>10,595</b>	<b>8,520</b>
<b>Less non-operating income and expenditure</b>		
Grants - capital	(7,054)	(9,471)
Contributions - monetary	(2,449)	(1,992)
Contributions - non-monetary	(800)	(800)
<b>Adjusted Underlying surplus (deficit)</b>	<b>292</b>	<b>(3,743)</b>
<b>Add back non-cash items:</b>		
Depreciation and amortisation	31,835	31,333
Amortisation - intangible assets	850	850
Amortisation - right of use assets	330	330
Contributions - non-monetary	(800)	(800)
Write down value of assets disposed	500	500
	<b>32,715</b>	<b>32,213</b>
<b>Less non-operating cash items:</b>		
Capital works expenditure	58,440	52,620
Transfers to/(from) reserves	(13,601)	(6,918)
Proceeds from borrowing	(1,973)	(1,973)
Repayment of borrowings	444	480
	<b>43,310</b>	<b>44,209</b>
Cash surplus/(deficit) for the year	0	(3,476)
Accumulated cash surplus/(deficit) b/fwd	500	2,835
<b>Accumulated cash surplus/(deficit) c/fwd</b>	<b>500</b>	<b>(641)</b>
<b>Accumulated cash surplus/(deficit) c/fwd</b>	<b>500</b>	<b>(641)</b>



## Frankston City Council (Unconsolidated) Balance Sheet

For the year ended 30 June 2021

	Adopted Budget 2020/21 \$'000	Revised Budget 2020/21 \$'000
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	43,233	43,049
Trade and other receivables	19,883	19,883
Other financial assets	33,701	51,015
Inventories	162	162
Non current assets held for resale	0	0
Other assets	2,903	2,903
<b>Total current assets</b>	<b>99,882</b>	<b>117,012</b>
<b>Non-current assets</b>		
Trade and other receivables	675	675
Other financial assets	7,500	1,000
Property, infrastructure, plant and equipment	1,717,884	1,737,041
Intangible assets	997	1,246
Right of use assets	507	507
<b>Total non-current assets</b>	<b>1,727,563</b>	<b>1,740,469</b>
<b>Total assets</b>	<b>1,827,445</b>	<b>1,857,481</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	18,313	18,313
Trust Funds and Deposits	6,660	6,660
Unearned income	0	4,343
Provisions	12,235	12,235
Interest-bearing loans and borrowings	673	580
Lease Liabilities	341	341
<b>Total current liabilities</b>	<b>38,222</b>	<b>42,472</b>
<b>Non-current liabilities</b>		
Provisions	1,804	1,804
Lease liabilities	194	194
Interest-bearing loans and borrowings	30,060	28,659
<b>Total non-current liabilities</b>	<b>32,058</b>	<b>30,657</b>
<b>Total liabilities</b>	<b>70,280</b>	<b>73,129</b>
<b>Net assets</b>	<b>1,757,165</b>	<b>1,784,352</b>
<b>Equity</b>		
Accumulated surplus	743,940	733,004
Reserves	1,013,225	1,051,348
<b>Total equity</b>	<b>1,757,165</b>	<b>1,784,352</b>



## Frankston City Council (Unconsolidated) Capital Works

For the year ended 30 June 2021

	Adopted Budget 2020/21 \$'000	Revised Budget 2020/21 \$'000
Asset renewal expenditure	24,883	24,252
New asset expenditure	19,940	14,674
Asset upgrade expenditure	13,250	14,129
Asset expansion expenditure	1,867	1,065
<b>Total capital works expenditure</b>	<b>59,940</b>	<b>54,120</b>

FUNDING	Adopted Budget 2020/21 \$'000	Revised Budget 2020/21 \$'000
<b>External</b>		
Loan borrowings	3,430	1,873
Government grants	7,054	9,471
Contribution	1,534	571
Proceeds from sale of assets	1,089	1,089
<b>Subtotal</b>	<b>13,107</b>	<b>13,004</b>
<b>Internal</b>		
Reserve funds	12,879	6,639
Rate funding	33,954	34,477
<b>Total Capital Works</b>	<b>59,940</b>	<b>54,120</b>

**COVID Impacts 2020-2021 - post 1 July changes**  
 20/21 Impact  
 Cost to Council

<b>Chief Financial Officer Directorate</b>	
<b>Income Impact</b>	
Waste & Recycling Services - Income Reduction	193,541
<b>Expenditure Impact</b>	
Waste & Recycling Services - Expenditure Reduction	(10,359)
Governance & Information - Expenditure Reduction	(5,600)
<b>Expenditure Impact Total</b>	<b>(15,959)</b>
<b>Chief Financial Officer Directorate - Net Cost to Council COVID Impact</b>	<b>177,582</b>

<b>Business Innovation &amp; Culture Directorate</b>	
<b>Income Impact</b>	
Community Relations - Income Reduction	70,025
<b>Expenditure Impact</b>	
Community Relations - Expenditure Reduction	(52,500)
People & Culture - Expenditure Reduction	(38,000)
Business & Information Technology - Expenditure Increase	61,370
<b>Expenditure Impact Total</b>	<b>(29,130)</b>
<b>Business Innovation &amp; Culture Directorate - Net Cost to Council COVID Impact</b>	<b>40,895</b>

<b>Communities Directorate</b>	
<b>Income Impact</b>	
Community Strengthening - Income Reduction	168,750
Family Health Support Services - Income Reduction	9,201
Arts & Culture - Income Reduction	2,517,575
Statutory Planning - Income Reduction	19,751
Community Safety - Income Reduction	1,779,864
<b>Income Impact Total</b>	<b>4,495,141</b>
<b>Expenditure Impact</b>	
Community Strengthening - Expenditure Reduction	(210,000)
Family Health Support Services - Expenditure Reduction	(5,000)
Arts & Culture - Expenditure Reduction	(1,153,681)
Community Safety - Expenditure Reduction	(211,199)
<b>Expenditure Impact Total</b>	<b>(1,579,880)</b>
<b>Communities Directorate - Net Cost to Council COVID Impact</b>	<b>2,915,261</b>

<b>Infrastructure &amp; Operations Directorate</b>	
<b>Income Impact</b>	
Operations - Income Reduction	150,000
<b>Expenditure Impact</b>	
Operations - Expenditure Reduction	(58,000)
Buildings & Facilities - Expenditure Reduction	(75,000)
Sustainable Assets - Expenditure Reduction	(49,000)
<b>Expenditure Impact Total</b>	<b>(182,000)</b>
<b>Communities Directorate - Net Cost to Council COVID Impact</b>	<b>(32,000)</b>

<b>CEO Directorate</b>	
<b>Expenditure Impact</b>	
CEO Directorate - Expenditure Increase	100,000
<b>CEO - Net Cost to Council COVID Impact</b>	<b>100,000</b>

<b>TOTAL NET COST TO COUNCIL COVID IMPACT</b>	<b>3,201,738</b>
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## 2020/21 Capital Works Program Carried Forwards and Adjustments

LTIP Service Program	Adopted Budget (\$)	MYBR Adjustments (\$)	Rates Adjustments (\$)	External Funding Adjustments (\$)	Deferral to FY 21/22 (\$)	MYBR Adjusted Budget (\$)	Rates (\$)	External Funding (\$)
Aquatic Services	627,000	0	-	-	-	627,000	108,000	519,000
Arts & Cultural Services	1,806,000	-487,000	-60,000	-	-	1,347,764	1,347,764	-
Business Transformation	461,000	-	208	-	-	461,000	335,000	126,000
Civic & Corporate Buildings	2,904,000	-349,514	-500,000	-	-	2,554,486	2,554,487	-
Community Facilities & Meeting Places	2,380,000	-1,072,001	-	1,000,000	1,000,000	1,446,538	1,256,539	190,000
Community Open Spaces	3,457,000	-1,087,602	112,321	63,923	400,000	2,734,326	843,249	1,891,077
Family & Youth Facilities	300,000	67,000	-35,000	-	-	367,000	237,000	130,000
FMAC (CAA) Initiatives	1,381,000	0	-	-	-	1,644,358	1,144,615	499,743
Information Services	2,184,000	57,825	207,617	-	-	3,324,375	3,324,375	-
Integrated Transport Management	9,340,000	1,726,140	586,959	-	-	10,942,466	8,585,046	2,357,419
Integrated Water Management	3,462,000	-900,001	-626,000	-	-	2,588,606	2,588,607	-
Not Applicable	-	-	-	-	-	-	-	-
Plant Fleet & Equipment	2,409,998	65,616	65,615	-	-	2,475,614	1,186,606	1,289,007
Public Toilets	671,000	-7,759	-19,000	182,273	-	843,728	571,000	272,728
Recreation Facilities	26,589,000	-7,415,927	-234,596	3,264,329	5,319,558	20,010,997	8,688,827	11,322,171
Smart Cities Infrastructure	313,000	51,000	-	-	-	364,000	364,000	-
Sustainability Initiatives	1,329,000	135,000	-	-	-	1,489,555	966,555	523,000
Urban Revitalisation	300,000	442,616	72,616	-100,000	-	789,081	265,002	524,079
Waste Management	26,000	-	-	-	-	109,572	109,572	-
<b>TOTALS</b>	<b>59,939,998</b>	<b>-8,774,605</b>	<b>-429,261</b>	<b>4,410,525</b>	<b>6,719,558</b>	<b>54,120,469</b>	<b>34,476,244</b>	<b>19,644,225</b>

**Item 12.10 Attachment D: MYBR Council Decisions (Resolutions)**

2020-2021 Mid Year Budget Review						
Item	Meeting	Notes	Operating/Capital Works	Ongoing/One-Off	Amount for 20/21 only	Future Year Impact

**MYBR Council Decisions (resolutions and NoM's)**

1. Items Referred for Consideration						
1.1	Council Meeting 30 March 2020	Nat's Track - Notes further to the resolutions resolved at Ordinary Meeting 18 November 2019, additional work has been requested; and subject to Council support refers \$87,000 to the 2020/21 mid-year budget review process for Council consideration of the following: <ul style="list-style-type: none"> <li>• \$25,000 for the installation of 6 solar lights at intervals along Nat's Track;</li> <li>• \$50,000 for the landscape beautification works at both ends of Nat's Track; and</li> <li>• \$12,000 as a grant contribution towards the memorial artwork installation, in consultation with the Russell family and the golf clubs.</li> </ul>	Capital Works	One-Off	87,000	
1.2	Council Meeting 29 June 2020	Urban Forest Action Plan - Refers the amount of \$121,000 to the 2020/21 Mid-Year Budget for consideration for the delivery of the year 1 Implementation plan specifically: a) \$20,000 to develop an Urban Forest Local Area Plan for Carrum Downs to identify planting sites, including potential locations for bulk planting (\$1a); b) \$6,000 to develop an online portal to track tree planting across the Municipality (\$11); c) \$10,000 to review the ongoing decline of Eucalyptus scoparia and plan for their replacement (\$13); d) \$10,000 to investigate the decline of Banksia integrifolia within the Seaford Foreshore (\$15); e) \$15,000 to make an ongoing commitment to Resilient Melbourne and the delivery of the Metropolitan Urban Forest Strategy (O10); f) \$40,000 to commence a review of the Significant Tree Register (L5A); and g) \$20,000 to develop an Urban Forest Local Area Plan for Seaford to identify planting sites, including potential locations for bulk planting (\$1a).  <b>Update Dec 2020 - Reduce request to \$60K</b> - Items a) and g) already contained in 2020/2021 Budget - Item b) will be able to be produced in-house using the existing web platform - Item e) Resilient Melbourne is no longer a member-based organisation so no fees will be charged	Operating	One-Off	60,000	
<b>Subtotal - Referred for Consideration</b>					<b>147,000</b>	<b>0</b>

2. Items that have been Committed						
2.1	Council Meeting 30 March 2020	South East Councils Climate Change Alliance (SECCCA) membership - Commits \$36,500 for the first 12 months membership in the 2020-21 Mid-Year Budget Review and refers funding for future years budget consideration.	Operating	Ongoing		36,500
2.2	Council Meeting 14 October 2019	Frankston City discontinue the use of the current herbicide regime. ie Glyphosate.	Operating	Ongoing		600,000
<b>Subtotal - Committed</b>					<b>0</b>	<b>636,500</b>

<b>Operating Adjustments Summary</b>		<b>\$</b>
<b>MYBR Operating Adjustments - Cash</b>		
Relief & Recovery Package Adjustments previously approved by Council		661,267
Labour (Refer to below table)		(1,163,845)
Business Continuity Plan		36,000
Insurance Claims & associated costs		55,000
Director Vehicle		15,000
Data Network		24,000
Community engagement		50,000
Visitor Information Centre minor improvements		5,000
Pines Pool contract costs		75,675
Advocacy and legal services for family violence and tenant's rights		103,000
Charitable Fund grants		47,000
General Operating		3,000
Business Grants		70,000
Jubilee Park management model		50,000
CCTV contract		6,000
Reduction in Victorian Grants Commission funding		20,786
Decreased interest on investments		91,000
<b>Subtotal</b>		<b>148,883</b>
Offset by:		
Workcover Premium adjustment		(240,121)
Insurance renewal adjustment		(231,000)
Reduced Legal Action on outstanding rates		(34,000)
Cemetary income		(16,540)
Adjusted Arts Centre income		(8,333)
Additional Community Safety income		(165,000)
Additional Boat Launching Fee reimbursement		(12,200)
Plant Operating efficiencies		(57,004)
Operations efficiencies		(245,464)
Developer contributions		(505,917)
<b>Total major MYBR Operating Adjustments - Cash</b>		<b>(1,366,696)</b>
<b>Labour</b>		
CFO Director		(10,000)
Financial & Corporate Planning		(3,295)
Business & Information Technology		64,000
Digital Transformation		(50,000)
Community Relations		175,000
Community Strengthening		(73,300)
Family Health Support Services		(250,000)
Policy, Planning & Environmental Strategies		(30,000)
Community Safety		(352,217)
Arts & Culture		(71,000)
Buildings & Facilities		(13,000)
Sustainable Assets		(43,239)
Infrastructure & Operations Director		(20,000)
Capital Works Delivery		(32,737)
Operations		(454,057)
<b>Labour Total</b>		<b>(1,163,845)</b>
<b>Non-Cash Adjustments</b>		
Long Service Leave Provision		400,000
Depreciation adjustment		652,408
<b>Total Operating Adjustments - Non-Cash</b>		<b>1,052,408</b>
<b>Total Operating Adjustments</b>		<b>(314,288)</b>

**Executive Summary****12.11 Outcomes of the Audit and Risk Committee meeting**

*Enquiries: (Simone Wickes: Chief Financial Office)*

**Council Plan**

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

**Purpose**

To present to Council the unconfirmed minutes of the Audit and Risk Committee (ARC) meeting.

**Recommendation (Chief Financial Officer)**

That Council:

1. Receives the unconfirmed minutes of the Audit and Risk Committee meeting held on 4 December 2020; and
2. Resolves the attachment remains confidential indefinitely as it contains details of existing audits and other information and would, if prematurely released, impact the status of the audits and release information that is considered confidential.

**Key Points / Issues from the 4 December 2020 meeting (Attachment A):**

- The Council Financial Report for the quarter ended 30 September 2020 was noted by the Audit and Risk Committee (Committee).
- The final 2019-2020 Management letter and closing report were noted by the Committee.
- The Committee noted the progress of the work in relation to outstanding internal audit recommendations and will be kept updated as part of the ongoing implementation as they occur. Officers are continuing to work on high outstanding actions and will determine if they are still relevant and review the status of the risk exposure in conjunction with the auditors.
- The Committee was briefed on the outcomes of the following internal audits and supported the recommendations:
  - Review of Risk Management Framework
  - Procurement and Tendering (Part 2)
  - Review of Tree Management
  - Review of Reimbursements (Councillors and EMT)
- The CEO presented to the Committee two reports – an Update on Coronavirus (COVID\_19) and the CEO's Council's quarterly report. The committee noted these two comprehensive reports.
- The Committee was provided a verbal update on Peninsula Leisure Pty Ltd company matters.
- The Committee noted the Peninsula Leisure performance report for three months ending 30 June 2020 and 30 September 2020.

**12.11 Outcomes of the Audit and Risk Committee meeting****Executive Summary**

- The Committee was briefed on the Councillor Induction Program and noted a further update will be provided in May 2021.
- The Committee noted the results from the self-assessment survey results for 2020.

**Financial Impact**

Costs for supporting the Audit and Risk Committee and Internal Audit function are covered within Council's current budget.

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

Community engagement is not undertaken in relation to these matters.

**2. Other Stakeholders**

The relevant internal stakeholders have been notified of the actions that need to be undertaken for this Committee meeting.

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

There are no social, economic or environmental implications in relation to this 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

Council is required to establish an Audit Committee under the Local Government Act for the purpose of focusing on issues relevant to the integrity of Council's financial reporting, monitoring risk management systems and liaising between external auditors, internal auditors and management.

Policy Impacts

There are no policies or protocols that affect the decision of this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

The Committee is a fundamental component of a good corporate governance structure and is an Advisory Committee of Council. Its purpose is to assist and advise Council in the areas of financial reporting, external audit, internal audit, risk management, ethics, control framework and good governance, generally through compliance with the *Local Government Act* and other applicable laws and regulations.

**Conclusion**

The unconfirmed minutes of the Audit and Risk Committee are presented to Council for consideration and endorsement.

12.11 Outcomes of the Audit and Risk Committee meeting

**Executive Summary**

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**ATTACHMENTS**

Attachment A: Audit and Risk Committee Minutes - December 4 Meeting -  
**CONFIDENTIAL**

**Executive Summary****12.12 Audit and Risk Committee – Chairperson's second half-yearly report to Council in 2020**

*Enquiries: (Kim Jaensch: Chief Financial Office)*

**Council Plan**

Community Outcome:	5. Audit and Risk Management Committee
Strategy:	4.10 Other responsibilities
Priority Action	4.10.3 Review and assess annually the adequacy of the committee charter, making any appropriate recommendations to Council

**Purpose**

To present to Council the half-yearly report from the Chairperson of the Audit and Risk Committee on its activities during the second half of 2020.

**Recommendation (Chief Financial Officer)**

That Council:

1. Acknowledges the work undertaken by the Audit and Risk Committee over the second six months of 2020, and the contribution it has made to the proper functioning of the Council and Management; and
2. Resolves the attachment remains confidential indefinitely as it contains details of existing audits and other information and would, if prematurely released, impact the status of the audits and release information that is considered confidential.

**Key Points / Issues**

- Under Section 53 of the Local Government Act 2020 Council is required to have in place an Audit and Risk Committee (Committee). The Committee meets a minimum of five times per year.
- The Audit and Risk Committee Charter was adopted at its Ordinary Meeting on 10 August 2020.
- A requirement of the Audit and Risk Committee Charter is for the Chairperson to provide Council twice per annum a written report of the Committee's activities.
- Due to the constraints of COVID-19 pandemic, the Committee was unable to meet to review the annual financial report and annual performance statement at its scheduled meeting in August 2020 and the matter was moved to the scheduled meeting held on 18 September 2020. This report covers two meetings held on 18 September 2020 and 4 December 2020.
- Key highlights of the Chairperson's for the second half of 2020 are as follows:
  - The Committee reviewed the Quarterly Financial Reports including a budget comparison and forecast updates as required. The September 2020 Quarterly Report was reviewed at the December meeting. The Committee reviewed the 2019-20 Financial Report and Performance Statement and related matters at the September 2020 meeting;
  - The Committee received quarterly reports from the Chief Executive Officer on all matters of fraud, corruption and ethics;
  - The Committee noted the reports on Strategic Risk Management, Risk Management Framework, Strategic Risk Profile, reviewed the Strategic

**12.12 Audit and Risk Committee – Chairperson's second half-yearly report to Council  
in 2020****Executive Summary**

- Risk Register and insurance policies, insurance risk gap analysis and indemnity limits;
- The Committee received reports on the 2020-21 Insurance Renewal programme and Strategic Risk Management at the September meeting. A risk the Committee has been monitoring is the COVID-19 impact on the Council and the community. The Committee has received regular reports on the restrictions and the Council's strategy in supporting the community and the Council's ongoing operations.
  - The following internal audit reports were presented to the Committee:
    - Follow-up Review of Agreed Actions from Previous IA Reports (September)
    - Planning Processes (June out-of-session report after previous verbal reports)
    - Review of Peninsula Leisure – Part 1 (September)
    - Fraud & Corruption Control (September)
    - Contract Management (September)
    - Purchasing Cards (September)
    - Recruitment Controls (September)
    - Review of Tender & Procurement – Part 1 (September)
    - Review of Tender & Procurement – Part 2 (December)
    - Review of Risk Framework (December)
    - Review of Tree Management (December)
    - Review of Reimbursements – Councillors & EMT (December)
  - The Committee received regular operational reports and briefings on major issues and risks affecting PARC and its operations. The Committee especially noted the impact of the pandemic restrictions on PL's operations and the financial support provided by Frankston City Council;
  - The annual review of the Committee's performance was conducted in October 2020. Councillors, Independent Members and Senior Officers who attend the meetings were invited to complete a survey form, which addressed various aspects of the Committee's responsibilities and operations.
  - The new Local Government Act 2020 (LG) made significant changes to audit committee charters. In July 2020 the Committee reviewed and recommended changes to the Committee Charter so as to comply with the LG Act. The revised Charter was approved by Council on 10 August 2020.
  - The Committee updated its annual work plan to be consistent with the new Charter.

**Financial Impact**

There are no financial implications associated with this report.

**12.12 Audit and Risk Committee – Chairperson's second half-yearly report to Council  
in 2020****Executive Summary****Consultation****1. External Stakeholders**

No community engagement was undertaken. The Committee is charged with the responsibility of acting in the capacity of an Advisory Committee to Council.

**2. Other Stakeholders**

Nil

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

There are no environmental, economic or social implications associated with this 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

Council is required under Section 53 of the *Local Government Act 2020* to have in place an Audit and Risk Committee. Council must also prepare and adopt an Audit and Risk Charter under Section 54 of the Act that must specify the functions and responsibilities of the Audit and Risk Committee. It must include the requirement for the Audit and Risk Committee to prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee, including its findings and recommendations.

Policy Impacts

A requirement of the Audit and Risk Committee Charter is for the Chairperson to provide Council twice per annum a written report of the Committee's activities.

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 inherent risks associated with this report.

**Conclusion**

The Chairperson's report and recommendations are considered appropriate and are commended to Council for adoption.

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**ATTACHMENTS**

Attachment A: Chairperson Report - Second half year of 2020 - Audit and Risk Committee - **CONFIDENTIAL**

**Executive Summary****12.13 Appointment of Independent Member to the Audit and Risk Committee**

*Enquiries: (Simone Wickes: Chief Financial Office)*

Council Plan

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

**Purpose**

To brief Council on a recommendation to appoint Mr Michael Ulbrick as an Independent Member to the Audit and Risk Committee for a term of three (3) years.

**Recommendation (Chief Financial Officer)**

That Council:

1. Appoints Mr Michael Ulbrick to the Audit and Risk Committee for a three (3) year term, expiring on 30 December 2023; and
2. Resolves the attachment remains confidential indefinitely as it contains personal information and would, if prematurely released, be a breach of Privacy Laws.

**Key Points / Issues**

- Council's Audit and Risk Committee (the Committee) is made up of three (3) independent members and two (2) Councillors and its role is to monitor Council's approach to internal control, risk management, compliance, financial reporting and ethical matters.
- Mr David Fraser resigned from the Committee due to a conflict of interest with a newly acquired role as an interim Director of Peninsula Leisure Pty Ltd on 1 November 2020.
- Mr David Fraser's appointment was to expire on 30 December 2020 but as his resignation was received early, the position was advertised in the Age on 21 November 2020, Frankston City Council website and the Australian Institute of Companies audit committee vacancy portal. Overall 15 applications were received.
- Of these applications, four (4) candidates were short-listed for an interview from a high quality field. The interview panel consisted of the Chairperson of the Committee, Chief Financial Officer and Manager Financial and Corporate Planning.
- Following the extensive interview process, the panel unanimously resolved to appoint Mr Michael Ulbrick as an Independent Member of the Committee for a term of three (3) years.
- A copy of Mr Michael Ulbrick application and Curriculum Vitae is contained in Attachment A of this report.

**Financial Impact**

There are no financial implications associated with this report.

**12.13 Appointment of Independent Member to the Audit and Risk Committee****Executive Summary****Consultation****1. External Stakeholders**

There has been no consultation with the community as it is not considered appropriate in this particular matter.

**2. Other Stakeholders**

Nil

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

There are no environmental, economic or social implications associated with this report.

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

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

Legal

Council is required to establish an Audit and Risk Committee under Section 53(1) of the *Local Government Act 2020* for the purpose of focussing on issues relevant to the integrity of Council's financial reporting, monitoring risk management systems and liaising between external auditors, internal auditors and management.

Policy Impacts

This report is consistent with the Audit and Risk Committee Charter.

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 the appointment of Mr Michael Ulbrick as an Independent Member of the Audit and Risk Committee.

**Conclusion**

Mr David Fraser resigned from the Committee on 1 November 2020 and in accordance with the Audit and Risk Committee Charter, the position was required to be advertised and filled.

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**ATTACHMENTS**

Attachment A: Michael Ulbrick - Application & Curriculum Vitae -  
**CONFIDENTIAL**

**Executive Summary****12.14 Appointment of Directors to the Board of Peninsula Leisure Pty Ltd**

*Enquiries: (Kim Jaensch: Chief Financial Office)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.4 Improve the health and wellbeing of residents
Priority Action	2.4.5 Increase social inclusion and community participation in leisure activities including libraries, arts and culture

**Purpose**

For Council to consider the appointments of Non-Executive Directors to the Board of Peninsula Leisure Pty Ltd.

**Recommendation (Chief Financial Officer)**

That Council:

1. Acknowledges the advertisement and interview process conducted for the expression of interest of Non-Executive Directors to the Board of Peninsula Leisure Pty Ltd (PL);
2. Appoints Ms Julie Busch as a Non-Executive Director and Chair of Peninsula Pty Ltd for a period of three years, with the appointment expiring on 31 January 2024;
3. Appoints Ms Marlene Elliott as a Non-Executive Director of Peninsula Pty Ltd for a period of three years, with the appointment expiring on 31 January 2024;
4. Resolves to conclude Mr Phil Cantillon's role as Interim Director and Chair of PL;
5. Resolves to transition Mrs Kim Jaensch's role from Interim Director to Non-Executive Director until such time as a matrix of the skill sets of the Board members is conducted to determine whether there is a notable skill gap. Council can then determine whether to continue with the current board or seek to move to appointing a fifth Director with the required skill-set; and
6. Authorises a media release announcing the appointments of the two successful applicants.

**Key Points / Issues**

- At its meeting on 31 August 2020, Council resolved:  
*That Council:*
  - Resolves to advertise the position of Ms Roseanne Healy (Director and Chair of Peninsula Leisure Pty Ltd) which becomes due for renewal on 31 October, 2020;
  - Resolves to advertise the position of Mr Philip Johnson (Director Peninsula Leisure Pty Ltd) which becomes due for renewal on 31 October, 2020;
  - That Council appoint the Chief Executive Officer and Chief Financial Officer as Interim Directors to Peninsula Leisure Pty Ltd for the period 1 November 2020 until such time as new Directors are appointed, which at this stage is anticipated by 23 November 2020, subject to potential delays ;
  - Following the appointment of the successful applicants for these positions, request the Board of Peninsula Leisure Pty Ltd to prepare a

**12.14 Appointment of Directors to the Board of Peninsula Leisure Pty Ltd****Executive Summary**

*matrix of the current skill sets of the Board members to identify if there is any notable skill gap and based on this information, Council determine whether to continue with four Directors or to move back to the original five Director model; and*

- *Releases this resolution with the open minutes of this meeting.*
- Subsequent to this resolution, the remaining two Directors on the Peninsula Leisure Board chose to resign their roles and under CEO delegation, Council appointed Mr Tom Mollenkopf and Mr David Fraser as Interim Directors for the period through until 30 April 2021 in order to ensure the Board remained within its constitutional structure which requires a minimum of four Directors.
- The roles of the PL Board were advertised on the AICD website, Women on Boards website and Council's website. There was considerable interest in the positions and Council received 35 applications, the closing date was 7 December 2020. An evaluation was conducted by the interview sub-committee based on a range of selection criteria with three candidates selected for interviews, all presenting excellent credentials for consideration.
- The interview sub-committee comprised of the Interim Chair of PL and Council's CEO, Phil Cantillon, Interim Director of PL and Council's CFO Kim Jaensch, Interim Directors of PL Tom Mollenkopf and David Fraser. These interviews were conducted on 16 and 17 December with two candidates recommended to Council for appointment for a three-year term in line with the constitution of the company.
- The board currently comprises four interim Directors with Councillor Brad Hill sitting as an ex-officio member. The interim members, and the expiry date of their appointments are as follows:
  - Mr Phil Cantillon (Interim Chair)      Temporary
  - Ms Kim Jaensch      Temporary
  - Mr Tom Mollenkopf      30 April 2021
  - Mr David Fraser      30 April 2021
- Mr Phil Cantillon and Mrs Kim Jaensch were appointed by Council as interim Directors to Peninsula Leisure Pty Ltd for the period 1 November 2020 until such time as new Directors were appointed. It is recommended that Mr Phil Cantillon conclude his role as interim Director and Chair of PL and Mrs Kim Jaensch continue as a Non-Executive Director until such time as a matrix of the skill sets of the Board members is conducted to determine whether there is a notable skill gap. Council can then determine whether to continue with the current board or seek to move to appointing a fifth Director with the required skill-set.
- The interview sub-committee recommend the appointments of the following two applicants:
  - Ms Julie Busch      31 January 2024
  - Ms Marlene Elliott      31 January 2024
- It is recommended that Council appoint Ms Julie Busch to the role of Chair due to her prior extensive Chair experience on similar Board structures.
- Profile summaries of the successful applicants are as follows:

**12.14 Appointment of Directors to the Board of Peninsula Leisure Pty Ltd****Executive Summary****Julie Busch**

Ms Julie Busch is a highly experienced Board Chair and independent Non-Executive Director across a range of sectors. Most relevant to Council is her participation as a NED with Western Leisure – the most like for like model within local government to Peninsula Leisure – with this company managing a wide range of aquatic and recreational facilities on behalf of the City of Wyndham. Julie was an inaugural Board member at the start-up of this company and would bring with her great experience from a similar operating model.

Julie was further the inaugural Board Chair (and maintained the Chair role) for Dandenong Market Pty Ltd from its inception in 2008 until her resignation in May 2020. During this time, she oversaw the implementation of a move from contract management model (Savills Pty Ltd) to a company staffed model and saw the introduction of wide-ranging initiatives including the implementation of Sunday trading at the Market.

Julie has ongoing Board roles with the Southern Metropolitan Cemeteries Trust and the Caulfield Racecourse Trust.

Julie has finely tuned understanding of the need for a positive relationship between Council and subsidiary owned entities such as Peninsula Leisure and as the nominal Board Chair would create an excellent blend between the two entities as Council seeks to change the culture of the previous relationship.

Prior to pursuing opportunities within corporate Boards, Julie had an extensive background in retail including senior roles in the management of Melbourne Central shopping centre and ten years as the Chief Executive Officer of Prahran Market.

Qualifications include:

- AICD & Leadership Victoria courses: corporate governance, NFP, Chairmanship & Leadership, Innovation; Summits
- Graduate Company Directors Course Australian Institute Company Directors (GAICD)
- Graduate Certificate Business - Monash University
- Graduate Certificate Shopping Centre Management - University of NSW
- Bachelor of Arts (Psychology and Journalism) - University of Queensland

**Marlene Elliott**

Ms Marlene Elliott has had an extensive career in marketing and communications, strategy, governance and sport. A 15 year career at KPMG, includes 6 years as Director of National Client and Market Insights. In March 2019, Marlene joined VUCA Trusted Advisors as a Consulting Associate Director.

Through her current board roles with Commonwealth Games Australia, Triathlon Australia and Workways Australia, she has regular engagement with other boards, local, state and federal governments. Marlene has a strong commitment and drive to reach strategic and financial outcomes for the sport and recreation industry and employment sector, together with the importance of creating value and return on investment for stakeholders.

**12.14 Appointment of Directors to the Board of Peninsula Leisure Pty Ltd****Executive Summary**

Marlene is passionate about providing the community with social and recreation opportunities for individuals and families, to enable a positive impact of people's health and mental wellbeing. She is enthusiastic and driven to create opportunities for communities to be healthy, have a sense of belonging, develop social and leadership skills, build confidence and create a safe environment where people can benefit and prosper.

Qualifications include:

- Graduate Australian Institute Company Directors, Victoria
- Certificate in Financial Markets Securities Institute, South Australia
- Associate Diploma Banking & Finance, TAFE South Australia
- Bird Walton Women in Leadership, KPMG Australia
- The successful applicants will be notified of their appointments following Council's resolution, along with notification to all enquiries, including applicants. A media release will then be provided announcing the two successful applicants.

**Financial Impact**

The fees paid to Directors are included in PL's budget and were adopted by Council at its meeting on 26 October 2015 (OM279). The fees payable are set as a percentage of the Councillor allowance, with Board members paid 70% of the Councillor allowance, with the Chair paid a supplement of 60% of that amount in recognition of the additional duties and work required.

These amounts are included in the 2020/2021 Annual Budget of PL as approved by Council.

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

Nil

**2. Other Stakeholders**

Discussions have been had with the Mayor and Councillors, Chief Executive Officer and Interim Directors of PL.

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

It is considered that the appointments of Ms Julie Busch and Ms Marlene Elliott will allow for the continued high performance of both the Board and the company and is seen as a critical step in re-establishing company stability at a time when it needs to be driving the recovery from the pandemic.

**Council Plan Impact**Charter of Human Rights and Responsibilities

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

Legal

The constitution of PL allows for the appointment of a Board of five, plus a Council Delegate as an ex officio member.

**12.14 Appointment of Directors to the Board of Peninsula Leisure Pty Ltd****Executive Summary**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 imperative that the appropriate skill sets are available to the Board of PL and is seen as a critical step in re-establishing company stability at a time when it needs to be driving the recovery from the pandemic.

**Conclusion**

It is recommended that Council supports the appointments of Ms Julie Busch and Ms Marlene Elliott with their terms to expire on 31 January 2024. It is also recommended that Mr Phil Cantillon conclude his role as interim Director and Chair of PL and Mrs Kim Jaensch continue as a Non-Executive Director until such time as a matrix of the skill sets of the Board members is conducted to determine whether there is a notable skill gap. Council can then determine whether to continue with the current board or seek to move to appointing a fifth Director with the required skill-set.

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**ATTACHMENTS**

Nil

**Executive Summary****12.15 St Kilda Football Club Proposal for the Belvedere Precinct (Formerly Linen House)**

*Enquiries: (Tim Bearup: Communities)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.3 Health and Well-being
Priority Action	2.3.3 Enhance equitable access to sport and leisure opportunities

**Purpose**

To provide Council with information regarding the St Kilda Football Club (SKFC) proposal for the Belvedere Precinct (formerly Linen House) and to seek Council direction on further negotiations.

**Recommendation (Director Communities)**

That Council:

1. Notes the proposal submitted for the Belvedere Precinct by St Kilda Football Club (SKFC);
2. Notes the positive engagement and collaborative discussions that have been taking place between SKFC and Council in order to repurpose the Belvedere Precinct to best serve the needs of the Frankston community in the years ahead;
3. Supports in-principle the SKFC proposal for the broader Belvedere Precinct, and approves further detailed exploration to take place into the development of an appropriate governance and operational management model;
4. Resolves for officers to work with the Councillor delegates, SKFC and Belvedere Community Centre to negotiate an appropriate Lease / License / Service Level Agreement (Community Covenant) with detailed operational KPI's, governance and reporting procedures and a range of further contractual safeguards to protect the interests of Council. These agreements are to be inclusive of the following requirements:
  - Use of the site must provide community benefit under the broad umbrella of sport, health and well-being, including the provision of specific benefit targeted towards Frankston's vulnerable groups
  - Council is to retain significant influence over any current or future sub-tenanting and hire arrangements to ensure that future users and uses continue to deliver on Council's interests and vision for the site
  - A community covenant must be developed to set out the enduring obligations and accountabilities for the use of the site
  - Council has the right to terminate any agreement with SKFC if performance measures are not met
  - Council must approve the fees for the sub-tenants and the fees framework that is applied to the hire arrangements of future users, to ensure the venue is affordable for local community and sporting groups
  - Governance processes and associated decision-making must be transparent with regular reporting to Council and the establishment of a governance structure/steering group to protect and deliver on the community covenant;
  - Naming rights and branding for the site must be agreed to by Council.
  - Ongoing local sports club access to the oval, associated change facilities

**12.15 St Kilda Football Club Proposal for the Belvedere Precinct (Formerly Linen House)****Executive Summary**

and car parking is to be supported and prioritised in consultation with Council to ensure equitable access;

5. Notes that a further report is anticipated to be presented to Council no later than September 2021, outlining the detailed proposal and contractual arrangements for final approval / decision;
6. Approves an architect to be appointed to progress designs for the site and the associated overflow car park as sufficient detail becomes known regarding the anticipated uses of the facility; and
7. Resolves the attachments to this report to be retained confidential, pursuant to section 3(1) of the Local Government Act 2020, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**Key Points / Issues***Background*

- Linen House was a purpose built elite level training facility for St Kilda Football Club (SKFC).
- SKFC relocated their elite men's team to Moorabbin in 2018.
- The relationship between Frankston City Council (FCC) and SKFC was impacted by the decision to relocate and in more recent times work has been done to rebuild this relationship.
- Approximately 39 years remain on SKFC facility lease with associated licences for use of the car park and oval. SKFC Football Club (SKFC) currently holds the:
  - a) Lease for the Belvedere precinct facility (formerly Linen House) – expiry 2059
  - b) License for the Belvedere oval – expiry 2059
  - c) License for the Belvedere car park – expiry 2059
- SKFC has expressed its ongoing interest in continuing a presence at the site.
- Council has also identified Belvedere Community Centre (BCC) as a priority organisation to be included in a repurposed Belvedere Precinct.
- From June to September 2020 a Councillor led delegation met numerous times with SKFC to determine the way forward for the site.
- The vision for the Belvedere facility, as put forward by Council and supported by SKFC, is: *To provide community benefit under the broad umbrella of health and well-being with specific benefit targeted towards Frankston's vulnerable groups.*
- Subsequent to the discontinuation of the EOI process, SKFC presented a proposal to the Councillor-led delegation outlining revised use for the site, addressing the above vision that included Belvedere Community Centre and a range of other potential partners.
- SKFC presented their proposal to the new Council at a briefing on 9 December 2020 (see Attachment A).

**12.15 St Kilda Football Club Proposal for the Belvedere Precinct (Formerly Linen House)****Executive Summary**

- An analysis of SKFC's proposal is provided in Attachment B.

*Recommendation*

- It is recommended that Council provide in-principle support for the SKFC proposal for the Belvedere Facility with key requirements included in the Lease/License/Service Level Agreement (Community Covenant) that will serve as contractual safeguards to protect the interests of Council.
- If the Councillor-led negotiating delegation is not able to successfully negotiate an Agreement that incorporates the required contractual safeguards to Council's satisfaction then the proposal from SKFC should not be pursued.

**Financial Impact**

Council has allocated \$2.6M in 21/22 and 22/23 FY (along with \$218K remaining in the current year's budget) within the Long Term Infrastructure Plan towards the works that will be required to repurpose the facility and add an over-flow car park. These works include the need to provide female friendly change-rooms and amenities at the site amongst other upgrades.

The engagement of an architect to progress designs for the site and the associated overflow car park as sufficient detail becomes known regarding the anticipated uses of the facility, will also incur as yet unquantified costs. This is considered a necessary and fundamental step to ensure the efficient delivery of the overall proposal, assuming successful negotiations.

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

SKFC have met with representative Councillors and officers on multiple occasions to determine a way forward for the Belvedere Facility.

There will be a range of potential stakeholders that may be interested in joining this venture and SKFC and Council representatives will need to engage with these groups to further assess these opportunities.

The AFL and Sport and Recreation Victoria made significant funding contributions to the original development of the facility and as such it is intended that officers would engage with them on the future proposal for the site once the direction has been established.

Assuming successful negotiations in respect of the SKFC proposal, it is anticipated that statutory procedures for the leasing of Council land will be required. This process will allow for broad community engagement on the proposal.

**2. Other Stakeholders**

The internal departments involved in discussions to date have included:

- Community Strengthening
- Commercial Services
- Town Planning
- Buildings and Facilities

**12.15 St Kilda Football Club Proposal for the Belvedere Precinct (Formerly Linen House)****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

The Belvedere facility is currently underutilised. Future use and management of the facility needs to be determined so that the facility can provide a return on investment for the community.

Council's Health and Wellbeing Plan identifies some significant community health issues and a number of actions to address these. This includes a focus on improving nutrition and physical activity, affordable access to programs, addressing social isolation, targeting gender equality and vulnerable groups within the community.

A health and wellbeing hub at the Belvedere Precinct could deliver services for the community at large whilst intentionally lowering entry barriers for identified vulnerable populations.

**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

Legal advice has been obtained and further detail is provided in Attachment B.

Assuming successful negotiations in respect of the SKFC proposal, such a significant change to the terms and conditions of the existing tenure arrangements is best achieved through the surrender of the current agreements, with new agreements being entered into to achieve the desired objectives for the Belvedere Precinct.

Provisions within a new lease such as the length of term and the assessed market rental value will determine whether or not statutory procedures for the leasing of Council land is required.

The timing of the negotiations with SKFC will determine whether such an assessment is made under the *Local Government Act 1989*, or the *Local Government Act 2020*, which is effective from 1<sup>st</sup> July 2021.

Policy Impacts

The Draft Property Strategy (DPS) is relevant to this proposal.

The DPS states the leasing objectives are as follows:

- To ensure that all proposed leasing and licensing is for a demonstrated, approved current or future service delivery, in cases where the service is provided by or on behalf of Council.
- To ensure that the leasing or licensing of Council owned or managed land is the most appropriate option to deliver an indirect service or use.
- To ensure an appropriate Financial Value is returned to Council, in cases where the use is primarily for the commercial benefit of a private operator.
- To ensure that any leasing or licensing demonstrates a satisfactory Service and/or Financial Value where the primary use is not commercial

Officers will ensure that any negotiations and end recommendations give effect to these objectives.

**12.15 St Kilda Football Club Proposal for the Belvedere Precinct (Formerly Linen House)****Executive Summary**Officer's Declaration of Interests

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

**Risk Mitigation**

An assessment of the risks and benefits associated with the proposal from SKFC is provided in Attachment B.

**Conclusion**

The proposal from SKFC presents the opportunity of transforming this underutilised facility into a ground breaking community sports and health and wellbeing hub. The risks associated with the SKFC proposal have been identified and can be effectively mitigated.

It is recommended that Council provide in-principle support for the SKFC proposal and allow the detailed exploration of appropriate governance, commercial realities, contractual safeguards, and operational KPI's. It is recommended that this is then brought back to Council for a final determination.

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**ATTACHMENTS**

Attachment A: SKFC Proposal for Belvedere Precinct - Dec 2020 -  
**CONFIDENTIAL**

Attachment B: Context & Officer Analysis - SKFC Proposal for Belvedere  
Precinct - **CONFIDENTIAL**

**Executive Summary****12.16 Debrief of Council Meetings**

*Enquiries: (Brianna Alcock: Chief Financial Office)*

**Council Plan**

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

**Purpose**

For Councillors to reflect and make an assessment of the Council Meeting held on 27 January 2021.

**Recommendation (Chief Financial Officer)**

That Council:

1. Resolves for the assessments of Council Meetings to occur after each Council Meeting, at an informal meeting of Councillors;
2. Notes this change will come into effect from this Council Meeting;
3. Continues to make assessments based on the following eight (8) pillars identified in the Framework for Good Governance Commission of Inquiry into Greater Geelong City Council:
  - Direction and Leadership
  - Culture and Behaviour
  - Structure, Systems and Policies
  - Decision making
  - Communication and community engagement
  - Capability
  - Risk and Compliance; and
  - Monitoring and Review
4. Confirms the Good Governance Debrief Notes made at the Council Meeting held on 14 December 2020;
5. Resolves for the attachment to be confidential indefinitely, as it contains personal information, and would, if prematurely released, impact the reputation of Councillors and Council; and
6. Approves for the Good Governance Debrief Notes to be included as part of the CEO Confidential Quarterly Report going forward.

**Key Points / Issues**

- At its meeting on 23 November 2020, Council resolved:

*That Council:*

4. *Continues with the practice of making Good Governance Debrief Notes.*

**12.16 Debrief of Council Meetings****Executive Summary**

- Prue Digby was appointed to the role as Municipal Monitor by the Minister for Local Government on 13 December 2017 for a period of 18 months to monitor the governance processes and practices of Council.
- On Wednesday 18 December 2019, the Minister for Local Government released the Final Reports prepared by Ms Digby. The report was available on the Local Government Victoria website.
- One of the assessments made by Ms Digby was based on the Framework for Good Governance Commission of Inquiry into Greater Geelong City Council which addressed eight pillars. Further information on the eight pillars are attached to this report.
- To follow the practice of good governance, the last term of Councillors agreed to address these pillars with the Chief Executive Officer and Executive Management Team at the end of every Council Meeting. The pillars are based on the Framework for Good Governance Commission as listed:
  - Direction and Leadership
  - Culture and Behaviour
  - Structure, Systems and Policies
  - Decision making
  - Communication and community engagement
  - Capability
  - Risk and Compliance; and
  - Monitoring and Review
- It was agreed that Council continue with the practice of making Good Governance Debrief Notes in this term of Council.
- It is recommended that the discussion take place at an informal meeting of Councillors and the Good Governance Debrief Notes be included as part of the CEO Confidential Quarterly Report.

**Financial Impact**

There are no financial implications associated with this report.

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

There have been no external stakeholders consulted for this report.

**2. Other Stakeholders**

Councillors and Executive Management Team have committed to make an assessment of every Council Meeting based on the eight pillars highlighted by the Municipal Monitor, Ms Digby.

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

There are no environmental/economic/social implications.

**12.16 Debrief of Council Meetings****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

In accordance with section 8(1) of the *Local Government Act 2020*, the role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

This debrief provides Councillors and the Executive staff with the opportunity to reflect and review meeting processes, ensuring that Council aligns to the pillars and principles of the Good Governance Framework.

Policy Impacts

There are no impact to Council Policies.

Officer's Declaration of Interests

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

**Risk Mitigation**

There are no significant risks.

**Conclusion**

Councillors with the support of the Executive Management Team, have agreed to continue monitoring the pillars as highlighted by Ms Digby in her report to the Minister. These pillars are included in the report Framework for Good Governance Commission of Inquiry into Greater Geelong City Council.

It is recommended the assessments of Council Meetings occur after each Council Meeting, at an informal meeting of Councillors and the Good Governance Debrief Notes be included as part of the CEO Confidential Quarterly Report.

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**ATTACHMENTS**

Attachment A: Debrief Notes - 14 December 2020 - **CONFIDENTIAL**

**14.1 2021/NOM1 - Call for Relocation of Government Offices to Frankston City**

On 14 January 2021 Councillor Hill gave notice of his intention to move the following motion:

Given the changing workplace landscape as a result of COVID pandemic, Council is to write to the State member for Frankston, Mr Paul Edbrooke MP, the Federal member for Dunkley, Ms Peta Murphy MP, and Senator David Van, Liberal Patron for Dunkley, a representative of the Federal Government, to discuss and express a strong interest in seeing government departments, or government offices, relocate/decentralise to Frankston to promote local growth and jobs.

**COMMENTS BY DIRECTOR BUSINESS INNOVATION AND CULTURE**

Question for Consideration	
1. Has the NoM been discussed with the CEO and/or the relevant Director or Manager?	<b>YES</b> Comments: Discussed with the Acting CEO
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>
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>
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>
9. Is the NoM consistent with existing Council or State policy or position?	<b>YES</b> Comments: Consistent with the Victorian Government's vision of creating a city of 20-minute neighbourhoods identified in Plan Melbourne 2017-2050 and the Australian Infrastructure Plan aspires to create cities that are productive sources of growth, jobs and opportunity.

**14.1 2021/NOM1 - Call for Relocation of Government Offices to Frankston City**

Question for Consideration	
<b>10. Is the NoM consistent with Council's adopted strategic plan?</b>	<b>YES</b> Comments: Relocation of a government department or agency within Frankston City is identified within the 2017-2021 Council Plan as a strategic priority.
<b>11. Can the NoM be implemented without diversion of existing resources?</b>	<b>YES</b>
<b>12. Can the NoM be implemented without diversion of allocated Council funds?</b>	<b>YES</b>
<b>13. Are funds available in the adopted budget to implement the NoM?</b>	<b>Not applicable</b> Within existing budget and resources
<b>14. What is the estimated cost of implementing the NoM?</b>	<b>Not applicable</b> Year 1: \$0 Recurring: \$0 Comments: There are no financial implications to Council for implementing this NOM as it falls within the responsibility of existing staffing resources.

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**ATTACHMENTS**

Nil

**17. CONFIDENTIAL ITEMS**

Section 3(1) of the Local Government Act 2020 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Council business information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) Security information that is likely to endanger the security of Council property or the safety of any person;
- (c) Land use planning information;
- (d) Law enforcement information;
- (e) Legal privileged information;
- (f) Personal information;
- (g) Private commercial information;
- (h) Internal arbitration information;
- (i) Councillor conduct panel information
- (j) Information prescribed by the regulations to be confidential information for the purposes of this definition;
- (k) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989
- (l) A resolution to close the meeting to members of the public pursuant to section 66(2)(a).

**Recommendation**

That the 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 3(1) of the Local Government Act 2020 (the Act) on the following grounds:

**C.1 Chief Executive Officer's Quarterly Report - October - December 2020 period**

This document and all relevant attachments have been designated by me, the Chief Executive Officer, as confidential information under Section 3(1) of the Local Government Act 2020:

- on the grounds that it contains personal and legal privileged information, being information which if released, would result in the unreasonable disclosure of information about any person or their personal affairs, or information which legal professional privilege or client legal privilege applies; and
- these grounds apply because the information that is detailed within the quarterly report contains matters would, if prematurely released, result in reputational or financial implications for Council.

.....  
Signed by the CEO